



It's Right Here.

**Employee Personnel
Policies and Procedures
Handbook**

V9 – Final; 03/19/2018

Welcome to the Village of Weston!

On behalf of your fellow employees, welcome to the Village of Weston. An interesting and challenging opportunity awaits you as an employee. In order to answer some of the questions you may have concerning our policies we have written this handbook. Please read it thoroughly and retain it for future reference. A more detailed description of the benefits available to you through any of the insurance and retirement programs can be obtained from the Employee Resources Manager.

The policies stated in this handbook are subject to change at the sole discretion of the Board of Trustees. Periodically, you may receive updated information concerning changes in the policies included in this handbook. It is your responsibility to discard the outdated pages and insert the new ones as you receive them. If you have any questions regarding these policies, you should contact your supervisor.

Nothing contained in this handbook is intended to create, nor should it be construed as creating, an expressed or implied contract of employment or a guaranty of employment for any term. No oral statements by Board of Trustees can alter this disclaimer or create a contract. Only the Board of Trustees or their designee has the authority to create an employment contract, and such contract must be signed in writing by the Village President to be valid. Although we hope that your employment relationship with us will be long-term, either you or Board of Trustees may terminate this relationship at any time for any reason.

The Village of Weston hopes that you will enjoy working for us and that your experience here will be challenging and rewarding.

Village President

Village Administrator

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CHAPTER 1

OBJECTIVES AND SCOPE OF MANUAL

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Sec. 1.01. Purpose of the Manual.

This is the personnel policies and procedures manual for the Village. It is designed to be a working guide for personnel in the day-to-day administration of the Village's personnel program. The general purpose of this manual is to establish a system of personnel administration consistent with the following principles:

- ✓ Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills – including open competition of qualified applicants for initial appointment.
- ✓ Establishing equitable pay rates.
- ✓ Training employees to assure high quality performance.
- ✓ Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate job performance cannot be corrected.
- ✓ Assuring fair treatment of applicants and employees in all aspects of personnel administration, without regard to race, creed, pregnancy, color, national origin, ancestry, disability, military status, sexual preference, sex, age (except where sex or age is a bona fide occupational qualification), or other legally protected class.
- ✓ Treat employees fairly, which does not imply that all employees will be treated exactly the same. The Village reserves the right to treat employees as individuals and to make exceptions to the rules.

These written policies should increase understanding, minimize the need for individual decisions on matters of Village-wide policy, and help to assure uniformity throughout the Village organization. However, procedures and practices in the field of personnel relations are subject to modification and further development in the light of experience and changes in law. This manual is not all-inclusive.

It is the responsibility of every Department Director to administer these policies in a consistent and impartial manner. The Administrator is responsible for the overall administration of the Personnel Policies and Procedures Manual. Department Directors are granted the authority to develop departmental policies which determine:

- ✓ Tool and Shoe Allowances
- ✓ Uniform Allowances
- ✓ Procedures for paid time off requests

- ✓ Shift Selection
- ✓ Assignment of Overtime
- ✓ Minimum Staffing and Coverage

Written notification must be submitted to the Employee Resources Manager within thirty (30) calendar days prior to implementation of any benefit or procedural changes to the current policy. The Administrator shall provide written comment regarding the policy changes, if appropriate.

Sec. 1.02. Mission Statement.

Our employees will deliver valuable, quality public services and facilities, as required by Wisconsin state law, responding to citizen-customers with outstanding service in an efficient, and cost-effective manner.

Sec. 1.03. Employee Culture.

Our employees will embrace the changing needs and expectations of our citizen-customers, thus continually working to improve the taxpayers' quality of place, by implementing the plans of the Board of Trustees, which will reflect the expectations of Weston residents and the business community.

Sec. 1.04. Guiding Principles.

The Village is a preferred employer which desires to attract and retain employees capable of supporting a high performing organization. The Village provides a progressive workplace where:

- (1) the best possible climate supports maximum development and goal achievement for all employees;
- (2) each employee is treated as an individual and in an equitable manner;
- (3) a spirit of teamwork thrives with individuals working together to attain a common goal;
- (4) communication is open and problems are discussed and resolved in a mutually respectful atmosphere taking into account individual circumstances and the individual employee;
- (5) direct communication resolves any difficulties that arise and cultivates a mutually beneficial relationship;
- (6) employees' pursuits of their educational and professional development goals for their current jobs and future career tracks are supported;
- (7) managers manage performance and compensation; promote accountable performance, foster innovation and creativity and encourage educated risk taking;
- (8) investment in future leaders/managers is consistent with the Village's succession plan;
- (9) a collaborative working environment is fostered;
- (10) compensation systems are externally competitive and internally equitable

Sec. 1.05. Management Rights.

The Board of Trustees possess the sole right to operate this local government agency and all management rights repose in it, but such rights must be consistent with the other provisions of this manual. These rights include, but are not limited to, the following:

- (1) To direct all operations.
- (2) To hire, promote, transfer, assign and retain employees in positions with the Village and to suspend, demote, discharge, and take other disciplinary actions against employees.
- (3) To relieve employees from their duties because of lack of work, or for other legitimate reasons.
- (4) To maintain efficiency of Village operations.
- (5) To introduce new and improved methods or facilities.
- (6) To change existing methods or facilities.
- (7) To contract out for goods and services.
- (8) To determine the methods, means and personnel by which such operations are to be conducted.
- (9) To take whatever actions is necessary to carry out the functions of the Village in situations of emergency.
- (10) To take whatever action is necessary to comply with State or Federal Law.
- (11) To establish reasonable work rules.
- (12) To determine the number, structure and location of departments and divisions within the Village; the kinds and amounts of services to be performed by the Village; and the number and kinds of positions and job classifications needed to perform such services.

Sec. 1.06. Compliance with Rules and Expectations of Conduct.

The Village has established these policies and its rules of conduct in furtherance of the effective operation of the Village and to provide high quality service to all Village citizens, those persons interacting with Village employees, and visitors. The Village expects all employees to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public.

Compliance with the policies, rules, core values, and general expectations of conduct is of paramount importance in order to fulfill these objectives and for the employee to have a successful career in the Village. Failure to comply with these policies, rules, and general expectations of conduct can undermine these objectives, and the trust and confidence that the public, businesses, employees and officers of the Village must have in that employee. Nothing in this policy manual should be construed or applied to prohibit employees' rights under federal or state law.

The Village treats all violations of policy, rules, and general expectations of conduct very seriously. Violations of these policies, rules, and general expectations of conduct may subject an employee to discipline, up to and including discharge.

Sec. 1.07. Employees Covered.

This manual shall govern personnel administration of all employees of the Village except the following:

- ✓ Members of the Board of Trustees.
- ✓ Members of Boards, Commissions and Committees who are not Village employees.
- ✓ Persons employed by contract to perform special services for the Village.
- ✓ Employees covered by a collective bargaining agreement in areas of wages, hours, and conditions of employment which are specifically addressed in their labor agreement.

Sec. 1.08. Employment Agreements and Contracts.

Any employment agreements or contracts in force will supersede the provisions of this handbook to the extent that the two conflict.

Sec. 1.09. At-Will Status of Department Directors/Employees.

Employment with the Village is governed by the common law doctrine of “at will” employment. An employee may be dismissed at any time at the option of the Village. An employee may quit employment with the Village at any time. Decisions as to whether or not to dismiss an employee shall be discussed with the Administrator, or his/her designee, prior to taking action. Nothing in this policy should be construed or applied to affect employees’ rights to alter their “at-will” status through a collective bargaining agreement.

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- Sec. 2.03. Human Resources Committee.
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- Sec. 2.08. Supervisors.
- Sec. 2.09. Responsibilities to Board of Trustees through Administrator.
- Sec. 2.10. Chain of Command.
- Sec. 2.11. Joint Employee-Management Committee.

Sec. 2.01. Board of Trustees.

The Board of Trustees has the authority and responsibility for approving or rejecting any action taken by the Human Resources Committee, and/or Village supervisors and managers.

Sec. 2.02. Village President.

The President, in addition to his/her role as a Trustee, is also the Chief Executive of the Village and should generally:

- (1) Recommend the appointment of Department Directors.
- (2) Participate in recruitment procedures as necessary.
- (3) Supervise the Administrator.

Sec. 2.03. Human Resources Committee.

The Human Resources Committee should generally:

- (1) Be composed of members as described in the Municipal Code of Ordinances, as well as the Attorney, the Administrator, and the Employee Resources Manager, whom shall serve as ex officio members without voting power.
- (2) Perform tasks as described in the Municipal Code of Ordinances regarding the Human Resources Committee, including, but not limited to the following activities:
 - ✓ Advise the Board of Trustees regarding potential and pending litigation involving the Village.
 - ✓ In cooperation with the Administrator, recommend to the Board of Trustees the consideration of policies and procedures regarding personnel issues affecting the Village.
 - ✓ Oversee the selection of contracted services for labor negotiation services.

- ✓ Monitor, in cooperation with the Employee Resources Manager, the general personnel policies for the Village, including such things as paid time off and leaves of absence.
 - ✓ In cooperation with the Administrator, make recommendations regarding disciplinary actions involving Village employees.
 - ✓ Consider and recommend departmental organization, reorganization and staffing levels and make appropriate recommendations to the board.
 - ✓ Act on all matters so enumerated in the Village of Weston Employee Policy and Procedure Manual as being assigned to the Human Resources Committee.
 - ✓ Consider any other matter the Board of Trustees may refer.
- (3) In addition to those duties prescribed by the Code of Ordinances, the Human Resources Committee should review and refer to the Board of Trustees recommendations for policies and amendments thereto, including the following:
- ✓ Recommend to the Board of Trustees modifications to the salary schedules for elected officials in accordance with Wisconsin statutes and for all other Village employees, unless their respective salaries are otherwise established by statute or labor agreement.
 - ✓ Recommend special wage adjustments.
 - ✓ Recommend reclassification requests.
 - ✓ Review requests for additional staff based on evaluation of the position description, pay rate, classification, category of and need for the position, in accordance with practice relating to the establishment of new positions.
 - ✓ Recommend total compensation/fringe benefit portfolio programs in compliance with approved labor agreements and personnel policies.
 - ✓ Review leave of absence requests.
 - ✓ Participate in recruitment procedures, as necessary.
 - ✓ Under **Sec. 2.07. Department Directors.** Hear appeals from Department Directors when personnel-related administrative rules or directives are incompatible with the efficient operation of a department.
 - ✓ Under **Sec. 4.11. Selection Process - Unfair Practices Prohibition.** Investigate alleged violations of the Village's employee selection process as it pertains to unfair advantage practices prohibition.
 - ✓ Under **Sec. 4.21. Hiring Process - Starting Pay.** Approve the adjustment of starting pay based upon; market conditions, unique qualifications directly related to the requirements of the position.

- ✓ Under **Sec. 5.10. Salary Ranges.** Review, modify, and approve the implementation of the current year's Village of Weston Pay Matrix.
- ✓ Under **Sec. 5.06. Reclassification Requests Procedures (6)** During the August meeting, approve new or expanded position requests for the following year. If the position involves a new classification, the Human Resources Committee will establish the new classification and approve a pay level submitted by the Administrator.
- ✓ Under **Sec. 5.07. Reclassification Review Procedure.** Approve new classes with the appropriate pay range as submitted by the Administrator. Approve classification changes as submitted by the Administrator. In most cases the authorized changes are effective on January 1 of the upcoming year.
- ✓ Under **Sec. 7.11. Telework and Telecommuting. (2) Approval.** Review modify, deny and/or approve a department's written plan for telecommuting and submit their findings thereafter to the Board of Trustees.
- ✓ Under **8.07. (3) Performance Appraisal Process, Accelerating Pay Increases.** Review, approve, modify, or deny a Department Director's or Administrator's request for accelerating an employee's pay within the Village of Weston Grade and Pay Matrix and submit their findings thereafter to the Board of Trustees.
- ✓ Under **Sec. 8.08. (2) Education Expense Reimbursement Program.** Review all requests meeting the minimum criteria. This committee will approve or deny reimbursement requests based upon:
 - ✓ Whether certificate or degree program is directly related to the employee's current job and/or will improve management skills,
 - ✓ Employee's performance history including the length of time employed by the Village, achievements and contribution during this period, and overall quality of work performed,
 - ✓ Appropriateness of the educational goal (e.g. level of correlation between the education and a likely career path within the Village Government.
- ✓ Under **Sec. 11.08. Grievances against Employee Discipline, Terminations, and Workplace Safety. (2) Appeal to Impartial Hearing Officer: (c) Impartial Hearing Officer Recommendation:** Receive the Impartial Hearing Officer recommendations affirming or reversing the action with the reasons therefore in writing.
- ✓ Under **Sec. 11.08. Grievances against Employee Discipline, Terminations, and Workplace Safety. (3) Appeal to Human Resources Committee, (a) Step 5, after having** received a properly submitted appeal, shall meet with the parties to discuss the matter as soon as practicable.
 - ✓ At the conclusion of that meeting, the Human Resources Committee may affirm, modify, or reverse, by a majority vote of the committee, the Impartial Hearing Officer's determination.

- ✓ The committee shall issue a written decision sustaining or denying the decision of the Impartial Hearing Officer within ten (10) calendar days of the meeting.
- ✓ Under **Sec. 11.09. Complaints of Alleged Discrimination on the Basis of Disability. (1) Step 1:** If the Administrator determines, after consultation with the Village Attorney, that s/he lacks the legal authority to implement a determination without approval of the Board of Trustees, s/he shall immediately refer the determination to the Human Resources Committee.
 - ✓ The Human Resources Committee shall add such matters referred to it by the Administrator to the agenda of their next scheduled meeting and review: the complaint, the Administrator's determination and any other information deemed relevant by the Committee and make a determination taking action on the matter.
 - ✓ A written report shall be mailed to the complainant within thirty (30) calendar days of the meeting held to review the Administrator's determination.
- ✓ Under **Sec. 11.09. Complaints of Alleged Discrimination on the Basis of Disability. (2) Step 2:** The Human Resources Committee shall meet within thirty (30) days of receipt of the written appeal to review the evidence and consider any argument provided by the parties.
 - ✓ A written determination of the Human Resources Committee shall be mailed to the complainant within thirty (30) calendar days of the hearing.
- ✓ Under **Sec. 11.10. Complaint Procedures for Other Issues. (4) Step 4:** Within thirty (30) days of receipt of appeal from an employee providing the Administrator's reply, from which the employee wishes to appeal, meet with the employee, the Administrator and the department head and attempt to resolve the complaint.
 - ✓ The Committee shall issue a final written decision within ten (10) calendar days of such meeting.
- ✓ Under **Sec. 13.03. Holidays. (3) Weekend Holidays:** The Human Resources Committee shall determine when and if a Holiday falls on a weekend day, whether the preceding Friday or following Monday, shall be considered a holiday for pay purposes.
- ✓ Under **Sec, 13.04. Paid Time Off (PTO) (2) PTO Accrual Schedule:** Approve changes in the years of service accumulation rate, bi-weekly accrual hours and maximum accumulation allowed and forward their recommendation(s) to the Board of Trustees for action.
- ✓ Under **Sec. 13.06. Medical Leave Bank (2)(j):** Approve changes in the maximum accrual of Medical Leave Bank account hours and forward their recommendation(s) to the Board of Trustees for action.
- ✓ Under **Sec. 13.09. Leave of Absence (3):** Approve leaves of absence greater than thirty (30) days and the extension of leaves of absence already in effect.
- ✓ Under **Sec, 13.10. Leave of Absence for Education:** Grant an educational leave of absence not to exceed one (1) year without pay or benefits.

Sec. 2.04. Village Attorney.

The Attorney should generally:

- (1) Participate in negotiating labor agreements.
- (2) Participate in recruitment procedures as necessary.
- (3) Represent the Village in arbitration hearings or assist the Village's legal counsel in such hearings.

Sec. 2.05. Village Administrator.

The Administrator is responsible for the development, supervision, and operation of the Village and its personnel and facilities. Employees have the obligation to further the professional advisement of the Board of Trustees through the chain of command. The Administrator is given the latitude to determine the best method of implementing the policy decisions of the Board of Trustees. The Administrator is the chief administrative officer of the Village and should generally:

- (1) Be responsible for the administration of all day-to-day operations of the village government, as applicable to this manual, the human resources and personnel functions of the Village.
- (2) Maintain a plan of administration, including an organization chart, which defines the authority and responsibility for all non-statutory positions of the village; submit it to the Board of Trustees for adoption as the official organization and administrative procedure plan for the village and make suggestions for amendments and/or changes when needed.
- (3) Be responsible for the administrative direction and coordination of all employees of the village according to established organization procedures.
- (4) Recommend to the board the appointment, promotion, and when necessary for the good of the village, the suspension or termination of department heads.
- (5) In consultation with the appropriate Department Director, be responsible for the hiring, appointment, promotion, and when necessary for the good of the village, the suspension or termination of employees below the department head level.
- (6) Serve as personnel officer for the village with responsibilities to see that complete and current personnel records, including specific job descriptions, for all village employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for village employees not covered by collective bargaining agreements; develop and enforce high standards of performance by village employees; assure that village employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances.
- (7) Assist in labor contract negotiations and collective bargaining issues.
- (8) Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the

approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds have been budgeted for these activities.

- (9) Participate in recruitment procedures as necessary.
- (10) Submit reports when requested by the Human Resources Committee and/or Board of Trustees.
- (11) All duties as so enumerated in the Village of Weston Employee Policy and Procedure Manual as being assigned to the Administrator.
- (12) Perform all other related duties as directed by the Board of Trustees.
- (13) Delegate the above responsibilities to a subordinate when warranted.

Sec. 2.06. Employee Resources Manager.

The Employee Resources Manager should generally:

- (1) Maintain lists of persons eligible for hiring and promotion to positions within the Village, when appropriate.
- (2) Conduct position analysis and evaluation of vacant positions or positions considered for reclassification.
- (3) Participate in recruitment procedures as necessary.
- (4) Advise the Human Resources Committee and/or employees on personnel matters of Village-wide importance.
- (5) Submit reports when requested by the Administrator for presentation to the Human Resources Committee and/or Board of Trustees.

Sec. 2.07. Department Directors.

Department directors should generally:

- (1) Enforce the personnel policies and respective departmental rules and regulations in a consistent and impartial manner.
- (2) Comply with all personnel-related administrative rules and directives. When such a rule or directive is incompatible with the efficient operation of a department that department may appeal to the Human Resources Committee.
- (3) Keep employees informed of current personnel policies and future revisions.
- (4) Participate in grievance procedures as required by this manual.
- (5) Promptly notify the Administrator of any proposed change in staff organization.
- (6) Administer discipline and delegate such authority to supervisory staff as necessary.

- (7) Oversee the enforcement of and compliance with labor agreements in their department.
- (8) Ensure that all job posting and notices are displayed in a designated area within their department.
- (9) Have the authority to supervise employees in approved/authorized positions in accordance with procedures established in these personnel policies.
- (10) Develop and maintain position descriptions for all employees within their department.
- (11) Evaluate staff performance and submit written performance evaluations to the Employee Resources Manager.
- (12) Collaborate with the Administrator in developing employee orientation and in-service training programs and other personnel management activities.

Sec. 2.08. Supervisors.

To the extent that Department Directors delegate authority to them, Supervisors may:

- (1) Implement the personnel policies, rules, and regulations in their unit.
- (2) Assist in the evaluation of the performance of subordinate employees.
- (3) Participate in grievance procedures as required by this manual.

Sec. 2.09. Responsibilities to Board of Trustees through Administrator.

All staff members, including Department Directors and Supervisors shall be responsible to the Board of Trustees through the Administrator. Administrative participation shall be by professional counsel, guidance, and recommendation as distinct from deliberation, debate, and voting such as Board of Trustees members. Each shall refer matters requiring administrative attention to his or her supervisor, who shall refer such matters to the next higher authority, when necessary, and through the Administrator to the Board of Trustees. Each employee is to keep the person that the employee reports to informed of the employee's activities by whatever means their supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this manual or about any other aspect of his or her job, then those questions, opinions or suggestions must be directed through the chain of command.

Sec. 2.10. Chain of Command.

Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy in the Village resides, by law, with the Board of Trustees, and operationalized through the Administrator. The Administrator, as the chief administrative officer of the Village, is the primary professional advisor to the Board of Trustees and head of the employee management team. Department Directors of the Village are part of the management team, and report through the Administrator.

This management team concept is the process by which a recommendation for Board of Trustees' action is developed and Board of Trustees decisions are implemented. This system represents a means of

establishing orderly lines of organization and communication as management personnel unite with the Board of Trustees to promote effective services for the community.

Sec. 2.11. Joint Employee-Management Committee.

The Administrator will consult with employees on terms and conditions of employment through the Joint Employee-Management Committee (JEMC) in accordance with the process established by this section.

This section does not apply to an employee whose terms and conditions of employment are governed by a collective bargaining agreement authorized by state law or to an employee organization authorized to engage in collective bargaining with the Village on behalf of its members.

“Terms and conditions of employment” means wages, salaries, hours and other terms and conditions of employment with the village, including but not limited to:

- ✓ Compensation and incentive plans;
- ✓ Policies related to employee attendance, leave and hours of employment;
- ✓ Recommendations concerning employee health insurance, life insurance and other employee benefits;
- ✓ The grievance process (but not an individual or group grievance that is to be considered pursuant to that process);
- ✓ Training, safety, and equipment; and
- ✓ All other issues related to working conditions, wages, hours and conditions of employment.

Nothing in this section is intended nor shall it be construed to authorize collective bargaining, a collective bargaining agreement of any type or characterization, or to recognize a bargaining agent for any group of employees. The Village is not obligated to implement any issue discussed during consultations and retains the right to unilaterally determine employment conditions for employees.

CHAPTER 3

RECORDS MANAGEMENT

- Sec. 3.01. Purpose Statement.
- Sec. 3.02. Purpose and Length of Record Retention.
- Sec. 3.03. Mishandling of Employee Information.
- Sec. 3.04. Responsibility of Employee Resources Manager.
- Sec. 3.05. Responsibility of Department Directors.
- Sec. 3.06. Responsibility of Payroll Processors.
- Sec. 3.07. Responsibility of Employees.
- Sec. 3.08. Photographs and Use of Employee Likeness in Village Publishing.
- Sec. 3.09. Viewing Personnel Records.
- Sec. 3.10. Viewing Exceptions of Personnel Records.
- Sec. 3.11. Correction of Personnel Records.
- Sec. 3.12. Release of Personnel Records.
- Sec. 3.13. Release Exceptions of Personnel Records.
- Sec. 3.14. Medical and Health Records.

Sec. 3.01. Records Management Policy Purpose Statement.

Personnel records are essential to provide factual data about an individual's employment with the Village. They serve as a basis to evaluate qualifications for promotion or transfer and to determine the status, eligibility, rights and benefits of employees under pertinent regulations. The documents in the personnel folder vitally affect the rights and benefits of employees and are used in making management decisions.

Sec. 3.02. Purpose and Length of Record Retention.

In retaining employee information, the Village continues to balance the individual's right to privacy, the requirements of federal and state laws and the business necessity for retaining such information. All personnel and medical records will be maintained and retained in accordance with Village policy and existing state and federal laws.

Sec. 3.03. Mishandling of Employee Information.

The Village will not tolerate any mishandling of employee information by any Village employee. Such occurrences will subject the party to discipline up to and including discharge.

Sec. 3.04. Responsibility of Employee Resources Manager.

- (1) The Employee Resources Manager, or his/her designee, shall act as the chief legal custodian of the personnel records and shall make decisions concerning the information to be contained in the personnel files.
- (2) In obtaining and retaining employee information, the Employee Resources Manager, or his/her designee, shall substantiate the job relatedness of the information and its relevancy to specific decisions rendered.
- (3) Applicable state and federal laws which regulate employee information gathering and retention requirements shall be followed.

- (4) The Employee Resources Manager, or his/her designee, shall establish, maintain and coordinate all personnel transactions and records management for all Village employees and positions. Each central personnel file shall minimally contain name, job classification, salary, letter extending an offer of hire, benefit status, changes in status, performance evaluation, written and oral disciplinary action (if applicable), letters of recognition, mandated training records, cumulative test scores achieved as part of the initial selection process or for promotional opportunities (if applicable), etc.

Sec. 3.05. Responsibility of Department Directors.

Department Directors shall initiate and process personnel transactions affecting their employees. They may keep records of their employees, where the material is related to the employee's current job performance and service record such as: copies of paid time off records, perfect attendance leave and paid time off accumulation and usage; copies of completed performance evaluation forms; materials relating to an introductory employee's progress; and documentation of a supportive or investigative nature pertaining to ongoing performance or discipline situations.

Requests made to view this departmental file or any other departmental files maintained on any employee shall be referred to the Employee Resources Manager to discuss on a case by case basis. Viewing of these records shall be handled in accordance with this chapter. When an employee leaves the department, his/her records shall be sent to the Employee Resources Manager for proper disposition.

Sec. 3.06. Responsibility of Payroll Processors.

The Village's payroll procedure shall convert data from personnel transactions to payroll records and shall maintain cumulative records of vacation, overtime, sick leave, and payroll deductions. Payroll records and data shall be developed in cooperation with the Employee Resources Manager, and the Finance Director to provide current and meaningful personnel and position information, summaries, and statistics.

Sec. 3.07. Responsibility of Employees.

Employees shall be responsible for notifying their managers of any changes affecting their personal status (for example: changes in marital status, children, emergency number, address, etc.).

Sec. 3.08. Photographs and Use of Employee Likeness in Village Publishing.

Employees should expect that the Village will use their likeness in a photograph in any and all of its publications, including website entries, without payment or any other consideration. Employees understand that these materials will become the property of the Village and will not be returned. Employees should understand that the Village will edit, alter, copy, exhibit, publish or distribute these photos for purposes of publicizing the Village's programs or for any other lawful purpose.

Sec. 3.09. Viewing Personnel Records.

The Village considers employee personnel records to be highly confidential. Viewing of a file is limited to the individual employee and any third party (with prior written approval by the employee), the employee's department head, and Employee Resources Manager employees. The department head may designate a representative who shall also have access to specified personnel records. Managers may have access to personnel records of employees they supervise or other Village employees they are considering to hire.

Release of personnel files to other members of the public (including Board of Trustees members, and other Village employees) shall only be allowed if written authorization is received from the employee or if the legal custodian determines that the release of such records is proper and allowable under the State Public Records law (Wis. Stat. § [19.35](#)).

In accordance with Wis. Stat. § [103.13](#), The Village permits the employee to inspect any personnel documents in the personnel file which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination, and other disciplinary action.

An employee who requests to view his/her personnel file must make his/her request in writing to the Employee Resources Manager to arrange a mutually agreeable date and time (see Appendix Chapter 3-A). The Village shall provide the employee with the opportunity to inspect the employee's personnel records within seven working days after the employee makes the request for inspection. The Village will grant two requests made by an employee, which includes employee's designated representative in a calendar year. Additional employee requests must be made in writing to the Administrator, or his/her designee stating the reasons for additional viewing of the record. The Administrator, or his/her designee shall have full discretion and the exclusive authority in granting these additional viewing requests.

- (1) The inspection shall take place at the Employee Resources Manager during normal working hours in the presence of an Employee Resources Manager employee.
- (2) An employee may designate, in writing, a representative of the employee's collective bargaining unit or other designated representative to inspect the employee's personnel records. The Village shall allow such a designated representative to inspect the employee's personnel records in the same manner as provided an employee.
- (3) The Village will not furnish information about an employee to third parties without employee written authorization except to verify name, job classification, department, employment dates, and salary rate.
- (4) If the employee would like additional reference information given to a third party, such as a prospective employer, the employee must sign an authorization for release of employment information. (Refer to "[Employment References](#)", Chapter Sec. 14.06.)

Sec. 3.10. Viewing Exceptions to Personnel Records.

The right of other than the employee or the employee's designated representative, or a collective bargaining representative, to inspect his/her personnel records does not apply to:

- (1) Records relating to a current investigation of possible criminal offense(s) committed or possible misconduct connected with employment prior to disposition of the investigation by the employee;
- (2) CDL drug/alcohol background checks;
- (3) Letters of reference for that employee;
- (4) Information pertaining to the employee's employment examination except an examination score if score is allowed to be released. Any portion of a test document except that the employee may see a cumulative total score for either a section of the test document or for the entire test document;

- (5) Interview notes and ranking documentation;
- (6) Materials used by the Village for staff management planning, including judgments for recommendations concerning future salary increases and other wage treatment, promotions, and job assignments or other comments for ratings used for the Employer's planning purposes;
- (7) Information of a personal nature about a person other than the employee if disclosure of that information would constitute a clear and warranted invasion of the other person's privacy;
- (8) Records relevant to any other pending claim between the employer and the employee which may be discovered in a judicial proceeding. [Wis. Stat. § [103.13\(6\)](#)].
- (9) Information including home address, home electronic email address, home telephone number, or social security number unless authorized by the employee.

Sec. 3.11. Correction of Personnel Records.

If the employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the Employee Resources Manager, or his/her designee, Department Director, and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The Employee Resources Manager, or his/her designee shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is a part of the file.

Sec. 3.12. Release of Personnel Records.

The right of the employee or the employee's representative to inspect personnel and medical records includes the right to copy or receive a copy of the records. The Village shall charge a reasonable fee for providing copies of records, pursuant to "Schedule of Fees" within the Municipal Code of Village.

To safeguard employee privacy, any documents containing more than one employee name will have those names other than the file name deleted. The Employee Resources Manager will retain the original document listing all party names in a separate file.

Sec. 3.13. Release Exceptions of Personnel Records.

Personally identifiable information Wis. Stat. § 19.35(1)(am).

- ✓ If the Village receives a request for inspection of a record containing personally identifiable information, the Village shall:
 - ✓ First determine if the requester has a right to inspect or copy the record under the public's general right of access under the Public Records Law.
 - ✓ If the Village determines that the requester has a right to inspect or copy the record under the general public's right to access, the Village shall grant the request.
 - ✓ If the Village determines that the requestor does not have a right to inspect or copy the record under the public's general right of access, the authority must then determine if the requester has a right to inspect or copy the record under the individual's right of access to "personally identifiable information," and grant or deny the request.

The right to inspect or copy a record does not apply to any of the following:

- ✓ Any record containing personally identifiable information that is collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding.
- ✓ Any record containing personally identifiable information that, if disclosed, would do any of the following:
 - ✓ Endanger an individual's life or safety.
 - ✓ Identify a confidential informant.
- ✓ Any record that is part of a record series, as defined in Wis. Stat. § 19.62(7), that is not indexed, arranged or automated in a way that the record can be retrieved by the Village, maintaining the records series by use of an individual's name, address, or other identifier.

Sec. 3.14. Medical and Health Records.

The following policies and procedures are to comply with the client/employee privacy rights enacted under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It is the policy of the Employee Resources Manager to:

- ✓ Keep medical information confidential.
- ✓ Keep medical records in a separate file and will not be included in employees' personnel file.
- ✓ Provide access to medical information only when it is necessary to perform his/her job responsibilities on a "need-to-know" basis.
- ✓ Disclose medical information on a "need-to-know" basis only.
- ✓ Shred medical information prior to disposing in garbage.

Departments should forward all medical information to the Employee Resources Manager for filing the employee's medical file. Employees may request to view their medical file by completing the "request to view form" – Appendix 3-B.

The HIPAA regulation provides exemptions to the following materials:

- ✓ Medical records obtained for employment related reasons are excluded from the definition of the protected health information.

Worker's compensation insurance and OSHA required medical evaluations are exempt from HIPAA.

Sec. 3.15. Records that a Municipality Must Give Notice to the subject of the Records Before Release and Allow Time for Judicial Review.

There are certain records that are protected by the state statute and the Village must give notice to the person named in the record and allow time for the person to seek judicial review before allowing access to the record.

The records that are subject to this right of judicial review are:

- ✓ A record containing information relating to an employee that is the result of an investigation into a disciplinary matter involving the employee or a possible employment-related violation by the employee of a statute, ordinance, rule, regulation, or policy of the employee's employer;
- ✓ A record obtained by the Village through subpoena or a search warrant;
- ✓ And a record prepared by an employer other than the Village if the record contains information relating to the employee unless the employee authorizes the municipality to provide access to the information.



VILLAGE OF WESTON PERSONNEL FILE ACCESS REQUEST FORM

Please Print

Complete each section of this form and deliver to the Village of Weston Employee Resource Manager. You will be contacted by the Employee Resource Manager within two (2) business days to discuss scheduling. You must bring a valid photo identification with you to your appointment in order to view your file.

Last Name	First Name	MI	Employment Status: <input type="checkbox"/> Active <input type="checkbox"/> Retired <input type="checkbox"/> Terminated	Employee Type <input type="checkbox"/> Department Head <input type="checkbox"/> Staff <input type="checkbox"/> Administrator
E-mail Address	Phone <input type="checkbox"/> Cellular <input type="checkbox"/> Other	Department		
Last 4 digits of your Social Security Number XXX-XX-____				

What would you like to do during your appointment?

- View my Village of Weston Personnel File.
- Obtain a copy of my Village of Weston Personnel File.
- Authorize a representative to access my Village of Weston Personnel File.

List the full legal name of the individual. The representative will be required to show valid photo identification at the appointment in order to view your file.

Name of representative: _____

- Other - Please describe: _____

I verify that the above information is correct and that I am the employee requesting the file. I understand that I will only be allowed to view the file at the Village of Weston Employee Resource Manager's office in the presence of a staff member.

Employee Signature

Date (MM/DD/YYYY)

Employee Resource Manager Use Only:

Date file copied:	Date file reviewed
Employee Resource Manager Signature	Date

Created: 03/01/2018



VILLAGE OF WESTON PERSONNEL FILE
 AUTHORIZATION to RELEASE MEDICAL RECORDS

Please Print

Complete each section of this form and deliver to the Village of Weston Employee Resource Manager. You will be contacted by the Employee Resource Manager within two (2) business days to discuss scheduling. You must bring a valid photo identification with you to your appointment in order to view your medical record file.

Last Name	First Name	MI	Employment Status: <input type="checkbox"/> Active <input type="checkbox"/> Retired <input type="checkbox"/> Terminated	Employee Type <input type="checkbox"/> Department Head <input type="checkbox"/> Staff <input type="checkbox"/> Administrator
E-mail Address	Phone <input type="checkbox"/> Cellular <input type="checkbox"/> Other	Department		
Last 4 digits of your Social Security Number XXX-XX-____				

I understand and authorize the release of, or request access to the information specified below from my Village of Weston Employee Medical Records file(s) of the above-named employee.

Employee Medical Record(s) are Needed for:

- | | | |
|--|---------------------------------------|---|
| <input type="checkbox"/> Continuing medical care | <input type="checkbox"/> Military | <input type="checkbox"/> Social Security Disability |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Personal Use | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Legal purposes | <input type="checkbox"/> School | _____ |

Information to be released or accessed:

- | | | |
|---|---|--|
| <input type="checkbox"/> Initial injury reports | <input type="checkbox"/> Vision and hearing tests | <input type="checkbox"/> Medical return to work report |
| <input type="checkbox"/> Immunization(s) | <input type="checkbox"/> Discharge Summary | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Workman's Compensation | <input type="checkbox"/> Post offer Medical Exam | _____ |

The above information may be released (specify name or title of the individual or the name of the organization to which records are to be released and the appropriate address):

TO

 (Doctor, Hospital, Attorney, Insurance Company, Self, etc.)

 Phone Number

 Address (Number, Street, City, State and Zip)

I understand that my records are confidential and cannot be disclosed without my written authorization, except when otherwise permitted by law. Information used or disclosed pursuant to this authorization may be subject to re-disclosure by the recipient and no longer protected. I understand that the specified information to be released may include, but it not limited to history, diagnosis, and/or treatment of drug abuse, mental illness, or communicable diseases, including HIV and AIDS.

I understand that I may revoke this authorization at any time except to the extent that action has been taken in reliance upon this authorization.

The authorization will expire six (6) months from the date of my signature, unless I revoke the authorization prior to that time.

Date: _____

Signature _____
 Employee, or Legal Representative

 Printed Name of Employee or Legal Representative

 Relationship to Employee

Created: 03/10/2018

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CHAPTER 4

RECRUITMENT PROCEDURE AND SELECTION OF APPLICANTS

- Sec. 4.01. Equal Opportunity Employment.
- Sec. 4.02. Recruitment Process – Process.
- Sec. 4.03. Recruitment Process – Job Announcements.
- Sec. 4.04. Recruitment Process – Union Postings.
- Sec. 4.05. Recruitment Process – Open Competition.
- Sec. 4.06. Recruitment Process – Eligibility Lists.
- Sec. 4.07. Recruitment Process – Application Forms.
- Sec. 4.08. Recruitment Process – Disqualification of Applicants.
- Sec. 4.09. Selection Process – General Provisions.
- Sec. 4.10. Selection Process – Applicant Screening.
- Sec. 4.11. Selection Process – Unfair Advantage Practices Prohibition.
- Sec. 4.12. Selection Process – Nepotism.
- Sec. 4.13. Selection Process – Interviews.
- Sec. 4.14. Selection Process – Notification of Applicants.
- Sec. 4.15. Selection Process – Notification of Final Interviewed Applicants.
- Sec. 4.16. Selection Process – Offers of Employment.
- Sec. 4.17. Selection Process – Post-Offer Medical Examination.
- Sec. 4.18. Selection Process – Drugs and Alcohol Testing.
- Sec. 4.19. Selection Process – Background Checks for Positions which require CDL.
- Sec. 4.20. Selection Process – Standards for Evaluating Driving Record.
- Sec. 4.21. Hiring Process – Starting Pay.
- Sec. 4.22. Hiring Process – Transfers.
- Sec. 4.23. Hiring Process – Reinstatement.
- Sec. 4.24. Hiring Process – Introductory Period.

Sec. 4.01. Equal Opportunity Employment Policy Statement.

The Village endeavors to recruit and select the best qualified people for positions in the Village's service. Recruitment and selection shall be conducted in an affirmative manner to insure open competition, provide equal employment opportunity and prohibit discrimination because of race, creed, pregnancy, color, national origin, ancestry, disability, military status, sexual preference, sex, age (except where sex or age is a bona fide occupational qualification), or other legally protected class.

The Employee Resources Manager shall be responsible for initiating and coordinating all recruitment activities necessary to meet current and projected staffing needs. The recruitment program shall be tailored to number and type of positions to be filled and to labor market conditions. Special emphasis shall be placed on recruitment efforts to attract minorities, women and other groups that are under-represented in the work force.

The Employee Resources Manager, through the development and administration of job related selection procedures, shall be responsible for the overall coordination of the employee selection process. The selection process shall maximize reliability, objectivity and validity through a practical assessment of applicant attributes necessary for successful job performance and career development. The selection procedure shall strive to provide promotional opportunities as well as open competitive opportunities at all levels of Village employment.

The appointment of an eligible candidate to a vacant position shall be made by the appointing authority or his/her designee.

Sec. 4.02. Recruitment Process.

The Employee Resources Manager shall develop and conduct an active recruitment program designed to meet the Village's current and projected human resource needs. Recruitment shall be tailored to the position to be filled and directed to sources likely to yield a diverse pool of qualified candidates.

Sec. 4.03. Recruitment Process – Job Announcements.

Job announcements shall include the following:

- ✓ Class title.
- ✓ Salary range.
- ✓ Statement relative to the duties and responsibilities of the classification.
- ✓ Place and last date to file application.
- ✓ Minimum qualifications for the position.
- ✓ Screening and evaluation procedures.
- ✓ Other information concerning recruiting, evaluation, and placement.

Sec. 4.04. Recruitment Process – Union Postings.

Where job posting is required by a labor agreement, notice of the job opening will be posted in designated places for positions represented by the bargaining unit.

Sec. 4.05. Recruitment Process – Open Competition.

The Employee Resources Manager shall direct recruitment efforts to outside sources; these may include, but are not limited to the following:

- ✓ Review of applications on file.
- ✓ List with nearby job information and placement centers including Job Service.
- ✓ List with our community agencies encouraging them to refer qualified persons who are under-represented in the Village's work force.
- ✓ List with targeted disabilities resource agencies.
- ✓ Advertisement in area newspapers.
- ✓ Advertisement in regional/national newspapers or professional journals when area coverage may not provide a reasonable number of qualified applications.

Sec. 4.06. Recruitment Process – Use of Eligibility Lists.

Village may conduct recruitments from time to time to establish eligibility lists for classifications that become available regularly within the Village system. Individuals wishing to make application for future openings must do so during the open recruitment period. Applications are screened and kept on file and used to fill openings in this classification for a period of time determined by the Employee Resources Manager.

Sec. 4.07. Recruitment Process – Application Forms.

All applications for employment shall be made through the on-line application system or forms prescribed by the Employee Resources Manager.

Sec. 4.08. Recruitment Process – Disqualification of Applicants.

The Employee Resources Manager may disqualify any application if the applicant.

- (1) Has knowingly falsified the application.
- (2) Has been convicted of a crime which is substantially related to the duties or responsibilities of the position.
- (3) Is not within legal age limits prescribed for the position or for Village employment.
- (4) Has an unsatisfactory employment record or has engaged in personal conduct which indicates unsuitability for the position or employment with the Village.
- (5) Does not meet the minimum qualifications established for the position.
- (6) Is not physically or mentally able to perform the essential functions of the position with or without reasonable accommodations.
- (7) Has failed to adequately complete the required application materials.

Sec. 4.09. Selection Process – General Provisions.

The selection process shall assess attributes necessary for successful job performance at the full performance level of the position as well as career potential. The Employee Resources Manager should select only the best qualified applicants for screening and final consideration by the Department Director who is filling the position.

Sec. 4.10. Selection Process – Applicant Screening.

The Employee Resources Manager, or his/her designee, shall screen employment applications in relation to the qualifications for the position. Once the screening is completed, the Employee Resources Department shall refer to the appointing Department Director a list of the candidates determined to be most qualified on the basis of the information presented on the employment application. Village employees, in allocated positions who meet the required qualifications, will be referred to the department in addition to the interview group selected from the applications received for the position.

The Employee Resources Manager is responsible for determining methods to be used to screen applicants for job vacancies. In developing the selection devices, the Employee Resources Manager may confer with Department Directors, consultants, and others familiar with the knowledge, skills and abilities required and devices to best measure these factors. Such methods or devices may include, but need not be limited to, one or more of the following:

- (1) Review of education, training and experience as shown on the application and other supplemental materials.
- (2) Job related written or oral tests, work samples or performance tests.
- (3) Physical tests of strength, stamina or dexterity necessary for the job.
- (4) Drug and alcohol testing [see Section 4.18 of this Chapter].
- (5) Background and reference inquiries.

Sec. 4.11. Selection Process – Unfair Advantage Practices Prohibition.

Village officers and employees are prohibited from seeking any unfair advantage for any applicant for Village employment or attempting to unduly influence any Department Director in the selection for Village employment. If any Village officer or employee attempts to seek any unfair advantage or attempts to unduly influence any Department Director in the selection for Village employment, such Department Director is directed to immediately report the same to the Administrator. Alleged violations of this policy may be investigated by the Human Resources Committee and appropriate action will be taken.

Sec. 4.12. Selection Process – Nepotism.

Department Directors are prohibited from hiring a person related to them for Village employment. No person shall be employed, promoted, or transferred to any department, division, or work unit when as a result s/he would be directly supervising or receiving direct supervision from a related person. Related person shall mean spouse, parents, children, siblings, uncle, aunt, nephew, niece, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents, and any person sharing the employee's residence.

Sec. 4.13. Selection Process - Applicant Interviews.

The Department Director shall interview the candidates referred and shall make a selection recommendation. The hiring shall be made by the Administrator, under **Sec. 2.303(3) Personnel.B**, of Chapter 2, Administration of the Village of Weston Municipal Code to fill the vacant position. If the Department Director does not select any of the candidates referred, justification shall be given to the Administrator. If this justification is found to be valid, the Employee Resources Manager may refer other qualified candidates for consideration. If no acceptable candidates are found, the recruitment process will begin anew.

Sec. 4.14. Selection Process – Notification of Applicants.

At the discretion of the Employee Resources Manager, persons submitting an application will be notified regarding their status.

Sec. 4.15. Selection Process – Notification of Final Interviewed Applicants.

Each of the final applicants who are interviewed and not hired shall be given proper notice in writing from the department conducting the interviews or the Employee Resources Department.

Sec. 4.16. Selection Process – Offers of Employment.

The Employee Resources Manager shall issue the selected candidate a written offer of employment. When a post-offer medical, drug and alcohol screen and/or psychological exam is required, the offer of employment shall be conditioned upon successful completion of the exam/screen.

Sec. 4.17. Selection Process – Post-Offer Medical and Psychological Exams.

Post-offer medical and psychological exams, when conducted, will be scheduled after a written offer of employment has been made and before the selected candidate actually starts work.

The purpose of a post-offer medical and/or psychological exam is to:

- ✓ Determine whether the selected candidate can perform the essential functions of the job.
- ✓ Determine whether the selected candidate can perform the essential functions without endangering the safety of him or herself, other employees or the public.
- ✓ Determine if and how the position may be restructured to accommodate the physical limitations and/or medical condition of the selected employee to allow him/her to perform the essential functions of the job.
- ✓ Comply with state-mandated requirements that an assessment of health and physical/mental capabilities be conducted for specific job.
- ✓ Establish a baseline of hearing ability for employees expected to work in noise exposure to determine whether and to what extent any hearing loss was caused or accelerated by Village employment.

The following procedure will be used for determining when a post-offer medical exam will be conducted:

- (1) A "Statement of Job Requirements" conforming to the Village of Weston Job Descriptions is completed for positions by the appointing Department Director and/or the immediate supervisor of the position. The completed assessment and other information about the job is reviewed by the Employee Resources Manager to determine whether the job duties:
 - ✓ Involve moderate to heavy lifting or other similarly strenuous activity;
 - ✓ Require the use of personal protective equipment which necessitates a medical assessment to ensure safe operation;
 - ✓ Raise public health concerns (e.g. food preparation, contact with medical supplies, etc.);
 - ✓ Require that the candidate have good mental and emotional health because of the vulnerability of the clients and the potential for abuse;

- ✓ Involve work in noise exposure.
- (2) When the Employee Resources Manager determines that a post-offer medical evaluation will be conducted, the offer of employment shall be conditioned upon successful completion of the medical exam, and:
- ✓ The medical and/or psychological examination will be required of all selected candidates in that job classification;
 - ✓ The information gathered from the exam will be treated as a confidential medical record;
 - ✓ The assessment procedures utilized will be job-related;
 - ✓ The results of the exam will be used in a manner consistent with the Americans with Disabilities Act and any other laws which protect against discrimination on the basis of disability.
- (3) Findings of the post-offer medical exam will be reviewed by the Employee Resources Manager and the appointing Department Director. The selected candidate shall be appointed to the position if the results of the medical exam show that the candidate is able to perform the essential functions of the position. When necessary, efforts will be made to reasonably accommodate an employee with a physical or mental disability so that he/she can perform the essential job functions. If a reasonable accommodation cannot be made, the Employee Resources Manager shall notify the selected candidate of this decision and withdraw the conditional offer of employment.
- (4) If a candidate is dissatisfied with the report of the physical or psychological examination, s/he may be reexamined by another physician or licensed psychologist selected by the Village at the candidate's expense.
- (5) Criteria for Consideration of Reasonable Accommodation. The following factors shall be considered in determining whether a reasonable accommodation exists for a selected candidate:
- ✓ The nature and extent of the disability of the selected candidate;
 - ✓ The number of persons employed by the hiring department in the same or a similar position classification;
 - ✓ The geographic location(s) in which work is performed;
 - ✓ The nature and cost of the accommodation needed to perform the essential job functions;
 - ✓ The financial resources of the department and the governmental program;
 - ✓ The impact of the accommodation on the operation of the department and the Village;
 - ✓ The interests and desires of the selected candidate and his/her expressed willingness to pay for all or part of the necessary accommodation, if the accommodation would represent an undue hardship on the Village.

Sec. 4.18. Selection Process – Drugs and Alcohol Testing.

Applicants for positions may be required to submit to a drug screen and alcohol screen after a conditional offer of employment has been made. Positions for which the Village is required to conduct a drug and alcohol screen are those covered by the Federal Omnibus Transportation Employee Testing Act of 1991. A positive drug and/or alcohol screen may form the basis for disqualification of the applicant.

Sec. 4.19. Selection Process – Background Checks for Positions which require CDL.

The selection process to fill a position which requires a Commercial Driver’s License (CDL) shall minimally include a Wisconsin Department of Motor Vehicles (DMV) driving review and a background check to obtain information regarding any positive drug/alcohol test results (including refusals) from prior and current employers within the preceding two (2) years.

The job bulletin (including internal promotional bulletins) shall provide job candidates with notice of the mandatory background check and their obligation to sign a consent form authorizing the release of information.

The mandatory background check shall be completed by the Employee Resources Manager, or his/her designee, before an offer of employment is extended.

If it is determined that the job candidate has tested positive or refused a drug/alcohol test in the past, efforts will be made to determine:

- ✓ Did the job candidate comply with referral, evaluation and treatment obligations?
- ✓ Did the job candidate comply with any return to duty or follow-up testing requirements?

A final decision on the status of a job candidate who either tested positive or refused an alcohol/drug test shall be made by the appointing authority after consultation with the Attorney.

Sec. 4.20. Selection Process – Standards for Evaluating Driving Record.

During the initial recruitment process for a position requiring travel, the following standards are used for evaluating driving records:

	WITHIN 12 MONTHS OR LESS	WITHIN 13 TO 36 MONTHS	WITHIN 37 TO 60 MONTHS
Excellent	Clear driving record	Clear driving record	Clear driving record
Good – no more than:			One accident or moving violation
Acceptable – no more than:	One accident or moving violations.	One accident or moving violation and no other violation in five years	Two accidents or moving violations
Marginal – no more than:	One accident or moving violation plus other accidents or violations in five years	Two accidents or moving violations	Three accidents or moving violations -OR- One major or statutory violation (OWI /Reckless Driving/ Hit and Run/ Homicide/Fleeing/ Suspension) -AND- no other accidents or violations

	WITHIN 12 MONTHS OR LESS	WITHIN 13 TO 36 MONTHS	WITHIN 37 TO 60 MONTHS
*Unacceptable	Two accidents or moving violations -OR- One major or statutory violation (OWI/Reckless Driving/Hit and Run/Fleeing/Homicide/Suspension)	Three accidents or violations - OR- One major or statutory violation (OWI/Reckless Driving/Hit and Run/Fleeing/Homicide Suspension)	More than three accidents or moving violations

Sec. 4.21. Hiring Process – Starting Pay.

Employees shall normally be hired at the minimum rate of the pay grade (level) for the classification. A new employee may be hired at a pay step up to and including Step 5 of the pay grade for the classification with the approval of the Administrator. Approval for a higher pay step will be based on such reasons as market conditions or the new employee possesses unique qualifications directly related to the requirements of the position, and shall be approved by the Human Resources Committee.

Sec. 4.22. Hiring Process – Transfers.

Regular employees transferring from one department to another covered by this manual shall be given credit for length of employment in the first department as it relates to all benefits.

Sec. 4.23. Hiring Process – Reinstatement.

An employee who separates in good standing may be reinstated to a position in the same classification without participating in the recruitment process if the employee is appointed within two (2) years after terminating service and meets the current qualifications (including post-offer medical requirements) and has the recommendation of their Department Director.

The Administrator may reinstate an employee up to the same pay step the employee was at when s/he previously terminated employment. The reinstated employee will progress through the pay steps based on the length of service required between each step. The reinstated employee will have a new hire date which applies to benefits, leaves, and seniority. Reinstated employees may be required to serve a new introductory period.

Sec. 4.24. Hiring Process – Introductory Period.

New employees shall serve a one (1) year introductory period. During this time, employees will have an opportunity to get acquainted with their new jobs, fellow employees and Village government. Likewise, supervisors will be observing new employees to determine aptitude for the work, how conscientiously they carry through the work assigned, their attitude toward co-workers, their record of punctuality and attendance, and all other areas of total job performance. Supervisors will inform employees of their progress on the job and will review Village policies and practices throughout the introductory period, but no less than every three (3) months throughout the introductory period. Completion of the introductory period does not guarantee continued employment of any specified period, nor does it modify or change the employee’s at-will status.

CHAPTER 5

JOB CLASSIFICATIONS AND COMPENSATION

- Sec. 5.01. Salaries and Wages for Local Officials.
- Sec. 5.02. General Provisions.
- Sec. 5.03. Job Documentation Procedure.
- Sec. 5.04. Vacant Position Control.
- Sec. 5.05. Abolition of Jobs.
- Sec. 5.06. Reclassification Requests Procedure.
- Sec. 5.07. Reclassification Review Procedure.
- Sec. 5.08. Compensation Philosophy and Priorities.
- Sec. 5.09. Salary Range Structure.
- Sec. 5.10. Salary Ranges.
- Sec. 5.11. Salary Adjustment Procedure.
- Sec. 5.12. Annual Review and Adjustment to Salary Schedules.
- Sec. 5.13. Performance Bonuses.
- Sec. 5.14. Clothing and Equipment.
- Sec. 5.15. Reimbursement for Travel Expenses.
- Sec. 5.16. Reimbursement for Meetings and Miscellaneous Expenses.

Sec. 5.01. Salaries and Wages for Local Officials.

(1) The annual salaries for Board of Trustee members:

- President: \$6,000
- Trustees: \$4,800

(2) The meeting pay for members of the following committees shall be \$40.

- Community Development Authority
- Public Safety Committee
- Finance Committee
- Parks and Recreation Committee
- Human Resources Committee
- Plan Commission
- Public Works and Utility Committee
- Zoning Board of Appeals

Sec. 5.02. General Provisions.

It is the policy of the Village to maintain a classification and compensation plan that will provide compensation so as to allow for the recruitment and retention of a high-quality work force. We believe that it is in the best interest of the Village of Weston, our employees, and the community in which we serve, to competitively and fairly compensate employees for their work. The compensation for general Village employees in an allocated position not covered by a labor contract will be established by the Administrator within the budget approved by the Board of Trustees.

Sec. 5.03. Job Documentation Procedure.

Job documentation refers to the collection and maintenance of job content information. Formal job descriptions are used to describe duties and responsibilities required for each job at the Village. The description focuses on the job, not the employee assigned to the job. Appraisal of the employee's performance is treated as a separate issue.

- (1) Job Descriptions. Village job descriptions generally contain the following information: job title; reporting relationships; Fair Labor Standards Act (FLSA) exemption status; purpose; essential duties and responsibilities; additional duties and responsibilities; job requirements; performance specifications; and work environment conditions. A copy of the approved job description is available for each employee on the Village's website, through their manager, or the Administrator. A job description is used to describe every job. It is intended to document the minimum requirements of the job as it exists at the present time. The formal job description is used as the basis for assigning a pay range. Accurate and complete job descriptions will be prepared and maintained.
- (2) Job Documentation Responsibility. Current job documentation is the responsibility of the Department Directors in coordination with the Administrator. The Administrator is responsible for ensuring the consistency and accuracy of the information. The Employee Resources Manager shall be responsible for keeping formal copies and background information on file for all jobs. Department Directors, in coordination with the Administrator, are responsible for writing new and revised job descriptions.
- (3) Job Changes. As a job changes, a revised job description may be needed. Department Directors are required to review job descriptions with their employees on an annual basis in conjunction with the performance appraisal process. If changes are minor, the manager and employee should note the changes on the current job description and forward it to the Employee Resources Manager. The Administrator will make the changes and prepare and distribute an official revised description.
- (4) New Jobs. If a Department Director wants to hire for a new job, a position description questionnaire must be completed listing the minimum requirements and responsibilities for the job. A job description will then be developed and a pay grade and salary range assigned to the job.

Sec. 5.04. Vacant Position Control.

If a job becomes vacant, the manager is required to review the current job description to determine if there should be any changes prior to the position being posted. Revisions should be made before any action is taken to fill the position. Positions which are vacant for a period of fifteen (15) months are deleted from the allocation list unless an extension is granted by the Administrator. Extensions of up to twelve (12) months can be granted by the Administrator in response to requests from Department Directors which involve special circumstances.

Sec. 5.05. Abolition of Jobs.

When it is determined that a classification or classifications are no longer appropriate, the Administrator can abolish them.

Sec. 5.06. Reclassification Requests Procedure.

A request for a reclassification of a current position may be initiated by the employee or his/her Department Director between April 1 and April 30 of any year. The employee can obtain the necessary forms from the Employee Resources Manager, complete them and submit them to his/her Department Director. Completed forms are due in the Employee Resources Manager no later than April 30.

- (1) Department Directors must complete the “New/Expanded Position Request” form and submit it to the Employee Resources Manager by February 28th.
- (2) Prior to April 1st, the Employee Resources Manager will review the “New/Expanded Position Request” forms received for completeness. The Employee Resources Manager may request additional information from the departments submitting requests. In addition, the Finance Director prepares fiscal impact summaries for each position and submits this data to the Employee Resources Manager with the completed new or expanded position proposals.
- (3) Prior to April 30th, the departments present their new/expanded position proposals to the Administrator. The Employee Resources Manager also attend the meeting(s). The Village Administrator will choose to do one of the following:
 - Decide not to further consider the position request because there is not adequate justification or for other reasons related to the department’s operations and/or the Village mission.
 - Direct the Employee Resources Manager to gather additional information relating to the request.
 - Recommend approval of the new or expanded position request and refer to Human Resources Committee for review.
- (4) Prior to May 30th, the Employee Resources Manager further researches the requests submitted by to the Village Administrator and prepares written recommendations to the Administrator. This may include developing class specifications and determining corresponding pay levels for new classifications.
- (5) Prior to July 15th, the Administrator reviews the Employee Resources Manager’s written recommendations. In addition, the Administrator and Employee Resources Manager may jointly meet with the corresponding departments to allow them to respond to the written recommendations. The Administrator will do one of the following:
 - Decide not to further consider the position request because there is not adequate justification or for other reasons related to the department’s operations and/or the agency’s mission.
 - Recommend approval of the new or expanded position request and refer it to the Human Resources Committee for review.
- (6) During the August meeting, the Human Resources Committee reviews and approves new position creations or expansions after considering recommendations provided by the Administrator. If the new position involves a new classification, the Human Resources Committee will also establish the new classification and approve a pay level.
- (7) Effective January 1st, if the new or expanded position is funded by Board of Trustees through the budget process, it will be effective January 1st of the following calendar year, unless otherwise indicated.

- (8) 100% Non-Tax Levy Funded Positions: Follow the same procedures outlined above. However, these requests can be made whenever funds are available. The funded position is effective upon Human Resources Committee approval or when funds are available, whichever is later.

Sec. 5.07. Reclassification Review Procedure.

- (1) A request for reclassification must be supported with documentation of substantial changes in job duties/responsibilities since the last review. Changes in duties/responsibilities may result from departmental reorganization or from a gradual change occurring over an extended period of time.
- (2) Reclassifications shall not be considered for temporary changes.
- (3) The Employee Resources Manager evaluates the position through study of new and former position questionnaires, class specifications, related positions, market surveys, etc. Interviews may also be conducted with the employee, Department Director, and other appropriate persons. An outside consultant may also conduct position evaluations for positions.
- (4) When a suitable class does not exist, the Administrator shall establish a new class with an appropriate pay range subject to approval of the Human Resources Committee.
- (5) The Administrator submits a written report and recommendation concerning the requested change to the Human Resources Committee.
- (6) Effective Date:
 - (a) The Human Resources Committee will act upon the request after considering the information provided with the authorized changes to become effective in most cases on January 1 of the upcoming year.
 - (b) For mid-year reclassifications or pay grade adjustments, the effective date will be the next pay period after Employee Resources Manager receives the required document from the department.

Sec. 5.08. Compensation Philosophy and Priorities.

Our total compensation system is comprised of both base compensation and employee benefits. Our compensation system will be objective and non-discriminatory in theory, application, and practice. Base compensation is designed to provide competitive and fair compensation to employees for fulfilling the full scope of responsibilities and accountabilities as outlined in our job descriptions. Base compensation salary ranges for each position are established by researching industry and local salary survey data. Base compensation levels within the established range for the position are determined on the basis of an employee's ability to execute the full responsibilities of the position at an acceptable proficiency level. Generally, the Village will administer base compensation to reflect our pay-for-performance culture.

The Village's compensation philosophy is to maintain position classifications and compensation levels that are internally consistent and responsive to changes in local economic conditions and strategic priorities. The Village's compensation priorities include:

- (1) Internal alignment: Employee's jobs and skills will be compared in terms of their relative contributions to the Village's objectives. Pay rates both for employees doing equal work and those doing dissimilar work will continually be evaluated.

- (2) External competitiveness: To be an effective organization the Village must attract and retain high caliber employees while at the same time controlling labor costs to ensure living in the Village provides value to our citizens. The Village will gauge our compensation against both private and public markets to ensure that we are capable of employing a quality work force at market costs.
- (3) Employee contributions to pay: Employee contributions to pay refer to the relative emphasis placed on performance. The Village will evaluate employee performance and determine whether one employee should be paid differently from another depending on relative performance.
- (4) Administration: The Village will continually evaluate our compensation plan and pay model to determine that we are meeting our strategic goals. This review will focus on whether we are attracting and retaining skilled workers, perceived fairness and understanding of the pay plan, and how our labor costs compare to the overall labor market.

Sec. 5.09. Salary Range Structure.

The Village is committed to providing a salary range structure that is responsive to the external market and is internally equitable. Data will be collected and analyzed on a regular basis to determine market movement of jobs and current salary trends.

- (1) Job pricing is the process of matching our jobs at the Village to jobs of the external market. Pay grades are determined through a process of evaluating jobs based upon internal and external conditions and grouping similarly valued jobs together (job groups). The market value for jobs within a job group is used as a factor when computing the pay for the salary range structure.
- (2) The salary range structure consists of a series of overlapping salary ranges. Each salary range has a minimum, a control point, and maximum salary amount. To reflect the Village of Weston's pay for performance philosophy, the range between 87.5% (minimum) and 100% (control point) of each pay grade will be within 12.5% of the market average.
- (3) Each salary range is identified through a minimum, control point, and maximum salary amount.
 - (a) 87.5% Step 1 (Minimum): – The lowest amount the Village will pay an individual for a job assigned to the salary range.
 - (b) 87.5%+ to less than 100%: – Is intended for employees who:
 - ✓ Are continuing to learn job responsibilities while meeting performance standards.
 - ✓ Are fully trained but perform at a level that is less than proficient.
 - ✓ Have not acquired sufficient time in the job to warrant pay at the midpoint level.
 - (c) 100% (the Control Point): – Intended to represent the salary level for employees who are fully qualified and performing at a proficient level over a period of time (the control point of the range is intended to reflect the market rate).
 - (d) Pay for performance area to maximum: – Intended for employees whose performance is continuously excellent or outstanding and exceeds performance objectives over a period of time.
- (4) The Village will conduct a comparative ratio analysis on an annual basis to determine where each employee's pay falls relative to his or her current salary range. As a policy, the Board of Trustees

requires the overall pay plan to maintain a comparative ratio analysis that is competitive with the market place.

- (5) The Village will gather, analyze, and the Administrator shall recommend changes to the salary range structure based on market data and salary trend information. Final approval of these recommendations will be made by the Board of Trustees. A full review of market data for all Village jobs will be conducted approximately once every five (5) years. The Administrator will review market data and develop a comparison of market data to current midpoints and current pay practices.

Sec. 5.10. Salary Ranges.

The current Village of Weston pay grades and salary ranges are reported in the Village of Weston Classification and Compensation Pay Matrix. Beginning in January of each year the Administrator shall consult with Department Directors to prepare/adjust the current year pay matrix. The Administrator shall research; the local job market, prevailing local/regional wage studies, and the Consumer Price Index as published by the Bureau of Labor Statistics to determine adjustments, if any for the current year.

The prepared Pay Matrix, shall be presented to the Human Resources Committee for their determination whether to implement the presented Pay Matrix or modify it. The Human Resources Committee shall forward its decision to the Finance Committee for their determination whether to implement the Pay Matrix approved by the Human Resources Committee or modify it, forwarding the final decision to the Board of Trustees for review, modification and implementation.

Sec. 5.11. Salary Adjustment Procedure.

A pay adjustment occurs when the Village adjusts an employee's rate of pay to fall within the parameters of established pay ranges. These adjustments may occur for various reasons.

To ensure credibility and achievement of Village objectives, an effective pay adjustment system must be developed and maintained with guidelines and procedures communicated to users on a timely basis.

The Administrator is responsible for initiating appropriate pay adjustments for employees through the performance management system. Department Directors will communicate all approved pay adjustments to employees.

Salary adjustments for current employees or hiring rates for new employees will be authorized only with a current job description.

The following guidelines and procedures of the base compensation plan are intended to ensure that each employee will be rewarded on the basis of demonstrated performance:

- (1) New Hires: The hiring rate is normally the minimum of the salary range for entry-level individuals. If an individual with prior experience is hired, the hiring rate should reflect the level of experience the individual brings to the Village. The proposed rate should not create inequities with current staff. The proposed hiring rate will be determined and approved by the Administrator. Any hiring rate that exceeds the market rate (control-point) for a position must be presented to and approved by the Administrator.
- (2) Market Adjustments: Market rates are the rate of pay with which the Village compares itself in local, regional or even national markets for our jobs. When necessary and appropriate, salary adjustments not related to performance, but intended to correct market or equity disparities may be proposed for individual jobs, groups of jobs, or the overall pay plan to maintain the Village's

relative position to the market. All market adjustments will be approved by the Board of Trustees.

- (3) Promotional Increases: Promotional increases are provided to recognize an increase in the scope and responsibility of a job and should be given at the time the new responsibilities are assumed. The amount of the increase should be consistent with the objectives of the base compensation plan, take into consideration the employee's pay level prior to the promotion, and internal equity issues.
- (4) Job Reclassification: As the organization continues to grow, jobs and responsibilities will evolve and change over time. Therefore, as job descriptions change, they will be evaluated to determine if the job needs to be reclassified into a different pay grade. The Department Director, in coordination with the Employee Resources Manager, will have the initial responsibility to recommend the reclassification of positions to the Administrator. All position reclassification requests will require submission of a position description questionnaire, internal equity analysis, and relevant market data prior to consideration.
- (5) Transfer: A transfer is the reassignment of an employee from one job to another job in the same pay grade and salary range which normally does not involve a change in pay. Lateral transfers provide employees with the opportunity to acquire new work experience and provide exposure to a different work environment.
- (6) Temporary Appointments: Employees temporarily appointed to positions of a higher classification may be eligible for a pay increase during the temporary appointment period. The Administrator will take into consideration the employee's pay level at the time of the appointment, change in scope of duties and responsibilities, duration of the appointment, internal equity issues, and other factors when making the compensation determination.
- (7) Demotion: A demotion is the reassignment of an employee from one job to another job in a lower pay grade and salary range with a resulting decrease in the scope and responsibility. Demotions may occur for unsatisfactory job performance, in response to an employee request, and for various organizational reasons. The determination of whether the employee should have their pay reduced will be based on the current pay level of the employee relative to the salary range as well as internal equity considerations.
- (8) Redlining: Employees whose salary is determined to be above the maximum pay rate in the pay grade established for their job will have their pay rates redlined until such time that the market adjustments bring their current salary within established salary ranges. The redlining procedure does not allow for an employee's base rate to be adjusted above the salary range maximum rate. Once adjusted to the maximum salary rate, employees remain eligible to receive any portion of any pay increase that exceeds the salary range maximum rate as a lump sum payment to be paid at the time of the adjustment. This payment will not be added to the employee's base salary. The lump sum payment will be calculated by taking the hourly rate that exceeds the salary range maximum rate and multiplying it by the annual hours for the position (usually 2,080 hours). Before an employee is redlined they must be notified in writing prior to and given adequate time to appeal the decision to the Administrator.
- (9) Exceptions: In order to make the base compensation plan an effective management tool, exceptions from base compensation administration guidelines may be considered when extenuating circumstance exist. Exceptions to policy should be discussed with the Administrator prior to the preparation of any recommendation. Exceptions must be reviewed and approved by the Administrator.

- (10) Confidentiality: The Village will treat all pay and salary range information confidentially. As a general rule, Village will not discuss individual compensation information with other employees unless extenuating circumstances exist. When discussing compensation with an employee, we will remain focused on that employee's specific pay situation. Employees will be provided their individual pay and salary range only. If an employee is considering a job change to a vacant position, the salary range information will be discussed at that time.
- (11) Public Record: Village of Weston compensation data is public record. Therefore, any party wishing to acquire specific compensation information may be entitled to receive it provided they make the request in the appropriate manner.

Sec. 5.12. Annual Review and Adjustment to Salary Schedules.

Village employee benefits will be reviewed on an annual basis to ensure they remain competitive within the marketplace and reflect those benefits valued by our employees.

Targeted levels for benefits will be positioned at or slightly above the market median as derived by review of industry and local survey data and discussion with Village insurance representatives and other advisors.

The Village will review the Consumer Price Index for All Urban Consumers (CPI-U) data as well as data from local and national compensation surveys in order to maintain competitive salary ranges.

Sec. 5.13. Performance Bonuses.

Performance bonuses are intended to ensure that performance is recognized and that equity is achieved and maintained. The Administrator will review market conditions and trends to recommend a merit increase budget on an annual basis that will be approved by the Board of Trustees. Recommendations for individual merit increases will be determined by Department Directors within the budget provided and should be on the basis of performance. Merit increases are not permitted if the increase would move the compensation of an employee past the control point established for the salary range. A merit increase is applied by taking the employee's current rate of pay, identifying which quintile that rate of pay is in, and then multiplying the current rate by the percentage increase established in the annual merit increase decision worksheet based on the employee's level of performance. The merit increase worksheet will be determined within the budget approved by the Board of Trustees, employee performance, and both overall and individual comparative ratio analysis on an annual basis.

Sec. 5.14. Clothing and Equipment.

The Village may make arrangements to provide uniforms to employees of the Services Division. When uniforms are provided, employees are expected to wear the provided apparel. The Village will also furnish Personal Protective Equipment (PPE) necessary for employees' safety on the job. Department Directors shall determine the PPE to be provided for their departments. The Village may, from time to time, make special purchases of clothing. The Village, payable when receipts are turned in, shall also contribute one hundred ninety-five dollars (\$195) to a winter clothing allowance for each employee, for such items as jackets, bib overalls, insulated coveralls, boots, hats and gloves.

Sec. 5.15. Reimbursement for Travel Expenses.

Reimbursement rates for authorized local or long-distance travel shall be as follows:

- (1) The two definitions for a business-related activity are as follows:

- (a) the Village policy, which determines what meals will be reimbursed by the Village and,
 - (b) the IRS guidelines, which determine which meals are taxable to the individual.
- (2) Reimbursement rates for official Village business travel shall be as follows:
- (a) Airplane or Other Commercial Transportation: Actual fare at coach or economy class for the most direct route, receipts required. Alternate forms of transportation may be reimbursed at the equivalent of air fare at coach or economy for the most direct route not to exceed actual costs.
 - (b) Lodging: Actual amount, receipts required.

(3) Reimbursement rates for official Village meals shall be as follows:

- (a) Meals: Meal claims will be paid based on a daily per diem rate. The meal claims must be reasonable, necessary and closely represent the amount actually spent. To be allowed breakfast, departure must be before 6:00 a.m.; lunch, departure must be before 10:30 a.m., and return after 2:30 pm.; dinner, employee must return after 7:00 p.m., or depart his/her headquarters for overnight travel before 6:00 p.m.

Subject to the Department Director or their designee's approval, meal reimbursement is allowed when the employee is on Village business related activities outside of the Village. Reimbursement for meals consumed in the Village may be approved in conjunction only with a business meeting at the discretion of the Village Administrator or his/her designee.

- (b) Under the Village's policy, a business-related activity for meals reimbursed outside the Village includes the following:
 - 1. Business meeting including a third-party or non-Village employee in which business is conducted or,
 - 2. Business related situation that would occur in the normal performance of your job duties. A third-party or non-Village employee would generally include but is not limited to the following: outside experts (consultants, lawyers, auditors, etc.), visiting dignitaries (state and local officials or members of commissions, committees or boards) and interviewees. Reimbursements for other business-related situations outside of the Village, could include, but are not limited to the following:
 - a. meals at conferences/conventions/etc. that are not included in the registration fee or
 - b. meals incurred that are not considered business meetings but are considered necessary and reasonable while performing your normal job duties
- (c) Under the IRS guidelines, meal reimbursements for business meetings that include a third-party or non-Village employee as defined above, are not taxable to the individual if submitted for reimbursement within 60 (sixty) calendar days of the date incurred. However, meal reimbursements made for other business-related activities (as defined previously), which are not overnight, are considered a fringe benefit and are taxable to the employee (see criteria listed previously) or are not reimbursable by Village policy.

- (d) Claims for meals shall be paid on a standard daily per diem basis. The maximum daily amount permitted, including tax and tip (tip not to exceed 20% of meal cost), for all meal reimbursements within the State of Wisconsin, is \$42 per day. The meal reimbursement for meals outside the State of Wisconsin will be \$50 per day. Employees must submit the Statement of Expenses Incurred for Village form (Appendix 5-A) in order to receive reimbursement.

The Village *in-state rate* is \$42. Therefore, maximum amounts for each meal are as follows:

Breakfast	=	\$8.50
Lunch	=	\$12.50
<u>Dinner</u>	=	<u>\$21.00</u>
Total	=	\$42

The Village *out-of-state rate* is \$50. Therefore, maximum amounts for each meal are as follows:

Breakfast	=	\$10
Lunch	=	\$15
<u>Dinner</u>	=	<u>\$25</u>
Total	=	\$50

- (e) When an employee claims reimbursement for two or more meals in a day and exceeds the maximum on one or more meals, the employee may claim per diem for each allowable meal on that day not to exceed actual costs of meals. An employee must request reimbursement for three meals to be eligible for the full daily per diem rate. Receipts are not normally required. 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.
 - (f) Where a consistent pattern of meals claimed at the maximum is noted, the supervisor may require the employee to submit receipts in the future to document the amount claimed.
 - (g) Expenditures for alcoholic beverages, or any spouse or guest, are not reimbursable. Meals included in the cost of airfare or registration fees are not reimbursable.
- (4) Reimbursement rates for official Village travel mileage shall be as follows:
- (a) Mileage when traveling by personal automobile on official Village business shall be reimbursed at the rate determined by the IRS <https://www.irs.gov/>. Employees shall maintain a policy of personal auto insurance policy that meets minimum financial responsibility liability limits of: Bodily Injury: \$25,000 for each person and \$50,000 for each occurrence; Property Damage: \$10,000 for each occurrence (or a Combined Single Liability Limit of \$50,000); and Uninsured Motorists and Underinsured Motorists coverage of \$25,000 per person/\$50,000 per occurrence (or a Combined Single Limit of \$50,000) (See Appendix 5-B of this Chapter).
 - (b) Those individuals who maintain a personal auto insurance policy of not less than Bodily Injury: \$100,000 for each person and \$300,000 for each occurrence; Property Damage: \$100,000 per accident (or a Combined Single Limit of \$300,000); Medical Payments: \$5,000 and Uninsured Motorists and Underinsured Motorists coverage of \$100,000 per person/\$300,000 per occurrence (or a Combined Single Limit of \$300,000) shall qualify for a higher level of reimbursement equal to the IRS business mileage rate commencing on the

effective date established by the IRS. During the course of any given year, if the IRS adjusts the business mileage rate, either up or down, Village reimbursement will be adjusted the same amount as of the effective date of any change.

- (c) Request for reimbursement shall be made on forms which indicate that the responsible Department Director has been provided with the necessary documentation certifying that the driver's personal insurance coverage meets or exceeds the established standards. Employees must also provide their Department Director with a photocopy of their auto declarations page or a certificate of insurance to qualify for mileage reimbursement and shall sign an Employee Acknowledgment of Personal Automobile Liability Insurance Form which remains on file in the department files. (See Appendix 5-B of this Chapter).

(5) Travel Reimbursement:

- (a) Requests for reimbursement shall be reported on forms as determined appropriate by the Employee Resources Manager and Finance Director.
- (b) Employee expense reimbursement forms need to be approved and signed by someone in a higher management position than the employee submitting the reimbursement request. Department Director requests shall be signed by the Administrator.
- (c) Actual receipts are required before reimbursement will be made to any employee.
- (d) Employees and officials shall make a reasonable effort to save Village funds by sharing transportation and lodging arrangements wherever practical.

(6) Conferences:

- (a) Conferences should relate to the attendees' work as well as the mission statements of the department and the Village. This requirement is in effect regardless of which funding source will cover the cost of the conference.
- (b) Employees wishing to attend a conference with a registration fee costing more than \$1,500 requires prior approval from the Administrator.
- (c) Employees planning to attend more than two (2) out-of-state conferences during a calendar year requires approval from the Administrator, regardless of cost.
- (d) Employees planning to attend any conference out of the country requires approval from the Administrator prior to travel.
- (e) Employees planning to travel out of town for multiple days should calculate the cost difference between driving to the event each day and returning home each night versus hotel and meal(s) costs at the event location and balance the economic considerations against the practical considerations.
- (f) In the event that an employee cannot travel to scheduled conference:
 1. An attempt to recoup any payments already made (hotel, conference registration, etc.) should be started immediately. This includes obtaining credit for unused airline tickets.
 2. When the above is not possible, consideration should be given to sending a substitute attendee to obtain notes or other conference materials.

Modified by an act of the Board of Trustees on August 18th, 2014.

Sec. 5.16. Reimbursement for Meetings and Miscellaneous Expenses.

Employees and officials may be reimbursed for meeting/miscellaneous expenses related to their employment. Requests for such reimbursement shall be reported on form (Appendix 5-A) as determined appropriate by the Employee Resources Manager and Finance Director. Actual receipts are required before reimbursement will be made to any employee and shall be provided on separate receipts (no personal items should be included on receipts).

APPENDIX 5-A



VILLAGE OF WESTON EXPENSE CLAIM REPORT

Employee Name:								
DATE	LOCATION	DESCRIPTION	TRANSPORTATION Employee Paid (e.g. airfare)	LODGING	PERSONAL AUTO (@ \$0.545/mile)	OTHER (e.g. tolls, taxi, etc)	*MEALS (PER DAY)	TOTAL EMPLOYEE EXPENSES
TOTALS								
EMPLOYEE SIGNATURE			DATE		Amount due employee			
APPROVAL SIGNATURE			DATE					
Retain a copy of this report for your records and forward original with supporting receipts to the Village of Weston Employee Resource Manager							<u>Please send payment:</u>	
ALL EXPENSES SHOULD BE SUBMITTED BEFORE RETURNING TO WORK OR AS SOON AS PRACTICAL.							<input type="checkbox"/> Direct deposit <input type="checkbox"/> Check	
GENERAL INSTRUCTIONS - Report is to be prepared in ink or typed. Included the date and description of all expenditures. All columns are to be totaled. If more than one page is required, number all pages and carry forward sub-totals. RECEIPTS REQUIRED - Receipts are required for: 1) all transportation, lodging, and car rental expenses 2) any other travel expense (e.g. taxi services, tolls) The travel itinerary should be attached to this expense report TRANSPORATION - identify the total transportation costs EXCLUDING: taxi, and personal auto mileage allowance.				LODGING - Identify lodging costs on a total basis (Miscellaneous charges excluded) PERSONAL AUTO - Include mileage (Description Column) and multiply by current mileage allowance rate. Total amount should not exceed the cash equivalent for airfare. OTHER TRAVEL EXPENSE - travel related costs including, tolls, parking, telephone (business), taxi fares, postage and miscellaneous. *MEALS - In state Breakfast \$8.50 Lunch \$12.50 Dinner \$21.00 Out of state Breakfast \$10.00 Lunch \$15.00 Dinner \$25.00 * When meals are not provided				

APPENDIX 5-B



VILLAGE OF WESTON
 ACKNOWLEDGMENT OF PERSONAL AUTOMOBILE
 LIABILITY INSURANCE

The Village of Weston reimburses employees for the authorized use of their personal vehicle when necessary. In order assure that the employee has sufficient liability insurance in accordance with the Village of Weston Personnel Policies & Procedure Manual Chapter 5 Job Classifications and Compensation, **Sec. 5.15. Reimbursement for Travel Expenses**, employees must fill out this form and update same whenever changes occur.

Provide this form and any other copies of proof of insurance to your Department Head for approval. Your Department Head will forward this acknowledgment with attachments to the Employee Resource Manager.

Proof of Insurance is evidence that you hold Wisconsin or other applicable state’s minimum requirements for motor vehicle insurance.

Your Department Head must approve the use of your personal vehicle for Village of Weston purposes.

Last Name		First Name		MI	Phone Number	<input type="checkbox"/> Cell	<input type="checkbox"/> Other
Address			City		State	ZIP	
Vehicle Make		Vehicle Model			License Number		Expiration (Mon/Year)
*Insurance Company Name		*Insurance Policy Number			*Policy Expiration Date		

Note: All policies must be current and employees are required to provide photocopies of updates as they occur.

* In lieu of this information you may provide a photocopy of one of the following:

- Vehicle insurance card. The card that your insurance company issues to you to carry in your vehicle’s glove box.
- Declarations page (sometimes referred to as the “*dec page*”) that your insurance company issues when you cover your vehicle(s).
- A copy of the insurance binder signed by a licensed insurance agent or broker.
- A copy of the application for any state-specific insurance program.
- A copy of a letter from the insurance company stating details about your coverage.
- An electronic view of your information.
- A copy of the SR-22 if you are required to have this document in order to drive.

 Department Head Signature

 Date (MM/DD/YYYY)

Created 03/05/2018

CHAPTER 6

AUTHORIZED VOLUNTEERS, CASUAL, SEASONAL, & TEMPORARY EMPLOYEES

- Sec. 6.01. Definitions.
 Sec. 6.02. Recruitment.
 Sec. 6.03. Compensation.
 Sec. 6.04. Benefits.
 Sec. 6.05. Change in Status.
 Sec. 6.06. Minor Casual, Seasonal, and Temporary Employees.
 Sec. 6.07. Recreation Employees.

Sec. 6.01. Definitions.

- (1) Authorized Volunteer: An individual who has signed the Village's "Volunteer/Participant Release" (Appendix 6-A) and who has been authorized by the Village to perform specific services for the Village without receiving, or the expectation of receiving, compensation. A person employed by the Village may be an authorized volunteer for volunteer services that are different than the services performed by the person as an employee of the Village.
- (2) Casual Employees: An employee at will of the Village who works on a temporary fill-in basis.
- (3) Seasonal Employee: An employee at will of the Village who is hired for an abbreviated time span to meet seasonal program needs. Seasonal employment terminates at the end of the season or when the Village determines the need for a seasonal employee no longer exists.
- (4) Temporary Employee: An employee at will of the Village who is hired on a limited term basis to perform a specific special assignment. Temporary employment terminates at the conclusion of the special assignment or when the Village determines the need for a temporary employee no longer exists.

Sec. 6.02. Recruitment.

Recruitment of volunteers will be conducted by individual departments or the Employee Resources Manager utilizing the following guidelines:

- ✓ Develop a description of the duties of each volunteer position, including what training, if any, should be provided to the volunteer.
- ✓ Each volunteer must sign the Village's "Volunteer/Participant Release" (attached hereto as Appendix 6-A) before being authorized by the Village to perform specific services for the Village without compensation.
- ✓ If the volunteer is an employee of the Village, the volunteer services authorized must be different than the services provided by the volunteer as an employee of the Village.
- ✓ If the volunteer is working with children or young adults, a background check shall be conducted.
- ✓ Educate the volunteer on the guidelines for maintaining volunteer immunity from liability to a third party.

- ✓ If the volunteer is a minor, obtain written consent of the minor’s parent and assign an adult to supervise the minor.

Recruitment and selection of casual, seasonal, temporary employees is conducted by individual departments or the Employee Resources Manager utilizing the following guidelines:

- ✓ Each applicant must complete an official application form provided by the Employee Resources Manager. Applicants for temporary/seasonal positions may obtain the application from the hiring department or the Employee Resources Manager.
- ✓ Departments are strongly encouraged to complete at least one reference check for finalists. Department heads should also contact the Employee Resources Manager to complete criminal record checks and driving record checks (if driving is required as part of job duties) prior to making a job offer.
- ✓ Selection of applicant will be based on specific qualifications for each position and conducted in a manner to provide equal employment opportunity.
- ✓ New temporary employees are required to complete an I-9 form, state and federal tax withholding forms, and direct deposit form within the first 3 days of hire. Hiring departments are responsible for the completion of these forms. Completed forms are then submitted to the Employee Resources Manager along with an Employee Report Form.

Sec. 6.03. Compensation.

Casual, seasonal and temporary maximum wage rates are as follows:

Laborer/Custodian	\$10.70/hour
Clerical Worker	\$12.26/hour
College Intern	\$12.26/hour
Paraprofessional & Technical	\$14.83/hour
Skilled Maintenance	\$14.83/hour
Professional	\$23.10/hour

The starting wage for any casual, seasonal or temporary employee shall be at least the minimum wage. However, casual, seasonal and temporary employees under the age of 20 may be offered the “opportunity wage” of \$5.90 per hour for the first 90 (ninety) days of employment.

The Employee Resources Manager may approve exceeding the current established temporary wage rates when departments hire temporary staff to fill current regular vacancies. However, these rates may not exceed the maximum rate for the corresponding regular position. Authorized volunteers are not employees of the Village. Authorized volunteers receive no compensation but may be reimbursed expenses and provided a free t-shirt, meal or other nominal reward.

Sec. 6.04. Benefits.

Casual, seasonal and temporary employees are not eligible for fringe benefits unless otherwise determined by the Employee Resources Manager. Eligibility for participation in the Wisconsin Retirement System shall be determined by the requirements of the State of Wisconsin Department of Employee Trust Funds (ETF). Consult the ETF website for details. Authorized volunteers are not eligible for benefits based on their volunteer service.

Sec. 6.05. Change of Status.

Authorized volunteers and casual, seasonal or temporary employees are given no guarantee of eligibility for any other Village employment. They are, however, welcome to apply for job openings in which they are interested and qualified. In the event that a casual, seasonal or temporary employee is hired for a regular allocated position, the effective date of hire for determining benefits will be the date of employment into the regular position eligible for benefits. (Retirement benefits will be calculated based on State Employee Trust Fund rules.) An initial employment period will be required. The starting salary will be consistent with the Village pay plan.

Sec. 6.06. Minor Casual, Seasonal, and Temporary Employees.

- (1) Valid work permit: Persons under the age of 16 shall possess a valid work permit before being hired by the Village. (State of Wisconsin Department of Workforce Development https://dwd.wisconsin.gov/er/labor_standards/work_permit/work_permit_offices.htm) A work permit is not necessary if the minor is an authorized volunteer.
- (2) Hours worked: 14 and 15-year-old employees may work up to 8 hours per day, 6 days a week, and 32 hours per week from June 1 through Labor Day. 14 and 15-year-old employees may work up to 3 hours per day, and 18 hours per week while attending school. 16 and 17-year old employees may work up to 50 hours per week during the weeks they are not required to attend school.
- (3) Wage: An “opportunity wage” of \$5.90 per hour for the first 90 days of employment may be paid to employees who are under the age of 20. On the 91st day, the wage must increase to at least the applicable state/federal minimum wage.

Sec. 6.07. Recreation Employees.

Casual, seasonal and temporary employees of a recreational establishment, who are age 18 or over, are exempt from overtime pay requirements if the recreational establishment does not operate for more than 7 months in any calendar year. 14 and 15-year-old recreational employees may work up to 8 hours per day and 40 hours per week, but no more and, therefore, are not permitted to work overtime. 16 and 17-year-old recreational employees may work up to 50 hours per week but must be paid time and a half for all hours worked over 10 hours per day or 40 hours per week. Recreational establishments include stadiums, golf courses, swimming pools, summer camps, ice skating rinks, zoos, beaches and boardwalk facilities.

APPEDIX 6-A



VILLAGE OF WESTON VOLUNTEER WAIVER AND RELEASE FORM

Last Name	First Name	MI	<input type="checkbox"/> Check here if under 18
			Date of Birth
Address		City	State ZIP
Email Address (Required)		Phone Number	<input type="checkbox"/> Cell <input type="checkbox"/> Other
If under 18 Parent(s) or Legal Guardian			
Last Name		First Name	Middle Initial
If under 18 Parent(s) or Legal Guardian's address:			
Address		City	State ZIP
Parent(s) or Legal Guardian's Email Address (Required)		Parent(s) or Legal Guardian's Phone Number	
		<input type="checkbox"/> Cell <input type="checkbox"/> Other	

EMERGENCY CONTACT

Name: _____ Relationship to Participant _____ Phone Number Cell Other _____

VOLUNTEERS MUST COMPLETE THE WAIVER AND RELEASE FORM

**PARENT/LEGAL GUARDIAN SIGNATURE IS REQUIRED
IF VOLUNTEER IS UNDER THE AGE OF 18 (EIGHTEEN)**

Village of Weston
5500 Schofield Avenue
Weston, WI 54476
Phone: 715-359-6114

WAIVER AND RELEASE FORM

RELEASE OF LIABILITY

In return for being allowed to participate in any Village of Weston volunteer activities and all related activities, including any activities incidental to such participation ("Volunteer Activities"), the undersigned Volunteer or Parent/Legal Guardian of Volunteer if Volunteer is under age 18 (hereafter referred to using "I", "me", or "my") releases and agrees not to bring action/suit against, or indemnify the Village of Weston or its officers, directors, employees, sub-contractors, sponsors, agents and affiliates from all present and future claims that may be made by me, my family, estate, heirs, or assigns for property damage, personal injury, or wrongful death arising as a result of my participation in the Volunteer Activities wherever, whenever, or however the same may occur.

I understand and agree that the Village of Weston is not responsible for any injury or property damage arising out of the Volunteer Activities, even if caused by their ordinary negligence or otherwise.

I understand that participation in the Volunteer Activities involves certain risks, including, but not limited to, serious injury and death. I am voluntarily participating in the Volunteer Activities with knowledge of the danger involved and I agree to accept all risks of participation.

I also agree to indemnify and hold harmless the Village of Weston for all claims arising out of my participation in the Volunteer Activities.

I understand that this document is intended to be as broad and inclusive as permitted by the laws of the state of Wisconsin in which the Volunteer Activities take place and agree that if any portion of this Agreement is invalid, the remainder will continue in full legal force and effect.

I also acknowledge that the Village of Weston has not arranged and does not carry any insurance of any kind for my benefit or that of Volunteer (if Volunteer is under 18), my parents, guardians, trustees, heirs, executors, administrators, successors and assigns. I represent that, to my knowledge, I am in good health and suffer no physical impairment that would or should prevent my participation in Volunteer Activities.

I also understand that this document is a contract which grants certain rights to and eliminates the liability of the Village of Weston

Signature of Volunteer Date:

Signature of Witness Date:

I am of legal age and am freely signing this agreement. I have read this form and understand that by signing this form, I am giving up legal rights and remedies.

Signature of Parent/Legal Guardian if Volunteer is Under 18 Date:

Signature of Witness Date:

I am the parent or legal guardian of the Volunteer. I am of legal age and am freely signing this agreement. I have read this form and understand that by signing this form, I am giving up legal rights and remedies.

Created 03/03/2018

PUBLICITY RELEASE

In return for being allowed to participate in Village of Weston volunteer activities and all related activities, including any activities incidental to such participation ("Volunteer Activities"), the undersigned Volunteer or Parent/Legal Guardian of Volunteer if Volunteer is under age 18 (hereafter referred to using "I", "me", or "my") hereby grants to the Village of Weston officers, directors, agents, employees, respective successors and assigns (collectively, "Authorized Parties"), the absolute and irrevocable right and permission to use, publish, broadcast and/or copyright the use of Volunteer's name, address, voice, photograph and/or likeness, caricature, and personal information, in its current form or as retouched, digitized, cropped, altered, distorted or modified in any way, in any and all advertising, promotional, or other materials based upon or derived from the Volunteer Activities in any manner, in any media whatsoever for any and all purposes, including by way of example but without limitation advertising, promoting or publicizing products and services throughout the universe, in perpetuity, in any and all media now known or hereafter devised (including without limitation on the Internet), without additional compensation. I further agree that anything derived there from will be owned solely by the Authorized Parties. I shall not authorize the use of any print, negative or other copy thereof by anyone other than the Authorized Parties.

I understand that this document is intended to be as broad and inclusive as permitted by the laws of the state of Wisconsin in which the Volunteer Activities take place and agree that if any portion of this Agreement is invalid, the remainder will continue in full legal force and effect.

Signature of Volunteer Date:

Signature of Witness Date:

I am of legal age and am freely signing this agreement. I have read this form and understand that by signing this form, I am giving up legal rights and remedies.

Signature of Parent/Legal Guardian if Volunteer is Under 18 Date:

Signature of Witness Date:

I am the parent or legal guardian of the Volunteer. I am of legal age and am freely signing this agreement. I have read this form and understand that by signing this form, I am giving up legal rights and remedies.

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CHAPTER 7

WORK SCHEDULING

Sec. 7.01.	Work Schedules.
Sec. 7.02.	Time Keeping.
Sec. 7.03.	Payroll.
Sec. 7.04.	Flex Time.
Sec. 7.05.	Shift Differential.
Sec. 7.06.	Overtime.
Sec. 7.07.	Called-into-Work.
Sec. 7.08.	Stand-By and On-Call.
Sec. 7.09.	Jury Duty.
Sec. 7.10.	Severe Weather.
Sec. 7.11.	Telework and Telecommuting.

Sec. 7.01. Work Schedules.

- (1) The normal workday shall commence at 8:00 a.m. and end at 4:30 p.m. with a ½ hour unpaid lunch period. A Department Director may determine a different start and end time to better serve the public and/or to meet operational needs. The workday for full-time employees will generally be considered eight (8) hours and the work week will generally be considered forty (40) hours. The work week shall begin at 12:00 a.m. on Monday and run through 11:59 p.m. on the following Sunday.
- (2) Work schedules for employees vary throughout the Village organization. Scheduled hours of work are set by the Village. Supervisors will advise employees of their individual work schedules. Staffing needs and operation demands may necessitate variations in starting and ending times, days of the week worked, as well as variations in the total hours that may be scheduled each day and week. Except for positions that the employer requires to be staffed at all times, an employee may not combine paid time off with hours actually worked to exceed his or her normally scheduled hours.
- (3) The Village places great emphasis on good attendance. Absence or tardiness places an extra burden on co-workers and undermines the efficient operation of the department. Regular attendance is expected of every employee. It is each employee's responsibility to be on the job on time each day, and fully able and ready to work. Although there are justifiable reasons to take time off from work, each employee's employment assumes his or her availability for work. Employees are expected to arrive at work on time, return from scheduled rest breaks and lunch breaks on time and to work until the job is completed, work day ends, or the employee is relieved from duty.
- (4) An employee who anticipates being absent or tardy must call in to report the absence or tardiness as soon as possible before their shift. Departments may have their particular requirements.
- (5) Absenteeism or tardiness may lead to discipline, including discharge and may also be taken into consideration when the Village reviews each employee for wage changes or promotion. Absenteeism is defined as the practice of regularly staying away from work or school without good reason. Two or more unexcused tardiness incidents constitute habitual tardiness or a pattern of tardiness and will be considered excessive.

- (6) Employees assigned to restricted duty shall work the hours and days when work is available within their restrictions and adequate supervision can be provided.
- (7) A Department Director, based on operational necessity, budget allocation, and grant funding (if applicable) has the authority to allow an employee to combine paid time off hours with time actually worked to exceed his/her normally scheduled hours.

Sec. 7.02. Time Keeping.

All non-exempt employees must accurately record time worked on a time card for payroll purposes and are required to record their own time at the beginning and end of each work period, and before and after any unpaid break. Employees must record their time whenever they leave the building for any reason other than Village business or with prior approval from the supervisor. Filling out another employee's time card, allowing another employee to fill out your time card, or altering any time card will be grounds for discipline.

No work shall be performed by employees prior to their clocking or logging in at the start of their work day, during their lunch break when they are clocked out, or after they have clocked out at the end of their work day. No one in the Village of Weston has the authority to ask, or encourage, or insinuate that you should work off the clock.

Employees may use paid-time off in units of 1 hour/60 minutes.

Sec. 7.03. Payroll.

Village employees shall participate in the Village's direct deposit program and are paid on a bi-weekly basis. The payroll workweek begins on Sunday at 12:01 a.m. and ends on the following Saturday at 12:00 midnight. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a bank holiday, employees will be paid on the day prior to the bank holiday.

The Village of Weston is required to make certain deductions from your paycheck each time one is prepared. This includes federal income taxes and your contribution to Social Security, where applicable and as required by law. These deductions will be itemized on your payroll statement. The amount of the deductions may depend on your earnings and the information you furnish on your W-4 form regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status or number of exemptions must be reported to Employee Resources Manager immediately to ensure proper credit for tax purposes. The W-2 form you receive for each year indicates precisely how much of your earnings were deducted for these purposes. Any other mandatory deductions to be made from your paycheck, such as court-ordered garnishments, will be explained whenever the Village is ordered to make such deductions.

The Village reserves the right to make deductions and/or withhold compensation from an employee's paycheck as long as such action complies with applicable state and federal law. In addition, it may be possible for you to authorize the Village to make additional deductions from your paycheck for extra income taxes, contributions to retirement savings programs or insurance benefits (if eligible).

Every effort is made to avoid errors in an employee's paycheck. If you believe an error has been made or you have a question about your pay, notify Employee Resources Manager immediately. If you believe your pay has been improperly docked, notify Employee Resources Manager immediately. The Village will take the necessary steps to research the problem and to assure that any necessary correction is made properly and promptly.

Sec. 7.04. Flex Time.

Employees may be permitted alternative working hours provided that:

- (1) The Department Director approves the alternative schedule.
- (2) Service to the public during the normal workday hours remains unaffected by the alternative schedule.
- (3) Non-exempt employees should maintain the same hours worked or paid in a work week. Exempt employees should maintain the same hours worked or paid in a pay period.
- (4) In the case of absences, employees may use an amount of paid leave equal to that day's scheduled hours or they may flex up their work hours that week (non-exempt staff) or pay period (exempt staff) to reach their regularly scheduled hours.

Sec. 7.05. Shift Differential.

Any regular employee whose assigned to work a schedule that requires four (4) or more work hours after 5:00 p.m. shall receive forty-five cents per hour (\$0.45/hour) in addition to their regular hourly rate. For any regular employee whose assigned to work a schedule that requires four (4) or more work hours after 12:00 midnight shall receive sixty cents per hour (\$0.60/hour) in addition to their hourly rate. No differential shall be paid for an employee working overtime.

Sec. 7.06. Overtime.

- (1) Overtime work begins to accrue after the completion of 40 hours actual time worked.
- (2) Prior approval by supervision or management must be obtained for all overtime hours worked. Overtime work is to be held to a minimum consistent with the needs of the service. It is the responsibility of each department to explore all possible alternatives before a decision is made to require employees to work on an overtime basis. Further, it is the responsibility of each department to ensure that the provisions of overtime pay are administered in the best interest of Village service. Each department should develop internal controls that provide a means of reviewing and evaluating the use of overtime.
- (3) Overtime shall be compensated for non-exempt employees at one and one half (1 ½) times the employee's hourly rate of pay. Overtime is defined as any hours worked in excess of 40 hours per week. Hours worked on Saturday or Sunday for work that is not regularly scheduled is considered overtime and shall be compensated at one and one (1 ½) times.
- (4) **Non-Exempt Staff:** The Village non-exempt staff will be eligible for overtime payment (time and one-half) according to the Fair Labor Standards Act requirements.

Administrative Specialists
Arborist / Forester
Fleet Lead
Fleet Maintenance Worker
Municipal Maintenance Worker
Parks Maintenance Worker
Street Lead

Utility Maintenance Worker
Utility Lead
Interns
Seasonal

- (5) **Exempt Staff:** The Village exempt staff will not be eligible for overtime unless listed in the Professional/Administrative overtime option.

Administrator
Aquatic Center Manager
Assistant to the Administrator
Assistant Planner
Building Inspector/Building Manager
Clerk/Employee Resources Manager
Deputy Finance Director/Treasurer
Deputy Director of Public Works and Utilities
Finance Director/Treasurer
Parks, Recreation and Forestry Director
Planning and Development Director
Property Inspector
Public Works and Utilities Director
Taxpayer Engagement Coordinator
Technology Service Director

- (6) The Village Administrator may declare an emergency during periods of disruption resulting from accidents, acts of God, or events of crisis proportions. Department Directors will notify employees by any means available and may instruct them to deploy from home, job, or any other place for the purpose of alleviating such emergency situations. Failure to report to duty under these circumstances may be grounds for disciplinary action.

Sec. 7.07. Call Time Pay.

When employees of the Services Division, which includes Fleet, Park, Streets and Utilities called in to work from home, after the completion of their regular scheduled shift, they shall receive a minimum of two hours of their regular rate (defined as Call Time Pay). Upon arrival from call in, the employee's eight-hour day begins.

If an employee is called in (by pager or phone) they will receive Call Time Pay only if they physically respond to the call or document in writing that the issue was mitigated by phone. In addition, response to additional calls within the first two hours of response to the first call cannot be claimed as a separate call-in event.

All employees are subject to call-in at any time during any day of the year as the needs of the public may require call-in to maintain public health, safety and welfare. Employees put on notice of an impending event, such as an anticipated snow storm, will be compensated for Call Time Pay, whether the event occurs or not. If said overtime is scheduled the day before or during the regular shift, the employee will not receive Call Time Pay.

Sec. 7.08. On Call Pay / Stand-By Duty.

Utility employees shall be assigned weekly standby duty on a rotation basis in order to respond to events occurring outside the workday. The employee designated for standby duty is required to carry a pager and to take a service vehicle home Monday through Sunday night of the designated week. The employee will be compensated \$180.00 per week to carry the pager. The employees shall remain alcohol free during the week he / she carries a pager. During an employee's standby week, he/she shall perform required equipment checks and water quality sampling/testing between 7:00 a.m. and 10:00 a.m. on Saturday, Sunday and any holiday that falls within that week and shall be compensated a minimum of four (4) hours worked each day at the rate of one and one-half times his/her regular hourly rate for work on those days.

A Public Works employee may be assigned weekly standby duty to serve as first responder for events occurring outside the workday. The employee designated to standby duty is required to carry a pager and may take a service vehicle home Monday through Sunday night of the designated week. The employee will be compensated \$90.00 per week to carry the pager. The employee shall remain alcohol free during the week s/he carries the pager.

Sec. 7.09. Jury and Witness Duty.

An employee, when subpoenaed in connection with Village business or called upon to serve jury duty or as a witness, shall receive the regular rate of pay for such time actually required to be in court based upon the employee's standard (scheduled) work day, excluding shift differential. The employee must return any compensation, less mileage payment, received through Jury Pay or Witness Fee to the Village. If an employee is excused from jury duty, or as a witness, on a particular day, he/she shall return to work, if there are two (2) or more hours remaining in the work day.

Sec. 7.10. Severe Weather.

Employees are expected to report to work at their regularly scheduled time regardless of prevailing weather conditions. Any employee experiencing difficulty in complying with this directive shall immediately call and advise the supervisor of the problem. If the employee is unable to contact the supervisor, the employee shall leave the message with the department secretary or whomever else the employee is able to contact in the department.

Employees not reporting to work or employees who are permitted to leave early due to an inclement weather situation may use paid time off or may take leave without pay with Department Director approval. Medical Leave Bank time may not be used. Employees must obtain approval from their supervisors before leaving the work site.

Village buildings will not close in inclement weather. Offices and departments must maintain at least the minimum staff required to provide essential services to the public. Department Directors shall determine who may be allowed to leave during inclement weather situations.

Sec. 7.11. Telework and Telecommuting.**(1) Definitions.**

- (a) **Telecommuting** - means to work part of the approved work schedule at home on a regularly scheduled basis rather than at a designated Village location; short term temporary work-at-home arrangements are not considered telecommuting (See **Ad-Hoc**).

- (b) **Extended Work Place** - means an environment in which technology provides the Village employee with a portable office or office in a location other than at the municipal center.
- (c) **Eligible Employee** - means an employee regularly scheduled to work 20 or more hours per week who has completed the Telecommuting Agreement.
- (d) **Telecommuting Agreement** - is a document that describes a specific alternative off-site work arrangement agreed to between the employee and the department head.(Appendix 7-A)
- (e) **Core Hours** - means those hours during which the employee must be available for contact, if appropriate.

(2) **Approval.**

Before implementing a telecommuting agreement in a department, the Administrator and Department Head must present that department's written plan for telecommuting to the Human Resources Committee for their review, modification, denial and/or approval. Thereafter the Board of Trustees shall review the findings of the Human Resources Committee, modifying, denying and/or approving it.

Before implementing a telecommuting agreement with the Village Administrator, the Administrator must present that plan to the Board of Trustees who shall review the findings of the Human Resources Committee, modifying, denying and/or approval.

(3) **Employee Selection Criteria and Conditions.**

The department head will review each telecommuting request on a case-by-case basis. A formal request must be initiated by the employee. The department head will consider the unique circumstances of each request in light of the factors listed below:

- (a) Needs of the department or unit
- (b) Employee's work duties and the ability to measure work performed
- (c) Availability and costs of needed equipment
- (d) Adequate work space at the employee's home or other off-site location
- (e) Employee's current and past job performance
- (f) Employee's work skills; such as time management, organizational skills, self-motivation, and the ability to work independently
- (g) Effect on customer service
- (h) Effect on the rest of the work group, unit or department
- (i) Other items deemed necessary and appropriate by the department head

Telecommuting is a prerogative of the Village, not an entitlement of employees. It is approved on a case-by-case basis consistent with the mission of the Village and the respective department or unit. For example, since many of the services provided to residents, businesses, and visitors by and through our employees must necessarily be delivered at the Municipal Center, such as permitting, site plan review, utility and tax payments, etc. these functions could not be considered for telecommuting arrangement. Each telecommuting arrangement will be cost-justified and will be reviewed for continued mutual benefit at the start of each call year.

Telecommuting is not a substitute for dependent care.

(4) Employee Characteristics.

The best telecommuters are strong performers with a high knowledge of the job and who are self-disciplined, highly motivated, and comfortable working alone. It is recommended that telecommuters have the following set of characteristics regardless of their reasons for wanting to telecommute:

- (a) Proven ability to perform and high level of job knowledge
- (b) Self-motivation, self-discipline, self-direction
- (c) A desire to make telecommuting work
- (d) Above average work skills including good planning, efficient time management, high level of communication skills, and ability to establish and meet clear standards and objectives
- (e) A high degree of comfort working alone

(5) Department Head and Supervisor Characteristics.

The role of the managing supervisor is critical to the success of the telecommuting arrangement. It is recommended that the managing supervisor have the following traits:

- (a) An open, positive attitude toward telecommuting
- (b) A mutual trust and respect in on-going relationships with the telecommuter
- (c) Good organizational and planning skills
- (d) The ability to establish clear objectives and measurements of the job
- (e) Provide regular feedback
- (f) Facilitate an open channel of communication
- (g) Use innovative and flexible approaches to supervising employees

(6) Compensation and Benefits.

Telecommuting is a management tool allowing for flexibility in work options. It does not change the basic terms and conditions of employment. Compensation and benefits will be as set forth in Village policy or union contract, whichever applies. The telecommuter's salary, job responsibilities, and Village benefits do not change as a result of telecommuting.

(7) Telecommunicating Agreement.

A Telecommuting Agreement (see Appendix 7-A of this Chapter) is required and must be signed by the Administrator, Department Head and the telecommuter. The agreement shall be pending and not be in full force and effect until reviewed and approved by the Human Resources Committee, and thereafter by the Board of Trustees. A copy of the approved final Agreement must be provided to the Employee Resource Manager in order to appropriately administer liability and workers' compensation issues, and to the employee's official personnel file.

(8) Work Shedule and Overtime.

The work schedule and core hours of the telecommuting employee will be determined by the department head and will be documented in the telecommuting agreement.

The working of overtime and/or accrual of compensatory time will be subject to the same rules and regulations as are in place at the designated Village work location.

The department head or designee may make on-site visits to the telecommuter's work location.

(9) Performance Measurements.

The telecommuting employee will be measured against objectives and results mutually agreed to by the employee, Department Head, and/or the supervisor who normally conducts the performance evaluations.

(10) Equipment and Information Security.

- (a) Village provided equipment, if any, at home is not an entitlement of telecommuting employees. Depending on the job, equipment needs for telecommuters will vary and are determined by the Department Head.
- (b) Telecommuting employees using Village provided computer hardware and software to perform their jobs must abide by the Village's policies covering information security, software licensing and data privacy.
- (c) Maintenance of Village-owned equipment will be performed by a Village technician. Generally, the employee will be responsible for bringing the equipment to the employer designated repair location. Necessary maintenance and repairs on Village equipment will be performed at the Village's expense.
- (d) Maintenance and repair of employee-owned equipment is the responsibility of the employee. The Village is not liable for such equipment even if the employee is engaged in Village work at the time of malfunction.
- (e) Employees must return all Village-owned equipment to the Village when requested by their Department Head, or when employment is terminated.

(11) Expenses.

- (a) Long distance telephone calls and/or fax transmissions for conducting Village business will be reimbursed upon verification of the expense.
- (b) Basic office supplies shall be obtained through the normal departmental procurement procedures.
- (c) Any other expense reimbursement related to telecommuting requires prior approval by the Department Head.
- (d) Any costs related to remodeling and/or furnishing the work space shall be non-reimbursable and the responsibility of the employee.
- (e) Normal household expenses such as heating and electricity shall be non-reimbursable.

(12) Ad-hoc Telecommuting:

The Village permits occasional "ad hoc" telecommuting on an individual basis whereby employees are allowed to perform normal job duties and responsibilities through the use of computers or other telecommunications, at home or another place apart from the employee's usual place of work. Telework requests will be considered on an individual basis to determine if the employee has the necessary skills and abilities to be a telecommuter and if the specific duties and responsibilities to be done as telework can be achieved and measured.

Telework requests should be discussed with your immediate supervisor and Department Director. The Department Director should contact the Administrator to discuss the telework plan. An official telework agreement outlining work hours, duties, outcomes, communications, equipment, etc. must be signed by the telecommuter, the telecommuter's Department Director, and the Employee Resource Manager, prior to beginning telework.

APPENDIX A



VILLAGE OF WESTON TELECOMMUTING AGREEMENT

As a Village of Weston telecommuting employee, I understand and agree to the following:

- 1) I agree to perform services for the Village of Weston as a telecommuting employee. I understand that this agreement is voluntary and may be suspended or terminated at any time, by the Village or me, with or without cause. I agree to report to my Village work location as required by my Department Head and/or supervisor, for department meetings, training, etc.
- 2) I agree that my duties, obligations, responsibilities and conditions of employment with the Village remain unchanged. My salary and benefits remain unchanged.
- 3) I agree that my work hours, overtime compensation (if any), Paid Time Off (PTO), Medical Leave Bank, and other terms and conditions of employment will conform with the Village of Weston Personnel Policies and Procedures Manual and any applicable union contract.
- 4) I agree to restrict use of Village-provided equipment, software, data, supplies and furniture, located in my remote work site, to the same policies that apply to campus-based equipment.
- 5) I agree to designate a remote work space. The work space will accommodate any equipment to be used in my work and I will protect the work space from any hazards and dangers that could affect the equipment and me.
- 6) I agree to abide by the Village's policies covering information, security, software, licensing and data privacy as well as the requirements of applicable state and federal government statutes.
- 7) In the event of equipment malfunction, I agree to notify my Department Head and/or supervisor as soon as practical. If the malfunction precludes me from working on my work assignment, I understand that I will be assigned other work and/or work location.
- 8) With advance notice, I agree that authorized Village representatives can make on site visits to my remote work location to determine that the work area is suitable, safe, and free from hazards and to maintain, repair, inspect, or retrieve University owned equipment, software, data, and/or supplies.
- 9) I agree to be liable for injuries to members of my family or any other persons at my home work location.
- 10) I understand that my remote work space is considered an extension of my Village space and, therefore, I am governed by the provisions of workers compensation. **If I have a job-related accident during my remote work hours, I will report it to my Department Head and/or supervisor or other authorized Village representative within 24 hours.**
- 11) I agree that any software, products, documents, reports or data created as a result of my work-related activities are owned by the Village.
- 12) I agree to return all Village-owned equipment, software, products, supplies, documents and data if I leave my employment with the Village or are requested to do so by my supervisor. I agree to reimburse the Village for any of the foregoing which is not returned. I further understand that if I leave Village employment, any monies owed will be deducted from monies due me.
- 13) I agree to comply with all state laws, municipal ordinances and Village, including the Telecommuting Policy and the campus electronic communication policies. I understand that failure to comply may result in loss of telecommuting privileges and/or disciplinary measures up to and including dismissal.

Termination of Telecommuting Agreement

Whenever possible, the Department Head or the Board of Trustees will give the employee at least two weeks' notice before terminating a telecommuting agreement. However, a Department Head or the Board of Trustees may suspend an agreement at any time without notice.

Created 03/05/2018



VILLAGE OF WESTON TELECOMMUTING AGREEMENT

Employee Name: _____ Department _____

Home Phone: _____ Cell Phone: _____

Home FAX: _____ Work Phone: _____

Remote Workplace Address: _____

Remote Workplace is: _____ Employee Residence _____ Other Location

Remote Workplace Schedule (days and hours of work): _____

Equipment provided by the Village for use at remote workplace:

Description	ID Number
-------------	-----------

Any conditions for the remote workplace agreed upon by the employee and supervisor:

My signature below indicates that I have read and accepted the terms and conditions defined in the Village of Weston Telecommuting Agreement

Signed: _____ Date: _____

I agree that this employee may telecommute or work at a designated remote work location as identified in the terms and conditions of this agreement.

Department Head Signature: _____ Date: _____

Created 03/05/2018

This page reserved for the purpose of printing.

CHAPTER 8

TRAINING, DEVELOPMENT, APPRAISALS

- Sec. 8.01. Purpose Statement.
- Sec. 8.02. Goals of Performance Management Program.
- Sec. 8.03. Responsibility.
- Sec. 8.04. Expectations.
- Sec. 8.05. New Employee Orientation.
- Sec. 8.06. Attendance at Training Sessions and Other Meetings.
- Sec. 8.07. Performance Appraisal Process.
- Sec. 8.08. Education Expense Reimbursement Program.

Sec. 8.01. Purpose Statement.

We truly believe our employees are our greatest asset and are a key factor in achieving the vision of making the Village of Weston the location of choice. We are committed to cultivating an environment where our employees feel valued and a part of a team. The Village Board, Management, Supervisors and staff will work together to cultivate this type of environment by developing encouraging and supportive work relationships. It is through these positive working relationships that the Village will be able to deliver valuable, quality public services and facilities while responding to citizen-customers with outstanding service in an efficient and cost-effective manner.

As the needs and expectations of our citizens-customers change, employees will be expected to embrace the changes the Board of Trustees makes in the workplace in order to meet those changing needs and continually improve the taxpayers' quality of place. In turn, the Village will continue to provide a supportive work environment where employees are treated with respect, goals and expectations are clearly communicated, employees feel supported in their work efforts and can be successful in their jobs.

Sec. 8.02. Goal of Performance Management Program.

The goals of our employee development/performance management program are as follows:

- Assist managers and staff in communicating the needs and expectations for each position.
- Discuss how each person's job responsibilities relate to other team member's responsibilities and the overall goals of the Village.
- Discuss and address barriers that may impede each individual employee's success in their specific job and positive relationships with the entire Village team.
- Discuss upcoming goals and the expectations of the employee in relation to meeting those goals and how each employee can tap into their talents to achieve the goals.
- Address any job performance concerns, provide support for correcting any performance issues, and clearly set forth expectations and time frames for when the actions for correction will be required.
- Identify any training needs the employee may require in order to correct any performance issues, if there are any concerns, and identify training needs the employee may require in order to reach the goals s/he will be expected to achieve.

- Discuss employees' career aspirations and determine if there are ways for the village to support those aspirations.

Sec. 8.03. Responsibility.

Department Directors shall provide active leadership in training and development of employees under their supervision.

Sec. 8.04. Expectations.

Performance Management/Employee Development Program is not a one-time event. The Village expects its Managers and Supervisors to have on-going conversations with each of their employees and to always be leading those conversations with positive intent. It is the Village's expectations that Managers / Supervisors will be generous and specific in showing their appreciation for their employees. While the Village does not advocate for underserving praise just for the sake of praise, the Village does expect its Managers and Supervisors to understand how each direct report appreciates being recognized for a job well done and then making efforts to provide appropriate recognition when deserved. The Village also encourages other team members to show appreciation for each other's work when a job is well done.

Sec. 8.05. New Employee Orientation.

The Village shall administer a program outline to orient new employees to the Village work force.

- (1) New Hire Orientation: Within the first three days of hire, new employees will meet with Employee Resources Manager and Finance Department staff to process necessary paperwork and receive information about benefits and policies.
- (2) Department Orientation: The supervisor shall orient each new employee to the conditions related to the job and worksite. Such orientation shall include introductions to fellow workers, work standards, safety regulations, hours of work, break periods, supplies, parking, etc.
- (3) Monthly orientation: New employees will be introduced to Village leaders, learn about the Village's history, the Village government organization, our core values, strategic plan, employee relations philosophy; and other policies and programs.
- (4) Department Director Orientation: The Employee Resources Manager shall periodically review the policies contained in this manual with new Department Directors and Supervisors.

Sec. 8.06. Attendance at Training Sessions and Other Meetings.

During your employment, you may be asked, or required, to attend training sessions and other professional meetings. Attendance at training sessions or other meetings, whether during, before, or after the employees' regular work schedule may be considered paid time. To find out more information regarding when training sessions or other meetings will be considered paid time; please contact your direct supervisor or Administrator. Some Village departments require specialized in-service training. Such training will be supervised by individuals assigned that responsibility within the department.

Sec. 8.07. Performance Appraisal Process.

The purpose of regular performance appraisals is to provide feedback to an employee regarding their job performance, develop performance and career development goals, and help determine pay increases.

- (1) Frequency: Performance appraisals shall be completed annually for all employees. A performance appraisal should also be completed each time an employee is eligible for a pay increase. All performance appraisal systems must be approved by the Administrator. The Employee Resources Manager will audit compliance and report to the Administrator.
- (2) Results: The results of the performance appraisal are shared in a face-to-face interview between the person rated and his/her immediate supervisor. In that way, the person who has been evaluated knows exactly what his/her rating is and on what basis the judgments were made. This meeting is a very important component of the appraisal process during which both participants can learn more about barriers to effective work performance and actions which can be taken to improve the quality of the work. In addition, a training and development program can be planned and implemented. The Performance Appraisal Form must be forwarded to the Employee Resources Manager and will be reviewed and placed in the employee's personnel file.
- (3) Accelerating Pay Increases: At any time after the initial six (6) months employment during an employee's tenure, a supervisor, Department Director, or Administrator may note that a particular employee has exhibited exemplary consistent performance in their work as evidenced by:

A rapid understanding of, excellent execution of, skills, and competencies of job duties.

Self-initiated training in order to perform job duties.

Exemplary completion of all training and certifications

An expressed interest in advancing to new skills, job tasks and training

A consistent willingness to assist others in their job tasks without being asked

Clearly developing leadership skills

In keeping with the Village of Weston's Pay for Performance philosophy the Department Director, or Administrator may conduct an unscheduled Performance Appraisal in order to document a request for a pay increase acceleration inside the scheduled routine pay matrix afforded by the Village of Weston's annual Grade and Pay Matrix schedule. The Department Director shall present his/her recommendations to the Administrator for his/her review and recommendation to the Human Resources Committee for action, if any.

- (4) Delaying Pay Increases: Salary step or pay increases can be delayed or not granted at the discretion of the Department Director when the employee is not performing at a fully satisfactory level or due to budgetary reasons.

The performance appraisal form is designed to link employee performance to Village's mission and core values and to provide guidance and consistency to the performance evaluation process. It should be used to summarize and evaluate an employee's overall performance for the past year and to set work goals and professional development goals for the next year. Work goals relate to the essential functions, or primary responsibilities, of an employee's position and serve to identify results (i.e. specific tasks or projects) to

be achieved. Professional development goals relate to the competencies, knowledge, skills and abilities that an employee needs to perform the essential functions of his/her current position and/or to prepare him/her for future career growth.

Sec. 8.08. Education Expense Reimbursement Program.

The Education Expense Reimbursement Program provides financial assistance to eligible employees who take college or technical college courses during their off time to complete an associate's degree, bachelor's degree, or master's degree in public or business administration, accounting, finance, or other degrees related to a current management position. This program also provides financial assistance to eligible employees who take courses to complete certificate programs related to Village employment.

Benefit eligible employees who have completed their introductory period are eligible to participate. Employees receiving grants from other sources which cover the full cost of tuition and materials will not be eligible to participate. Reimbursement for educational expenses may be available for college or technical college or certificate courses meeting the following eligibility requirements:

- ✓ Employee must be satisfactorily performing the duties and responsibilities of his/her current job.
- ✓ The educational degree or certificate, in the judgment of the Administrator, must be directly related to the employee's current position or must directly enhance potential for advancement within the Village to a position which the individual has a reasonable expectation of achieving.

Employees approved for a certificate or degree program shall execute an agreement (see Appendix 8-C) with the Village which will include a commitment to continued employment during and subsequent to the completion of the program. The Administrator shall negotiate the terms of the agreement with the employee.

- (1) Employees shall complete and submit a request (see Appendix 8-A) to the Employee Resources Manager requesting participation in the program prior to actually taking courses for which reimbursement is requested.
- (2) The Human Resources Committee will review all requests meeting the minimum criteria. This committee will approve or deny reimbursement requests based on the following criteria:

Whether certificate or degree program is directly related to the employee's current job and/or will improve management skills;

Employee's performance history including the length of time employed by the Village, achievements and contribution during this period, and overall quality of the work performed;

Appropriateness of the educational goal (e.g. level of correlation between the education and a likely career path within Village Government).

- (3) Employees are eligible for 75 percent reimbursement of the cost for tuition, books, and lab fees (if applicable) to a maximum of \$2,000 per calendar year for graduate degree programs and \$1,500 per calendar year for under-graduate degree and certificate programs.
- (4) Employees must successfully complete each course and receive a passing grade if the course is graded on a pass/fail basis or a grade of "B" or better if letter grades are issued.

- (5) Reimbursement will be made after satisfactory completion of each course. A copy of the grade report, or confirmation from the school that the course has been completed, along with original receipts for tuition and books and lab fees paid shall be submitted to the Employee Resources Manager for processing. This shall be done by the employee within 30 days of notification of satisfactory completion of the course. (See Appendix 8-B)
- (6) Mileage and other travel expenses are not reimbursable. Time spent for classes shall not be paid, work time.

Annually, the Employee Resources Manager will budget for funds for the purpose of providing educational reimbursement. Based upon the predetermined criteria, reimbursement may be provided to qualified employees until the budget allocation has been expended. Funds are budgeted annually, and there is no guarantee that funds will continue to be available beyond what is approved through the annual budget process. Departments will be responsible for tuition reimbursement when funding is available through non-Village tax levy sources, such as state and federal grants.

Seminars, workshops, other training conducted during work time as a means of skill development and keeping current in the field remains the responsibility of the operating departments and is not covered by this policy. Funds for this type of training will be the departments' responsibility. If department funds are insufficient, they may request assistance from the Employee Resources Manager.

APPENDIX 8-A



VILLAGE OF WESTON REQUEST FOR PARTICIPATION IN EDUCATION EXPENSE REIMBURSEMENT PROGRAM

Purpose:

The Village of Weston Education Expense Reimbursement Program provides financial assistance to eligible employees who take college or technical college courses during their off time to complete an associate's degree, bachelor's degree, or master's degree in public or business administration, accounting, finance, or other degrees related to a current management position. This program also provides financial assistance to eligible employees who take courses to complete certificate programs related to Village employment.

Benefit eligible employees who have completed their introductory period are eligible to participate. Employees receiving grants from other sources which cover the full cost of tuition and materials will not be eligible to participate. Reimbursement for educational expenses may be available for college or technical college or certificate courses meeting the following eligibility requirements:

- ✓ Employee must be satisfactorily performing the duties and responsibilities of his/her current job.
- ✓ The educational degree or certificate, in the judgment of the Administrator, must be directly related to the employee's current position or must directly enhance potential for advancement within the Village to a position which the individual has a reasonable expectation of achieving.

Employees approved for a certificate or degree program shall execute an agreement. (Village of Weston Personnel Policies & Procedures Manual Chapter 8 Training and Development Appendix 8 - B) with the Village which will include a commitment to continued employment during and subsequent to the completion of the program. The Administrator shall negotiate the terms of the agreement with the employee.

- (1) Employees shall complete and submit a request (see Appendix 8-A) to the Employee Resources Manager requesting participation in the program prior to actually taking courses for which reimbursement is requested.
- (2) The Human Resources Committee will review all requests meeting the minimum criteria. This committee will approve or deny reimbursement requests based on the following criteria:

Whether certificate or degree program is directly related to the employee's current job and/or will improve management skills;

Employee's performance history including the length of time employed by the Village, achievements and contribution during this period, and overall quality of the work performed;

Appropriateness of the educational goal (e.g. level of correlation between the education and a likely career path within Village Government).

- (3) Employees are eligible for 75 percent reimbursement of the cost for tuition, books, and lab fees (if applicable) to a maximum of \$2,000 per calendar year for graduate degree programs and \$1,500 per calendar year for under-graduate degree and certificate programs.
- (4) Employees must successfully complete each course and receive a passing grade if the course is

graded on a pass/fail basis or a grade of "B" or better if letter grades are issued.

- (5) Reimbursement will be made after satisfactory completion of each course. A copy of the grade report, or confirmation from the school that the course has been completed, along with original receipts for tuition and books and lab fees paid shall be submitted to the Employee Resources Manager for processing. This shall be done by the employee within 30 days of notification of satisfactory completion of the course.
- (6) Mileage and other travel expenses are not reimbursable. Time spent for classes shall not be paid, work time.

Annually, the Employee Resources Manager will budget for funds for the purpose of providing educational reimbursement. Based upon the predetermined criteria, reimbursement may be provided to qualified employees until the budget allocation has been expended. Funds are budgeted annually, and there is no guarantee that funds will continue to be available beyond what is approved through the annual budget process. Departments will be responsible for tuition reimbursement when funding is available through non-Village tax levy sources, such as state and federal grants.

Seminars, workshops, other training conducted during work time as a means of skill development and keeping current in the field remains the responsibility of the operating departments and is not covered by this policy. Funds for this type of training will be the departments' responsibility. If department funds are insufficient, they may request assistance from the Employee Resources Manager.

APPENIDX 8-A



VILLAGE OF WESTON REQUEST FOR PARTICIPATION IN EDUCATION EXPENSE REIMBURSEMENT PROGRAM

Please print

Last Name	First Name	MI	Employment Type <input type="checkbox"/> Department Head <input type="checkbox"/> Staff <input type="checkbox"/> Administrator
Address		City	State
			ZIP
Job Title			
Email Address	Phone <input type="checkbox"/> Cellular <input type="checkbox"/> Other	Last 4 digits of your Social Security Number XXX-XX-____	

Name of School, College, University, etc. _____

Proposed Course is:

- Certificate/Diploma Credit Course Title _____
 Course Number _____ Credit/CEU Hours _____ Course Begins _____ Course Ends _____

- Associate's Degree Credit Course Title _____
 Course Number _____ Credit Hours _____ Course Begins _____ Course Ends _____

- Undergraduate Course Credit Course Title _____
 Course Number _____ Credit Hours _____ Course Begins _____ Course Ends _____

- Graduate Course Credit Course Title _____
 Course Number _____ Credit Hours _____ Course Begins _____ Course Ends _____

Briefly describe the course (attach course syllabus, program course brochure or education institute's course catalog pages pertaining to this course).

Number of Credits _____ Cost per Credit/CEU _____ Total Cost for Credits/CEUs _____

Course Textbook(s) Cost _____ Other Course Fees _____

Are courses for a credit leading to a degree? Yes No

Name of Diploma/Degree: _____ Major Field of Study: _____

Are you receiving Veterans Administration benefits? Yes No

Attach supporting documents addressing the following questions:

How does the proposed course of study relate to your job assignment/position duties?

APPENDIX 8-B



VILLAGE OF WESTON EDUCATION EXPENSE REIMBURSEMENT REQUEST

This form should be completed, attach original receipts, supporting documents, and make two (2) copies. The **original** should be forwarded to your Department Head and one copy sent to the Employee Resources Manager. Keep one copy for your records.

Please print

Last Name		First Name		MI	
Name of School, College, University, etc.					
Course Title			Credit/CEU Hours	Cost Per Credit/CEU	*Total Cost for Credits/CEUs
Is/are course(s) for a credit leading to a degree?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Degree Major	*Course Textbook(s)		*Other Course Fees
Did you pass the course (attach documentation)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Course Start Date		Course End Date	

* Attach receipts

Employee's Signature

Date (MM/DD/YYYY)

Department Director

Date (MM/DD/YYYY)

Date Received by Employee Resources Manager

Employee Resources Manager Signature

APPENDIX 8-C



VILLAGE OF WESTON EDUCATION EXPENSE REIMBURSEMENT AGREEMENT

The Village of Weston Education Expense Reimbursement Program provides financial reimbursement to eligible employees who take college, technical college, or continuing education credits during their off time. Employees approved for a degree or certificate program shall execute this agreement with the Village which will include a commitment to continued employment during and subsequent to the completion of the program.

This education expense reimbursement agreement is made by

Name of Employee	Date of Agreement
------------------	-------------------

Hereinafter Employee and the Village of Weston, hereinafter Employer.

Employee has voluntarily applied to and been accepted into the following education program at:

Name of accredited University, College, Technical College, Training Center	
Degree, Course, Continuing Education Course, Title and Number if Available	
Begin Date	End Date

The Employer has agreed, on the terms set forth in this agreement and in accordance with the Village of Weston Personnel Policies & Procedures Manual Chapter 8 - Training & Development **Sec. 8.08. Education Expense Reimbursement Program**, to financially assist employee by reimbursing tuition, text books, lab fees and other miscellaneous expenses for this educational program after successful completion. In exchange for the employer’s financial assistance, employee agrees to reimburse employer either through work (by remaining employed with employer for a specific time period as set forth in this agreement) or by repayment (if employee leaves before completing the agreed upon service to employer as provided in this agreement).

In consideration of the mutual promises set forth in this agreement, employer and employee agree as follows:

1. **Tuition Assistance:** Employer shall pay directly to employee 75% (seventy-five percent) of the tuition, textbooks, and lab fees to a maximum of \$2,000.00 per calendar year for a graduate degree program or \$1,500.00 for undergraduate degree, associate’s degree, or certificate from and accredited educational program into which employee has been accepted.

2. **Employee Obligation:** Employee agrees to participate in and pursue the educational program to the best of his/her ability and to use reasonable efforts to complete the program. Should the employee not complete the program, fails the program in any program that is graded pass or fail, achieves less than a grade of “B” if letter grades are issued, withdraws or is expelled from the program the

employer's obligation shall immediately cease. employee shall immediately pay back in full all reimbursement payments received thus far. Employee shall submit a request for reimbursement after successful completion of the credits/course/continuing education unit(s) course. Receipts shall be attached to the reimbursement request.

3. **Obligation Satisfied ____ years or ____ months after payment:** Employee will have no obligation to pay employer for a payment made toward education reimbursement if, on the ____ year anniversary or ____ months of that payment, employee has not voluntarily quit or has not been fired 'for cause.' In the event employee voluntarily quits his/her employment with employer or employer terminates employee 'for cause' less than ____ years, ____ months after any payment is made, employee shall immediately pay, without demand, an amount equal to:

Two-thirds (2/3) of that reimbursement payment and all later reimbursement payments, within ____ years.

One-third (1/3) of that reimbursement payment and all later reimbursement payments within ____ years.

None (0) of that reimbursement payment and all later reimbursement payments after ____ years.

As used in this agreement, 'for cause' means any material misrepresentation, theft or fraudulent act toward employer, any other employee, or client of employer.

4. **Set-Off against final paycheck:** To the extent allowed by law, employer may deduct the amount of any tuition reimbursement obligation from any compensation due and owing to employee at time of separation from employment; including but not limited to salary, wages, bonuses, commissions, Paid Time Off (PTO) pay and severance pay (if any).
5. **No guarantee of employment:** Nothing in this agreement constitutes a commitment of guarantee on the part of employer to provide employment to employee for any specific period of time or duration. Unless otherwise provided in writing other than this agreement, employee's employment shall remain 'at-will.'
6. **Notices:** Any notice required or permitted to be given under this agreement shall be in writing, and may be given by personal delivery, email or by mail. Notice shall be deemed given upon actual receipt in the case of personal delivery or email, or within two (2) business days after mailing. Notices shall be sent to the addresses listed on the signature page of this agreement.
7. **No Waiver:** The wavier or failure of either party to exercise, in any respect, any right provided in this agreement shall not be deemed a waiver of any other right or remedy to which the party may be entitled.
8. **Indemnity:** The employee hereby indemnifies and saves harmless the employer from an against any and all suits, claims, actions, damages and other losses which the employee suffers or incurs as a result of any governmental taxing authority assessing the reimbursement of the tuition payments hereunder as a benefit to the employee.

- 9. **Amendments and Modifications only in writing:** The terms and conditions set forth herein constitute the entire agreement between the employer and employee and supersede any communications or previous agreements with respect to the subject matter of this agreement. There are no written or oral understandings directly or indirectly related to this agreement that are not set forth herein. No change can be made to this agreement other than in a writing signed by both parties.
- 10. **Governing Law; Venue:** The employee and employee agree that any action to interpret or enforce this agreement shall be governed and enforced according to the laws of the State of Wisconsin and any dispute under this agreement must be brought in this venue and no other.
- 11. **Attorney Fees:** If employee or employer bring any legal action or seeks arbitration regarding the interpretation or enforcement of this agreement, the prevailing party shall be entitled to recover its reasonable attorney fees from the other party, in addition to any other relief that may be granted.
- 12. **Severability:** If any term of this agreement is held by a court of jurisdiction to be invalid or unenforceable, then this agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.
- 13. **Successors and assigns:** This agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of employer and employee. Employer may assign any right or interest arising under this agreement to any third party. This agreement is not assignable by employee.

EMPLOYER
Village of Weston

Name;

Title
5500 Schofield Avenue
Weston, WI, 554476

Date Signed

EMPLOYEE

Name

Address

City State ZIP

Date Signed

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Chapter 9

EMPLOYEE SAFETY

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Sec. 10.01. Appearance.

It is your responsibility to represent the Village to the public in a manner that shall be courteous, efficient, and helpful. Village employees should always be business-like and well-groomed, dressed in a manner suitable for public service. The appearance of employees reflects the image of the Village and has a significant impact on the way we are viewed by the general public.

Administrative and Office Employees

Employees are to report to work with clean clothes and free of body odor. Perfume, scented lotions, cologne, and aftershave lotion should be used moderately or avoided altogether as some individuals may be sensitive or allergic to strong fragrances. Hair should be clean, combed and styled conservatively. All attire must be clean, and well-kept to present a professional image. Revealing clothing (including visible undergarments) may not be worn. Shoes must be in good visual shape; void of stains and/or discolorations. Fingernails should be kept clean; they should not be excessive in length. Facial and/or tongue piercings are to be removed during business hours. Studs, worn in the nose, may be worn if discreet and a maximum size of 2 mm. Make-up is to be worn conservatively. Clothing that is too tight should be avoided. Visibly excessive or offensive tattoos must be covered during work hours.

Employees working in the administrative office must follow guidelines described as “business casual”.

Appropriate “Business Casual” Attire

Dresses, skirts, blouses, dress shirts, sweaters, vests, slacks, skirts, capris that denote a professional “business casual” look are accepted. Hemlines for dresses and skirts are to be at an appropriate length.

Business casual and/or semi-dress style shoes; sandals, sling backs, or any other open toed shoes must be professional in appearance and not pose a safety hazard. Shoes should be clean and of a business casual or semi-dress style.

Employees required to attend any Board of Trustee or Committee meeting of the Village must follow guidelines described as “business professional”.

Appropriate “Business Professional” Attire

For men, business attire includes a suit, sports coat, or collared dress shirt with a tie and dress slacks and shoes. For women, business attire includes tailored pantsuits, businesslike dresses, coordinated dressy separates worn with or without a blazer, and dress shoes.

No jeans, sweatshirts, tennis shoes or flip-flops are to be worn.

Special Conditions

Special circumstances (cleaning days, certain work and special occasions) may warrant relaxing the specific dress code guidelines and expectations, at the discretion of the Administrator.

Uniforms for Services Division Employees

The Village may make arrangements to provide uniforms to employees of the Public Works Department that work out in the field or in the shop. These employees will be offered 5 sets of uniform trousers and shirts. The Village may also provide t-shirts for these employees. Employees are responsible for keeping their uniforms neat and in good repair.

Hats and caps may be worn as long as the logos and images on the hat or cap do not display messages advocating violence; promoting alcohol, drugs or illegal substances; or contain profanity or any graphics or words that demean or ridicule others, and as long as wearing the hat or cap does not present a safety hazard. Caps should be worn bill forward. Other head coverings may be permitted as authorized by your Department Director.

Employees that prefer not to wear a uniform, provided by the Village, are expected to wear clothing appropriate to the workplace and this clothing should not display messages advocating violence; promoting alcohol, drugs or illegal substances; or contain profanity or any graphics or words that demean or ridicule others. Clothing should not be excessively torn, worn, frayed, or visibly patched. Pants and jeans should fit properly (i.e. not be so loose or baggy that undergarments or skin are visible when moving around or bending).

Services Division employees may wear shorts during the summer months. The shorts need to be knee length or of a length not more than four inches above the knee. All shorts shall be hemmed and cutoffs are prohibited. Shorts should be solid in color, made of denim, cotton or similar material. Shorts should also fit properly (i.e. not be so loose or baggy that undergarments or skin are visible when moving around or bending). Shorts may not be permitted for all activities and are only permitted as authorized by your Department Director.

All services division employees will be required to wear approved work shoes and or work boots that are designed for use in the work environment in which it is being worn. Approved work shoes and or boots shall be interpreted to mean hard-soled, closed steel toe with uppers constructed of leather, or other man-made materials that are resistant to puncture and absorptions of oils and other substances. The work shoes and or work boots must be designed for use in the environment in which it is being worn. Hard-soled means a sole that is made from a hard material that is resistant to puncture.

The Village, payable when receipts are turned in, shall also contribute \$195.00 to a clothing allowance for each employee, for such items as jackets, bib overalls, insulated coveralls, boots, hats and gloves.

All employees

Department Directors are responsible for interpreting and enforcing dress and grooming standards in their areas of responsibility. This includes counseling employees whose appearance is inappropriate. Reasonable accommodation will be made for employees' religious beliefs and disabilities wherever possible, consistent with the business necessity to present a professional appearance to the public and our clients.

Sec. 10.02. Attendance and Punctuality.

Our successful operation in large part depends on the regular attendance of each of our employees. Your job is important. We need you to be reliable and punctual in reporting for scheduled work.

Unscheduled absenteeism and tardiness, whatever their causes are disruptive and place a burden on your fellow employees and our customers. It also makes it difficult for us to operate efficiently, which affects our cost-effectiveness. Since satisfied customers provide us with our jobs, regular attendance and being ready to work at your scheduled starting time (not just coming in the door or getting ready to start work) are simple ways for you to help maintain our commitment to quality and service.

If you will be unavoidably late to work or absent, please call your Department Director at least 30 minutes before but no later than 30 minutes after your scheduled starting time. Check with your Department Director when you arrive and record the time you actually start working on your time sheet. If you will be absent, make sure your Department Director knows about any customer(s) you are currently working with and what other things need to be taken care of during your absence.

Please contact us each day you will not be able to work. We may require a doctor's excuse for absences of three or more consecutive days.

Poor attendance and excessive tardiness will have a negative impact on your performance evaluation and on consideration for pay increases and promotions and may result in disciplinary action, up-to and including discharge.

Any employee who does not report to work and does not notify us within 3 working days after the start of his/her scheduled shift will be considered to have voluntarily terminated his or her employment with us.

Sec. 10.03. Cellular Phone Policy.

- (1) Background: The Village recognizes that the performance of certain job responsibilities may be enhanced by or may require the use of a cellular (cell) phone, smartphone, tablet or another mobile computing device, hereafter referred to collectively as mobile devices. In order to comply with IRS rules, as of January 1st, 2015, the Village will no longer provide mobile device service to individual employees, unless otherwise provided for through a written employment agreement. Instead, the Village will begin issuing a Stipend for employees whose job duties require the use of a mobile device. This Stipend is meant to off-set the overall costs of the mobile device ownership, not cover those costs in full. The Stipend is not considered taxable income to the employee but is seen as a reimbursement for the expense of ownership.
- (2) Purpose: The Village recognizes that the performance of certain job responsibilities may be enhanced by, or may require the use of a mobile device. Village employees will be given the opportunity to purchase and use a mobile device of their choosing at work for mutual

convenience. The Village reserves the right to revoke this privilege if users do not abide by the policies and procedures outlined below. This policy is intended to protect the security and integrity of The Village's data and technology infrastructure. Limited exceptions to the policy may occur due to variations in devices and platforms. Village employees must agree to the terms and conditions set forth in this policy before connecting their devices to the Village's network.

- (3) Scope: This policy applies to all Village employees, and those whose job responsibilities may be enhanced by, or may require the use of a mobile device. The Village will not own mobile devices for the use of individual employees. Following the adoption of this policy, all Village owned phones will be for general, pooled departmental use, unless otherwise provided for through a written employment agreement.
- (4) Definitions:
 - (a) For the purpose of this policy, any portable electronic resource device that is used, in any measure, to make or receive wireless calls, is defined as a "cell phone".
 - (b) For the purpose of this policy, employees are defined as regular full-time employees, but may also include those people associated with the Village such as regular part-time employees, temporary, seasonal, appointed officials, elected officials, volunteers, and/or contractors if appropriate.
 - (c) Village issued push-to-talk devices, walkie-talkies, and pagers that do not have a cellular phone capability are excluded from the policy. The Administrator should approve issuance of such devices.
- (5) Use of Cellphones/Smart Devices by Village employees while at work:
 - (a) Employees will be permitted to use their personal cellular phones within the workplace, but within reason and given certain conditions and limitations.
 - (b) An employee who owns a cellular and/or mobile smart device may use the device for both business and personal purposes, as needed, and as appropriate throughout the workday. Use of the phone, during a work shift, in any manner contrary to Villages policies and expectations as well as local, state, or federal laws will constitute misuse, and could result in disciplinary action.
 - (c) Employees may use their mobile device to connect to the Village's wireless network to access internet and other electronic resources necessary to perform their job duties. Employees may also access internet and other electronic resources for personal reasons but should only do so while on break.
 - (d) Employees will be expected to act maturely and responsibly with this privilege and also abide by the Village's computer and technology use policies while connected to the Village network with their mobile device.
 - (e) While non-exempt employees are encouraged to connect their mobile devices to the Village's electronic email server, they may only download and / or access these emails during their scheduled work shift.

- (f) Employees may only use their mobile devices in lawful and safe settings, and must abide by all other Village policies (e.g. policies regarding safe use and operation of equipment and vehicles.) while in use.

(6) Stipend Reimbursement:

- (a) The following employees are eligible to receive a stipend as reimbursement for use of their individually-owned mobile device as a business expense.
 - i. Department Directors: Aquatic Center Manager, Finance Director, Parks Recreation and Forestry Director, Planning and Development Director, Public Works and Utility Director, and the Technology Services Director.
 - ii. Other Exempt Employees: Assistant to the Administrator, Assistant Planner, Building Inspector/Facilities Manager, Deputy Finance Director, Deputy Director of Public Works and Utilities, Taxpayer Engagement Coordinator.
 - iii. Non-exempt Employees: Arborist/Forester, Fleet Lead, Municipal Maintenance Workers, Streets Lead, Utility Lead, and Utility Operators/Maintenance Workers.
- (b) Eligible employees interested in receiving the Stipend must request so in writing (see Appendix 10-A) to their Department Head who will review the request and pass his/her recommendation on to the Administrator for approval/denial.
- (c) The Stipend amount for eligible, exempt employees shall be \$50/monthly.
- (d) The Stipend amount for eligible, non-exempt employees shall be \$20/monthly.
- (e) The Village will pay only the Stipend amount and nothing more. The Stipend is neither permanent nor guaranteed. The Village reserves the right to remove an employee from Stipend eligibility and/or cancel the Stipend at any time. The Stipend shall end upon separation of employment with the Village. The Village shall not be responsible for any costs or fees associated with the mobile device service or contract, including cancellation charges.
- (f) The Stipend will be added to the eligible employee's regular paycheck after a request has been submitted and approved by the Department Director, Administrator, Technology Services and Finance Department.

(7) Compliance Requirements for Stipend Reimbursement:

- (a) As a condition of receipt of a cellular phone stipend reimbursement from the Village of Weston, all eligible employees are required to have a functioning cellular phone with them during their work shift. Phones must include both a voice and a text plan and have an active voicemail account feature.
- (b) Employees must provide their Department Director and the Employee Resources Manager with their current cell phone number, and immediately notify both parties if the number changes.
- (c) Employees should arrive for their work shift with a properly charged and functioning cellular phone capable of sending and receiving communications throughout the workday.

(8) Compliance Requirements for eligible, exempt employees:

- (a) Eligible, exempt employees are required to have a mobile device, which also includes a cellular data plan, in addition to the voice and text plan, and an active voicemail account feature requirement.
- (b) Eligible, exempt employees are required to be readily accessible for frequent contact, and/or critical contact with their colleagues and/or the public, and that accessibility extends to time away from work and/or may also involve on-call responsibilities.
- (c) Eligible, exempt employees will be asked to connect their mobile device (i.e., smart phone) with the Village's electronic mail server. Exempt employees must provide their mobile device to the Technology Services Director (i.e., Chief Technology Officer C.T.O.) to connect their device to the Village's electronic mail server.
- (d) All mobile devices anticipated to connect to the Village's data services, such as the Village's email system, must be approved by the Village's Technology Services Director. Not all devices are supported by the Village's system. The Village has no responsibility to service all data/communication systems. It is the employee's responsibility to ensure that their device can communicate with the Village's system prior to incurring any expenses or obligations with their provider.
- (e) Exempt employees are expected to carry their mobile device on their person both on, and off duty, and respond promptly and professionally when contacted about Village business.

Policy Amended by Act of the Village Board of Trustees on 12/15/2014.

Sec. 10.04. Communication and Confidentiality.

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

Because of an employee's responsibilities at the Village, an employee may have access to confidential medical, social, resident, personnel or other sensitive information. This may include information concerning a resident's financial status, the Village's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information or to persons outside of the work unit without the permission of the Administrator or his/her designee. All employees are responsible for protecting the confidentiality of this information.

The Village's custodian of records is responsible for the disclosure of records pursuant to request for records under Wisconsin's Public Records Law. Unless directed by the Village's custodian of records, employees shall not act as the Village's custodian of records or disseminate information.

The Village acknowledges the right of its employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the Village, however, the employee's expression must be balanced against the interests of the Village. In situations in which the employee is not

engaged in the performance of professional duties, the employee should state clearly that his or her expression represents personal views and not necessarily those of the Village.

Sec. 10.05. Conduct Guidelines.

We expect our employees to follow rules of conduct that will protect the interests and safety of all employees and the Village and present a professional image to all customers and guests. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, up-to and including discharge.

- (1) Discourteous conduct or poor service to customers.
- (2) Falsification of Village records in any form, embezzlement, or failure to follow internal control or security procedures.
- (3) Theft or inappropriate, unauthorized removal or possession of Village or coworker's property; use of Village equipment or supplies for personal projects.
- (4) Falsification of timekeeping records.
- (5) Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace while on duty.
- (6) Boisterous or disruptive activity in the workplace.
- (7) Improper, careless, negligent, destructive, or unsafe use or operation of Village equipment.
- (8) Insubordination or other disrespectful conduct.
- (9) Deliberate statements or actions detrimental to the Village; knowingly spreading false reports intended to disrupt relationships among employees and/or between employees and the Village of Weston.
- (10) Sexual or other forms of harassment.
- (11) Unprofessional conduct at outside events where the employee is representing the Village of Weston; such as courses, seminars, and community events.
- (12) Excessive or unauthorized absenteeism or tardiness; giving false reasons for absences from work.
- (13) Unauthorized overtime or failure to record overtime worked.
- (14) Unauthorized use of the telephone.
- (15) Smoking within the Village building or Village vehicles.
- (16) Unauthorized disclosure of business secrets or confidential business or customer's information.
- (17) Unauthorized entrance to the Village other than to report to work or to conduct business.

- (18) Violation of personnel policies.
- (19) Unsatisfactory work performance or conduct; deliberate or excessive waste of materials; poor workmanship or low productivity.
- (20) Using abusive or offensive language with customers or coworkers.
- (21) Refusal to seek treatment or resolution of personal matters that affect work performance (including, but not limited to: emotional or family matters, drug abuse or addiction, or alcoholism).
- (22) Acceptance of gratuities or influence designed to affect the Village's response to the public or special interest groups.

Depending on the circumstances involved, discipline issued may be a verbal reprimand, a written reprimand, suspension without pay, or discharge. Progressive discipline may not be followed in all cases. Depending on the nature of the violation and other circumstances, including but not limited to the employee's past conduct, one or more "steps" may be repeated or skipped. In some circumstances, immediate discharge may result.

Sec. 10.06. Drug Free Workplace and Substance Abuse Policy.

It is the policy of Village to create a drug free workplace. The use of controlled substances or alcohol is inconsistent with the behavior expected of employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines Village's ability to operate effectively and efficiently. In this regard, the unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance in the workplace or while engaged in Village business is strictly prohibited.

Employees who violate any aspect of this policy may be subject to disciplinary action, up to and including termination. At its discretion, Village may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

Sec. 10.07. Ethics Policy.

Integrity is expected and required of every employee. Integrity is an essential element of every transaction with other employees, Village representatives, suppliers, and customers. Integrity is equally important in the accuracy of our public relations, in the recording of our business transactions and in the performance of our service.

The Village is committed to conducting its business affairs in accordance with the law and the highest ethical standards at all times. The reputation we enjoy is determined by the example set by management and the character and good judgment of each employee and Village representative. All employees and Village representatives are expected to conduct themselves in the highest ethical manner.

- (1) Employees and Village representatives are to treat others with respect without regard to race, gender, color, religion, national origin, age, disability, sexual orientation or marital status.
- (2) Employees and Village representatives are to perform their duties with honesty and integrity.
- (3) Employees and Village representatives are to exercise independent judgment free from any outside influence.

- (4) Employees and Village representatives are to do their utmost to comply with all applicable laws and regulations of federal, state, and local governments.
- (5) Employees and Village representatives are encouraged to promptly report any discriminatory behavior, sexual harassment, illegal activities, or other violations of this code.
- (6) Management will take reasonable measures to protect the reporting employee from any retaliatory, harassing or abusive behavior.
- (7) Management at all levels is responsible for adherence to these principles and will vigorously pursue all appropriate remedies where these principles are violated.

A conflict of interest is a situation in which an employee's private interest, usually of a financial or economic nature, conflicts with or raises a reasonable question of conflict with the employee's public duties and responsibilities or may reflect unfavorably on the reputation of Village. Conflicts of interest in public contracts are addressed in Wis. Stat. § [19.59](#). As representatives of Village, employees are obligated to place the interest of Village, in any transaction involving Village, ahead of any personal interest or personal gain, and to disclose all facts in any situation where a potential conflict of interest may arise to their Department Director, Employee Resources Manager, or the Administrator.

If you become aware of any violation of this code or are uncertain as to the appropriate action that should be taken, we encourage you to promptly report the situation to your Department Director or the Administrator.

Sec. 10.08. Management of Requests through the Administrator.

Any employees who receive non-routine directives or requests from any individual citizen, business representative or elected or appointed official are to immediately report such directive or request to the employee's supervisor. No specific directives or request from such persons are to be fulfilled unless permission to do so is given by the employee's supervisor.

Sec. 10.09. Off-Duty Conduct.

In most instances, the Village will not be involved in employees' off duty conduct. The Village will take appropriate action if the targeted off-duty conduct interferes with an employee's ability to perform on the job, or that such conduct affects public confidence in the Village's ability to perform its mission.

Sec. 10.10. Political Activities.

Applicants for employment and employees are not required to contribute to any political fund nor render any political service to any person or party at any time. No person nor employee shall be hired, promoted, suspended, demoted nor dismissed for refusing to do so. Employees are prohibited from displaying political materials in the workplace.

Sec. 10.11. Reasonable Accommodation of an Employee with a Disability.

When it is determined that an employee cannot perform the essential functions of his/her position due to a physical limitation or medical condition, reasonable efforts will be made to accommodate the employee.

In determining what accommodation is necessary and reasonable, the Department Director and the Employee Resources Manager will meet with the employee to better understand their accommodation request and they shall consider:

- ✓ The nature and extent of the disability.
- ✓ The number of employees in the department in the same or a similar classification.
- ✓ The geographic location(s) in which the work is normally performed.
- ✓ The nature and cost of the accommodation needed to perform the essential job functions.
- ✓ The financial resources of the department and the governmental program.
- ✓ The impact of the accommodation on the operation of the department and the Village.
- ✓ The interests and desires of the employee and his/her willingness to pay for all or part of the necessary accommodation, if the accommodation would represent an undue hardship on the Village.

Each request for accommodation shall be handled on a "case-by-case" basis considering the individual set of facts and circumstances.

If it is determined that a reasonable accommodation cannot be accomplished in the employee's current position, other options within the department will be considered. If no reasonable accommodation can be accomplished within the employing department, options in other Village departments shall be considered.

A final decision on accommodation shall be made by the Employee Resources Manager after consultation with the Department Director.

Sec. 10.12. Respect for Individual Differences.

- (1) Our employees have the right to work in an environment free from harassment. Any employee who harasses another employee on the basis of their race, creed, marital status, pregnancy, color, national origin, ancestry, disability, sex, age, or sexual preference (except where sex or age is a bona fide occupational qualification), or other legally protected class will be subject to disciplinary action up to and including termination.
- (2) Department Directors are expected to take timely and appropriate action when they know or have reason to know that harassing behavior or discrimination is occurring. A consultation with the Employee Resources Manager is required. Management employees are expected to take action to stop inappropriate behavior whether or not an employee files an internal complaint if the conduct is known to management and is clearly unwelcome.
- (3) Employees should report any incidents in violation of this policy to the appropriate supervisor or the Employee Resources Manager.

Sec. 10.13. Sexual Harassment Policy.

- (1) Purpose: This policy is formulated to protect employees against unsolicited and unwelcome sexual overtures or conduct either physical or verbal. It prohibits employee misconduct that may upset employee morale and interfere with employees' work and efficiency, regardless of

whether there is any economic impact resulting from such misconduct.

Sexual harassment is prohibited under [Title VII of the Civil Rights Act of 11064 \(42 USC 2000e\)](#), and some forms of such misconduct may subject violators to civil liability and/or criminal prosecution, as well as disciplinary action up to and including discharge.

- (2) Policy Statement: Employees shall be provided a work environment free of any forms of sexual and other harassment, and persons found to be in violation of this policy shall be dealt with through the disciplinary process or other appropriate means. This policy applies to work-related social activities.
- (3) Types of Conduct Covered by this Policy:
 - (a) The policy prohibits any demand for sexual favors that is accompanied by a promise of favorable job treatment or a threat concerning the employee's employment.
 - (b) The policy prohibits subtle pressure for sexual favors, including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or refusal thereof) will have any impact on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.
 - (c) The policy prohibits other behaviors that are not welcomed by employees and are personally offensive, including but not limited to: sexual flirtations or propositions, sexually-related comments, display or possession of sexually suggestive objects or pictures on Village property or in Village vehicles, any uninvited physical contact, or any conduct that would create a hostile environment for the employee including e-mails, text messages, or other communication methods.
- (4) Responding to Harassment: If an employee experiences harassment or sees others being harassed, it is suggested employees discuss the inappropriate behavior with the harasser. If employees are uncomfortable, feel threatened, or unsuccessful in their discussion with the harasser, employees should begin the Complaint Procedure.
- (5) Complaint and Investigation Procedures: An employee should initiate action on a complaint of sexual harassment by notifying any of the following (other than the alleged harasser): 1) Their immediate supervisor; or 2) their Department Director or the next level of management above their immediate supervisor; or 3) the Employee Resources Manager.
 - (a) We prefer that the employee submit a written summary of their complaint. However, Employee Resources will investigate all complaints. Supervisory or management employees who receive an oral complaint are directed to record the date and time the complaint was received and to keep summary notes of the alleged misconduct and people involved and immediately contact the Employee Resources Manager.
 - (b) All complaints shall be thoroughly investigated. Employees are expected to cooperate with the investigation and provide truthful information. A formal report which summarizes findings may be prepared. A copy of the investigation report may be provided to the complainant and a copy shall be kept on file.
 - (c) Confidentiality shall be maintained during the investigation to the fullest extent possible.
 - (d) An employee found in violation of this policy shall be subject to disciplinary action up to and

including termination.

- (e) An employee who is found to have knowingly made a false accusation of sexual harassment will be subject to disciplinary action up to and including termination.
- (6) Retaliation and/or Reprisal: An employee who engages in or assists in retaliation and/or reprisal against an employee who files a complaint or against anyone assisting in the investigation will be subject to disciplinary action up to and including termination.
- (7) Education and Questions: All employees shall have the opportunity to attend an educational program on sexual harassment and this policy. Regular employees, Trustees, and managers are required to attend one of these sessions. These educational sessions shall be coordinated by the Employee Resources Manager.

Sec. 10.14. Supervisor-Employee Relationships.

Department Directors are prohibited from having romantic and/or sexual relationships with employees under their supervision. Perceived violations of this policy shall be brought to the attention of the Administrator. Department Directors found to have violated this policy shall be subject to disciplinary action, up to and including termination.

Sec. 10.15. Supplementary Employment.

Employees are allowed to hold a supplementary job as long as it does not interfere with their job responsibilities in their Village employment. Employees in an allocated position shall notify their Department Director in writing prior to engaging in full or part-time employment with another employer or a personal business enterprise. The Department Director may refuse to authorize supplementary employment if it is expected to interfere with the performance of the employee's regular job duties or if the supplementary employment presents a conflict of interest. Questions should be directed to the Employee Resources Manager.

Employees are not allowed to conduct business related to outside employment while on Village paid time, nor is an employee permitted to use Village equipment or supplies in the performance of outside employment duties unless prior approval from supervisor.

Sec. 10.16. Social Media Policy.

Use of social networking sites shall be limited to business uses only and must be explicitly approved by the Department Director and consistent with the Village's policies. All posting to such site(s) are to be consistent with the Village's business objectives and existing policies. This includes, but is not limited to: political statements, cursing or other foul language and statements viewed as harassing other based on race, creed, color, age, sex, physical handicap or sexual inclination.

Employees have the right to participate in social media using personal equipment on their own time. The Village recognizes its employee's right to concerted activity, however, employees are expected to never post or create anything that would be potentially embarrassing to Village or considered offensive in the community. It should be clear that views expressed are not necessarily those of Village.

Sec. 10.17. Technology Use Policy.

The Village provides a variety of information technology resources for employees and customers in an effort to allow them to be more productive and have the information necessary to do their jobs. The use of these resources is intended for Village and customer's business purposes only.

- (1) **Business Purpose:** All information technology (IT) resources including servers, storage devices, PCs, laptops, cell phones, smart phones, PDAs, networking equipment, networking circuits and capacity, telephone systems, e-mail, messaging systems, video systems and Internet access owned, rented or leased by Village are business tools to be used in accordance with our mission of public service. Except as prohibited by this or another more restrictive department policy and with management approval, limited and reasonable use of these tools for occasional employee personal purposes is permitted as long as it does not result in any additional cost or interfere with work productivity and follows all guidelines in this policy. Personal use must be done during the employee's unpaid time off.
- (2) **Employee Responsibility:** Employees are responsible for appropriate use of information technology resources in accordance with this policy or more restrictive department policy. In addition to complying with all laws and policies, employees are expected to adhere to the highest ethical standards when conducting business.
- (3) **Department Director Responsibility:** Department Directors are responsible for ensuring the appropriate use of information technology resources through training, supervising, and, when necessary, taking disciplinary action.
- (4) **Appropriate Use:** The use of and access to Village-owned information technology resources is limited to employees and officers of the Village assigned access to said resources. It is intended for official purposes associated with the performance of governmental or agency functions in the name of and on behalf of the Village. Consequently, all data and information shall be and shall remain the property of the Village and shall not belong to the individual employee or officer. The use of information technology resources for limited personal use is a privilege which may be revoked at any time by management if its use is deemed inappropriate. The Village will monitor the use of information technology resources.
- (5) **Inappropriate Use:** Inappropriate use of information technology resources, including inappropriate personal use, may result in revocation of privileges, job-related discipline up to and including termination of employment. Uses that are prohibited include, but are not limited to:
 - ✓ Accessing resources or altering data without explicit management authorization.
 - ✓ Intentionally deleting or damaging data.
 - ✓ Copying, sending and removing information that is confidential or is not an open record to unauthorized users outside of the office or network.
 - ✓ Intentionally introducing a computer virus.
 - ✓ Engaging in illegal activities as defined by State and Federal law or local ordinance.
 - ✓ Wagering, betting or selling chances.
 - ✓ Transmitting threatening, abusive, obscene, lewd, profane, or harassing material.

- ✓ Viewing, reading or accessing any sexually explicit sites or materials that are pornographic.
- ✓ Attempting to evade, disable, or bypass any security provisions of systems or the network.
- ✓ Obtaining unauthorized access to any computer system, including a personal or home system without the express authorization of a Department Director.

(6) Conduct: Use of the Internet, e-mail and the telephone requires conformance to a professional standard of conduct. Employees are to conduct themselves as representatives of the Village and must show consideration and respect to others. It is the responsibility of each employee to ensure that use of the Internet, e-mail and the telephone is done responsibly and economically, and that access does not adversely affect his or her productivity.

Sec. 10.18. Telephone Use Policy.

Village telephones are for business purposes. Telephone calls may be monitored and/or recorded by the Village for business purposes. Incoming and outgoing personal phone calls are to be kept to a minimum and should not interfere with or prevent us from providing quality service to our customers. Personal calls should be made during your lunch period. Personal long-distance phone calls are not allowed.

Our mail system and letterhead are for business purposes only and are not to be used for personal use. Anything more should be discussed with your immediate Department Director.

Village supplies are for business use only and may not be used for personal reasons or taken home. This includes but is not limited to all office supplies.

Sec. 10.19. Tobacco Free Village Buildings, Property, Equipment, and Vehicles.

(1) Purpose. The Village is committed to providing healthy, clean and productive public workplaces for our residents, employees and visitors. In support of our commitments we have adopted this policy which prohibits the use of tobacco products in all Village buildings and structures, on designated Village property/grounds and in all Village vehicles and equipment.

(2) Definition. In this chapter the following terms have the following meanings:

- Village Building. Any building or structure owned or leased by the Village. This includes any structure intended to be a permanent accession to real property; that is designed for sheltering people, for storing property, or for working, office or parking space; that in physical appearance is annexed to the real property, that is covered by a roof and has an enclosed space; that is not readily moved or disassembled; and that is commonly known to be a building or structure because of its appearance and because of the materials of which it is constructed.
- Village Property/Grounds. Any real property or grounds owned or leased by the Village.
- Designated Property/Grounds. Village owned or leased property, or grounds that are identified as tobacco free by signs, placards, etc.
- Village Vehicle/Equipment. Any vehicle or equipment owned, rented or leased by the Village.

- Tobacco products. The term “tobacco products” includes cigarettes, cigars, pipes, chewing tobacco, tobacco free snuff and electronic cigarettes and shall have the meaning as defined in Wis. Stat. § [101.123\(1\)\(io\)](#), as it presently exists or may from time to time be amended. Notwithstanding any language in Wis. Stat. § [101.123\(1\)\(io\)](#), “tobacco products” shall also include “cigarettes” as defined in Wis. Stat. § [995.10\(d\)1](#), as it presently exists or may from time to time be amended.
- (3) Prohibited Activity. It is prohibited for anyone to use tobacco products in Village buildings, structures, designated property/grounds, in or while operating Village vehicles or equipment. The use of tobacco products in personal vehicles in the parking areas of any of the grounds designated as tobacco free is also prohibited. Furthermore, Village employees are prohibited to use tobacco products during paid work time, including paid breaks. Employees are not prohibited from using tobacco products during unpaid lunch breaks, paid time off.
 - (4) Enforcement Responsibility. Consistent with other personnel policy, Department Directors with primary responsibility for operations performed on job sites are delegated responsibility to ensure compliance with this policy.
 - (5) Violation-Penalty-Enforcement. Any employee violating any provisions of this policy may be subject to progressive disciplinary action, up to, and including termination of employment.

Sec. 10.20. Village Vehicles.

The majority of municipal vehicles are highly visible and often subject to public observation and scrutiny. As a result, criticism is frequently received from the general public concerning perceived or unethical use of municipal vehicles. With the adoption of a policy on municipal vehicle use, accountability surrounding vehicles will increase, therefore, placing Village officials in a strong position to justify and defend usage of municipal vehicles on a uniform basis.

Some Village personnel may be assigned a Village vehicle. A Department Director may recommend that an employee take a vehicle home overnight on a temporary basis if the needs of the Village so dictate. Determination to authorize a vehicle for overnight use will be made by the Department Director and Employee Resources Manager. Vehicles assigned may be used by the employee for transportation to and from work, for non-recurring personal errands on the way to and from work (provided these errands are within a reasonable distance on a reasonably direct route between home and work) and may transport other Village employees and family members as long as a reasonably direct route between home and work is maintained.

Below is a list of Safety Rules and Regulations for safe operation of Village vehicles:

- (1) Village employees who need or are required to use Village vehicles must hold a valid State of Wisconsin driver’s license.
- (2) Anyone who fails to maintain their driver license or Commercial Driver’s License CDL, which is a requisite of employment, is subject to disciplinary action up-to and including discharge.
- (3) Village vehicles are to be used for Village business only and must not be used for personal use.
- (4) Only authorized passengers or drivers will be allowed to either operate or ride as a passenger in a Village vehicle.

- (5) All State of Wisconsin Motor Vehicle laws must be adhered to.
- (6) While driving a Village vehicle, employees should not exceed the posted speed limits. Seat belts will be worn at all time while either operating or riding as a passenger in Village vehicles.
- (7) Village vehicles are to be operated only when in a safe operating condition. Each employee driving a vehicle shall inspect the vehicle to assure that the vehicle is in a safe operating condition.
- (8) All accidents must be reported to the local police department and your Department Head immediately.
- (9) Drivers must notify their Department Head of any traffic or parking citations, including warnings, received while operating a Village vehicle.
- (10) Drivers are personally responsible for paying any traffic or parking fines incurred while they are operating a Village vehicle.
- (11) Whenever possible use a spotter when backing up a Village vehicle.
- (12) Maintain a safe cushion of space while operating a Village vehicle. For every 10 miles per hour, maintain one car/truck length of space.
- (13) Drivers will not operate a Village vehicle under the influence of drugs and or with an alcohol concentration of 0.02 or greater, while on duty for the Village of Weston as indicated by an alcohol breath test or blood alcohol test. Doing so may result in disciplinary action up to and including termination or employment.
- (14) Anyone who fails to maintain their driver license or Commercial Driver's License CDL, which is a requisite of employment, is subject to disciplinary action up-to and including discharge.

On occasion, you may be asked to use your personal vehicle for Village of Weston's business. The Village requires you have adequate automobile insurance before driving any vehicle on Village business. The Village requires that you carry liability insurance for your vehicle (see Appendix 5-B). If you are in an accident with your vehicle while on the Village's business, your insurance is primary. As with any accident, report it to your immediate Department Director immediately.

Sec. 10.21. Weapons and Firearms.

- (1) Definitions:
 - (a) Employee - All regular full-time, regular part-time, limited benefit employees, seasonal employees, temporary employees, volunteers, elected and appointed officials of The Village.
 - (b) Weapon - Including but not limited to any type of knife, electric weapon, and firearm whether or not a permit is obtained, or any item subjecting the person to prosecution for violation of Wis. Stats. [Chapter 941 Crimes Against Public Health and Safety Subchapter III, Weapons](#), or successor statutes. Mace or pepper spray, as allowed by state law, is not to be considered a prohibited weapon provided the spray is only for personal defense.
 - (c) Workplace - All Village-owned or leased property, including vehicles and mobile equipment, and any other property where work is being performed by Village Employees in an official

capacity for the Village. State law allows employees to have weapons/firearms in their vehicles if parked on Village property. The Village will require those employees to lock weapons/firearms in their vehicle and to keep them out of plain sight. Employees are prohibited from having weapons/firearms in their vehicle if they are using their vehicle for Village business purposes.

- (2) Employees who have been granted permission under **Sec. 54.102.(b) Firearms and Weapons Restricted Where Prohibited. Article I. In General. Chapter 54. Offenses and Miscellaneous Provisions** are exempt from **Sec. 10.21 Weapons and Firearms (3)**. of this Chapter 10 Employee Conduct and Behavior.
- (3) Village employees are prohibited from carrying weapons when conducting Village business. Furthermore, the possession, use, or threat of use of a weapon is prohibited in the workplace by employees.
- (4) Village employees are prohibited from being in possession of dangerous or unauthorized materials, such as explosives on the premises, weapons, or firearms, in the workplace and possession of weapons or firearms on the premises without a permit.

Sec. 10.22. Work Rules.

The establishment of written work rules is one way in which employees can be informed of required behavior and expectations. When work rules are initially developed or substantially revised, department and/or individual meetings should be conducted to discuss and explain the rules. Communicating in person provides employees an opportunity to ask questions and helps to ensure better understanding. It is suggested that written copies of the work rules be given to all affected employees. No employee shall participate in the following:

- (1) Theft from the Village, other employees, or visitors.
- (2) Fighting or involvement that leads to violence.
- (3) Falsifying reports, records, or information.
- (4) Unauthorized possession of a weapon on the job.
- (5) Insubordination.
- (6) Gambling on the job.
- (7) Inefficiency, such as failing to do the amount or quality of work that is expected.
- (8) Consuming, possessing, or being under the influence of illegal drugs while on duty.
- (9) Consuming, possessing alcoholic beverages, or having an alcohol concentration of .02 or greater, and misuse of legal drugs during working hours for the Village are all violations of policy for employees while on duty. Doing so may result in disciplinary action up to and including termination.
- (10) Conviction of a criminal offense related to job duties.
- (11) Divulging confidential information.

- (12) Failing to report an injury or incident concerning an employee, visitor, or any other person on Village property.
- (13) Tardiness or absenteeism; leaving early without permission.
- (14) Violating safety regulations.
- (15) Failing to notify supervisor of absence from work.
- (16) Damaging Village property.
- (17) Horseplay and practical joking.
- (18) Smoking on paid time or in prohibited areas.
- (19) Using abusive or profane language.
- (20) Harassing behavior.
- (21) Policy violations.

Participation in these behaviors may result in disciplinary action up to and including termination of employment.

Sec. 10.23. Workplace Bullying Policy.

The Village is committed to providing our employees and customers with a respectful, healthy, and safe work environment that is free from bullying. Workplace bullying is unacceptable and will not be tolerated.

- (1) Bullying is malicious repeated behavior that a reasonable person would consider to be offensive, degrading, humiliating, or threatening. Bullying may be directed toward one employee, a group of employees, or customers. Some examples include but are not limited to: screaming at someone, condescending and belittling comments, name calling or ridiculing, derogatory remarks or insults, undermining or impeding others' work, or unwarranted harsh and persistent criticism of work. This includes cyber bullying which is bullying using social media, website materials, e-mails, texting, and cell phones.
- (2) The Village expects all employees who experience bullying or who see others being bullied to report it as soon as possible to the appropriate supervisor, manager, Department Director, or an Employee Resources Department staff member. Management employees are expected to take action to stop workplace bullying.
- (3) Any reports of workplace bullying will be treated seriously and investigated promptly. Employees are expected to cooperate with an investigation and provide truthful information. The complainant will be updated on the outcome of the investigation. Confidentiality will be maintained during the investigation to the fullest extent possible.
- (4) Employees who participate in workplace bullying, retaliate against an employee who reports bullying, or make a false accusation of bullying will be subject to disciplinary or other appropriate action up to and including termination.

- (5) Questions regarding this policy or a specific situation should be directed to the Employee Resources Manager.

Sec. 10.24. Workplace Violence Zero Tolerance Policy and Procedure.

The Village maintains a zero-tolerance policy towards violence in the workplace. All violent behavior including threats, references or jokes of violence, is inappropriate in the workplace, on both the part of employees and customers, and will not be tolerated. All employees shall notify their supervisor of any workplace violence which they have witnessed, experienced, become aware of or in any way have knowledge of. Violations of this policy shall lead to disciplinary action up to and including termination and may also result in criminal prosecution.

(1) Definitions:

- (a) Employee - All regular full-time, regular part-time, limited benefit employees, seasonal employees, temporary employees, volunteers, elected and appointed officials of The Village.
 - (b) Workplace - All Village-owned or leased property, including vehicles and mobile equipment, and any other property where work is being performed by Village Employees in an official capacity for the Village. State law allows employees to have weapons/firearms in their vehicles if parked on Village property. The Village will require those employees to lock weapons/firearms in their vehicle and to keep them out of plain sight. Employees are prohibited from having weapons/firearms in their vehicle if they are using their vehicle for Village business purposes.
 - (c) Workplace Violence - Any act of written, verbal, or physical aggression that occurs in the workplace intended to physically harm an individual or could cause a reasonable person to be in fear of imminent physical harm. It also involves the intentional non-authorized destruction or abuse of property. Examples of workplace violence may include but are not limited to: harassment, obscene phone calls, threats (direct or implied), references or jokes of violence, stalking, unauthorized possession or inappropriate use of weapons, assault, battery, robbery, kidnapping, murder, bomb threats, arson. Workplace violence does not include the use of reasonable force in the defense of oneself or others.
- (2) General Background: The Village recognizes that workplace violence is a growing concern nationally that needs to be addressed by all employers. Employees of the Village should be provided with a work environment which is reasonably safe from harm. However, due to the need to allow public access to Village facilities and services and the nature of certain employees' work, the Village cannot guarantee the protection of employees or customers against acts of violence. The Village may, however, regulate and direct the conduct of its employees and customers when possible in an effort to minimize the frequency and severity of violent incidents.
- (3) Exceptions to Weapons Prohibition: The weapons prohibition policy does not apply to employees who are armed in the line of duty, such as Law Enforcement Officers, except in designated restricted areas unless otherwise directed by the Chief of Police. Also, employees required to utilize knives or similar tools on the job within the normal scope of their employment are not considered to be in violation of this policy.

- (4) Reporting Procedures:
- (a) 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, then employees should contact the Administrator.
 - (b) Emergency: If it is reasonable to believe that an individual is acting in a manner that is of immediate threat to you or others, employees should contact the Police Department by calling 9-1-1.
- (5) Restraining Orders: Employees who are seeking or have obtained restraining orders or injunctions against abusive persons shall notify their supervisor so that appropriate measures can be taken to facilitate prudent safety measures within the workplace. When a protective or restraining order lists Village workplaces as being protected areas, employees must provide their supervisor with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
- (6) Alternatives to Reporting Workplace Violence to Your Supervisor: If an employee is not comfortable reporting incidents of workplace violence to their supervisor the employee may instead report it to their Department Director, a supervisory employee in the Police Department, the Employee Resources Manager, or the Administrator.
- (7) Report to Employee Resources Manager: Trustees receiving employee reports of workplace violence or that have knowledge of information of an internal or non-emergency nature which may affect the security of the Village and its assets shall report such incidents to Administrator. The Administrator shall complete a confidential memorandum and submit it to the Employee Resources Manager. Such memorandum should include:
- ✓ Description in detail of what happened, where it happened, and when it happened.
 - ✓ Identity of persons committing the threat or violent behavior.
 - ✓ Identity of persons against whom the threat was made or violent behavior directed.
 - ✓ Identity of persons reporting or witnessing the threat or violent behavior.
 - ✓ Observations that would make you believe that the individual intends to follow through on a threat.
 - ✓ How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.

If it appears that the incident will require immediate attention, a verbal report shall be made to Employee Resources Manager and then followed up with a confidential written memorandum. Although every effort will be made to keep reports and records that are made and kept pursuant to this policy confidential, the reports and records may be subject to public disclosure under Wisconsin's Public Records Law.

For those cases where it appears that criminal activity may be involved, no employee should take any action that would jeopardize the outcome of any investigation. Do not change anything at the scene of a violent incident until properly documented by those in authority.

- (8) False Reports: Allegations and/or reports of workplace threats will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including terminations.
- (9) Investigations and Resolutions: The Employee Resources Manager will receive, evaluate, intervene, and respond to reports of workplace violence with the assistance of a “Threat Management Team” as appropriate. Threat Management Team members may include personnel from the Police Department, Village Attorney’s Office, Administrator, Employee Resources Manager, and the Department Director of the affected department as well as any outside agencies that may provide assistance to the Village on the matter.

Privacy rights will be observed in the event of the need to investigate workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain the facts.

Retaliation and/or reprisal against an employee who genuinely reports threats of workplace violence in good faith is in violation of this policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including termination of employment.

Crisis counseling to employees and their families victimized by workplace violence may be provided.

- (10) Consequence of Policy Violation: Employees who violate this policy are subject to discipline up to and including termination and may also result in criminal prosecution. A mandatory referral to the Employee Assistance Program may also be a condition of an employee’s action plan.
- (11) Employee Assistance Program: The Village maintains an Employee Assistance Program (EAP) which provides help to employees who experience personal or family problems. At such times, your EAP is there to provide professional, confidential help within the limit of the law for you and members of your immediate family, free of charge. The EAP is just a phone call away anytime 24 hours a day through a toll-free telephone number (1-800-540-3758). Information brochures are available through Employee Resources Department.

APPENDIX 10-A



VILLAGE OF WESTON REQUEST FOR STIPEND FOR INDIVIDUALLY-OWNED MOBILE DEVICE

Village employees are eligible to receive a stipend as reimbursement for use of their individually-owned mobile device as a business expense, in accordance with **Sec. 10.03. Cellular Phone Policy of Chapter 10 Employee Conduct and Behavior of the Village of Weston Personnel Policies & Procedures Manual.**

Department Directors must submit their request(s) on this form to the Administrator. All other eligible employees must submit this request to their Department Director for review, approval or denial. The Department Director will forward the request, if approved, to the Administrator for review, approval or denial. The Administrator will return this application to the Department Director for submission to the Technology Services and Finance Department if approved.

(1) Compliance Requirements for Stipend Reimbursement:

- (a) All eligible employees are required to have a functioning cellular phone with them during their work shift.
- (b) Phones must include both a voice and a text plan and have an active voicemail account feature
- (c) Employees must provide their Department Director and the Employee Resources Manager with their current cell phone number, and immediately notify both parties if the number changes.
- (d) Employees should arrive for their work shift with a properly charged and functioning cellular phone capable of sending and receiving communications throughout the workday.
- (e) The Village has no responsibility to service communication systems.

(2) Compliance Requirements for eligible, exempt employees:

- (a) Eligible, exempt employees are required to have a mobile device, which also includes a cellular data plan, in addition to the voice and text plan, and an active voicemail account feature requirement.
- (b) Eligible, exempt employees are required to be readily accessible for frequent contact, and/or critical contact with their colleagues and/or the public, and that accessibility extends to time away from work and/or may also involve on-call responsibilities.
- (c) Eligible, exempt employees will be asked to connect their mobile device (i.e., smart phone) with the Village's electronic mail server. Exempt employees must provide their mobile device to the Technology Services Director (i.e., Chief Technology Officer C.T.O.) to connect their device to the Village's electronic mail server.
- (d) All mobile devices anticipated to connect to the Village's data services, such as the Village's email system, must be approved by the Village's Technology Services Director. Not all devices are supported by the Village's system. The Village has no responsibility to service all data/communication systems. It is the employee's responsibility to ensure that their device can communicate with the Village's system prior to incurring any expenses or obligations with their provider.

- (e) (e)Exempt employees are expected to carry their mobile device on their person both on, and off duty, and respond promptly and professionally when contacted about Village business.

Please print

Employee First Name		Last Name		MI	Date (MM/DD/YYYY)
Device Type, i.e. Smartphone, Ipad, etc.		Device Make	Device Model		Voice Mail <input type="checkbox"/> Yes <input type="checkbox"/> No Text Messaging <input type="checkbox"/> Yes <input type="checkbox"/> No
Device Serial Number		Device Network Carrier	Device Phone Number		

Signed

Date (MM/DD/YYYY)

Reviewed by Department Director

Date (MM/DD/YYYY)

Approved Denied

Signed

Reviewed by Administrator

Date (MM/DD/YYYY)

Approved Denied

Signed

- Eligible exempt employee @ \$50.00/monthly
- Eligible non-exempt employee @ \$20.00/monthly

Route approved application to Technology Services and Finance Department.

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CHAPTER 11

EMPLOYEE DISCIPLINE, COMPLAINTS, AND GRIEVANCES

- Sec. 11.01. Policy Statement.
- Sec. 11.02. Minimizing the Need for Discipline.
- Sec. 11.03. Conflict Resolution through Chain of Command.
- Sec. 11.04. Investigating Problems and Alleged Misconduct.
- Sec. 11.05. Alternatives to Formal Disciplinary Actions.
- Sec. 11.06. Progressive Discipline.
- Sec. 11.07. Weingarten Rights.
- Sec. 11.08. Grievances of Employee Discipline, Terminations, and Workplace Safety.
- Sec. 11.09. Complaints of Alleged Discrimination on the Basis of Disability.
- Sec. 11.10. Complaint Procedure for Other Issues.

Sec. 11.01. Policy Statement.

The purpose of this chapter is to provide supervisors with guidelines to correct job performance problems and inappropriate employee conduct in a consistent, fair, and objective manner. All employees are considered at will. An employee may be dismissed at any time at the option of the Village. An employee may quit employment with the Village at any time.

Sec. 11.02. Minimizing the Need for Discipline.

Setting a good example, reasonable and fair rules, and good communication with subordinates promotes employee self-discipline, and minimizes the need for supervisory discipline. Another key factor in preventing some situations that lead to discipline is the ability of the supervisor to develop trusting superior/subordinate relationships. The following guidelines can help build more trustful relationships with subordinates:

- Solicit and provide honest feedback on a regular basis.
- Accept subordinates as human beings who will make and can learn from their mistakes.
- Praise subordinates when appropriate to reinforce positive performance and promote motivation.

The fundamental goal of every supervisor should be building a work group that functions effectively with minimum supervision. To achieve this goal, employee performance must be based on self-discipline (the desire to perform). To develop self-discipline, the supervisor must be able to understand his/her employees' motivation to work, link department goals to their personal goals, and provide a working environment that facilitates the attainment of these goals.

Sec. 11.03. Conflict Resolution through Chain of Command.

Generally, if an employee has a problem with an individual, then the employee is encouraged to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, then the employee must address the problem through the employee's immediate supervisor and onward through the chain of command. In some cases, the employee's supervisor may decide to refer the problem through the chain of command where it can be addressed by a supervisor or the Village Administrator. If an employee feels harassed or discriminated against by another person, then the employee is directed to follow the harassment/discrimination reporting policies in this manual.

Sec. 11.04. Investigating Problems and Alleged Misconduct.

A prompt and thorough investigation is to be conducted when an employee performs below acceptable standards or violates a work rule. This requires that the supervisor:

- (1) Seek counsel from the Administrator and then obtain the facts of the situation (when and how was the work quality and/or quantity inadequate, what rule was violated, what exactly occurred, where and when the events happened, who was involved, etc.). Notes should be taken since it is essential to have the facts correct.
- (2) Review the employee's personnel file (particularly prior performance evaluations and any disciplinary record) plus other relevant documents (timesheets, labor contract, department procedures, etc.).
- (3) Assess if a situation is caused by operational problems (failure to communicate expected standard or work rule, unreasonably high standards, inadequate employee training, insufficient materials or equipment, etc.).
- (4) If evidence is identified which seems to point to the possibility that a personnel problem may be contributing to the problems on the job, disciplinary action should be combined with a referral to the Employee Assistance Program.
- (5) Research how similar incidents in the past were handled in the department and/or Village-wide.
- (6) Determine the corrective action to be taken. This action should be fair, consistent, equitable, and no more severe than required to correct the performance of the employee.

Sec. 11.05. Alternatives to Formal Disciplinary Actions.

Depending upon the facts of an investigation and analysis of an employee's inadequate performance or behavior, alternative corrective action might be taken before formal discipline is implemented. This could include:

- ✓ Support: For short-term problems of a situational nature, like a serious family illness, support from a supervisor is often the most effective corrective action.
- ✓ Reassignment: The reassignment of an employee with performance or behavior problems is usually not effective corrective action. However, if an employee lacks the ability to perform the present job, reassignment can be appropriate.
- ✓ Retraining: Additional training can also be effective for resolving some employee problems caused by an inability to perform the required duties rather than the employee not being willing to perform up to established performance standards. Once the specific learning need is identified, it can be addressed through various training methods such as additional on-the-job training with the supervisor or fellow employee, formal classroom training, reading manuals or procedures, viewing videos, etc.
- ✓ Coaching/Counseling: An informal discussion or counseling/coaching session is held with the employee to:
 - Identify the problems causing or contributing to inadequate performance or improper conduct on the job;

- Assist the employee to search for potential solutions for the identified problems;
- Develop a performance plan with the employee to determine what will be done, when, and by whom in order to improve job performance or behavior. If a personal problem is identified or suspected, this plan might include a referral to the Employee Assistance Program;
- Set up a series of follow-up conferences to review progress toward improvement.

Sec. 11.06. Progressive Discipline.

Progressive discipline allows an employee the opportunity to improve job performance and comply to established rules of conduct in order to avoid further consequences. In some cases, but not all cases, discipline is applied progressively, moving from a light penalty to a more severe one. Where progressive disciplinary action does not result in satisfactory job performance or acceptable employee conduct, discharge may be necessitated. Progressive discipline, if utilized, will usually involve the following four-step procedure:

- (1) First Action – A verbal warning to the employee involves identifying and discussing problem areas and the actions that must be taken to improve job performance and/or employee behavior within a specific period of time. Written documentation of the verbal warning should be given to the employee and a copy forwarded to the Employee Resources Department to be included in the employee's official personnel file.
- (2) Second Action – A written reprimand to the employee is implemented if the employee fails to take action to resolve the problem previously discussed or fails to correct it within the specified time. The written reprimand should again clearly identify the problem, relate what standards need to be met or rules observed within a specific period of time, and include a written statement such as "future problems of a similar nature will result in more serious disciplinary action". A copy should be provided to the employee, and also placed in the employee's personnel file.
- (3) Third Action – A disciplinary suspension of the employee is issued for a repeated breach of rules or job performance standards or serious misconduct. A suspension decision without pay shall be decided upon by the Administrator. An employee may be suspended with pay pending the completion of an investigation. It is essential that the written suspension notice include a provision such as "future problems of a similar nature will result in more serious disciplinary action including discharge". A copy of the written suspension notice should be provided to the employee, the Employee Resources Manager, and also placed in the employee's personnel file.
- (4) Fourth Action – A discharge of the employee would usually occur for the fourth breach of rules or job performance standards or such serious misconduct that termination must occur. A dismissal will be decided by the Administrator, who will recommend termination to the Board of Trustees. A full and complete investigation of the matter or incident should be completed before a final decision to discharge is made. A written copy of the discharge should be provided to the employee, the Employee Resources Manager, and also placed in the employee's personnel file.

Progressive discipline is sometimes appropriate. It is not required to be used in every situation for employees. Employees may be subject to discipline for many reasons, including among others, performance failure, failure to comply with Village policies, and other serious offenses such as endangering other employees or the public, damaging Village property due to gross negligence, theft, insubordination, etc. The Village reserves the right to determine the particular level of discipline to be imposed in any given case, including but not limited to disciplinary actions such as verbal warning, written warning, suspension, or immediate termination of employment.

Written documentation of the progressive discipline process is essential. An important element of disciplinary documentation is factually describing what happened and why it matters. Letters of deficiency/discipline should contain:

- ✓ What the discipline is (i.e., written reprimand, suspension, etc.)
- ✓ Reasons for discipline, rules, or standards violated.
- ✓ Factual events and time frame. Explain who, what, when, where, and why. Be factual and specific in describing the incident/situation.
- ✓ Any previous efforts to make the employee aware of the need to change or improve work performance or conduct.
- ✓ Corrective action required.
- ✓ Referral to EAP if appropriate.
- ✓ Consequence of lack of improvement.

Effective disciplinary documentation typically has these elements: History, facts, expectations, consequences. See Appendix 11-A of this chapter for a sample disciplinary letter.

Central factors to consider as part of the investigation and discipline determination process:

- ✓ Employee's length of employment.
- ✓ Employee's personnel file. During a grievance hearing with an impartial hearing officer, the officer will most likely assume that if there are no previous negative records of performance, the employee has performed satisfactorily in the past. If significant time has passed since the last negative record of performance, the impartial hearing officer will most likely assume the behavior has been corrected.
- ✓ The seriousness of the offense.

Sec. 11.07. Weingarten Rights.

Both union and non-union employees have the right to have a co-worker/representative present during an interview with a supervisor that the employee reasonably believes could result in disciplinary action. The supervisor is not required to inform the employee of any right to representation before beginning the interview. However, if the employee invokes the right to representation, the supervisor must allow the employee a reasonable opportunity to speak with a coworker/representative prior to the interview.

When an employee has been advised by a supervisor that disciplinary action will not be taken prior to the interview/meeting, Weingarten rights will not apply. Likewise, day-to-day, work-related discussions will generally not invoke Weingarten rights, unless an employee has reason to expect disciplinary action will result.

The employee's representative may speak during the interview, but the employee's representative is not entitled to be hostile or adversarial. The employee's representative **may not speak for** the employee being interviewed. A supervisor is not required to unduly delay an investigatory interview if the employee's chosen representative is unavailable. However, the employee must have a reasonable

opportunity to obtain an alternative representative if requested. Full, make-whole remedies, including reinstatement and back pay, can be imposed if an employee's Weingarten rights have been violated.

When imposing discipline on an employee it is important to provide procedural and due process protections. This requires that the employee be notified of the nature of the alleged offense and be given a formal opportunity to defend his/her behavior. A predetermination meeting conducted by the department head is the recommended procedure for providing due process. During this meeting, the department head should verbally review the allegations with the employee and provide the employee the opportunity to respond to both the allegations and evidence available. The Department Director is encouraged to consult with the Administrator regarding the predetermination meeting and any subsequent disciplinary or other action, if any.

Sec. 11.08. Grievances against Employee Discipline, Terminations, and Workplace Safety.

A grievance is defined as a dispute or misunderstanding regarding the actions of Village officials with regard to the following:

- ✓ **Employee Termination:** "Termination" includes an involuntary end to employment. Termination does not include a voluntary quit; a layoff or failure to be recalled from layoff at the expiration of any recall period; retirement; job abandonment such as "no-call, no-show," or failure to report to work; any workforce reduction activities; job transfer; action taken for failure to meet the qualifications of a position; action taken pursuant to an ordinance other than an ordinance specifically addressing employee discharge; death; or the end of the employment of a temporary, contract, casual, or seasonal employee.
- ✓ **Employee discipline:** "Discipline" includes suspensions with or without pay, disciplinary demotions, and disciplinary terminations. Discipline does not include oral and written warnings, changes in job duties, non-disciplinary wage, benefit or salary adjustments, performance evaluations, performance improvement plans, or counseling (verbal or written) regarding job performance.
- ✓ **Workplace safety:** "Workplace safety" includes conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, environmental hazards, safety of physical work environment, personal protective equipment, and workplace violence.

It is the Village's policy to treat employees fairly and equitably and to provide employees with a fair means through which to seek local administrative redress for alleged violations, misinterpretations, or inequitable applications of Village policies, rules, and expectations of conduct relative to employee discipline, termination, or workplace safety.

This procedure provides all regular full and part-time employees with the individual opportunity to address concerns regarding discipline, termination, or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Board of Trustees.

An employee shall use the Grievance Procedure for resolving disputes regarding employee termination, employee discipline, or workplace safety issues covered by this procedure. The Village expects an employee and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the Grievance Procedure.

The terms of this Policy shall control unless another valid and enforceable grievance procedure exists in a collective bargaining agreement or statutory dispute resolution procedure. Employees are to use the Employee Complaint Procedure for any other type of employment complaint. An employee has a right to

use this Grievance Procedure without retaliation. This Grievance Procedure does not create a legally binding contract or limit or modify the Village's "at – will" employment policy.

(1) Internal Grievance Steps:

- (a) Step 1: Prior to filing a written grievance, employees must discuss within ten (10) calendar days any problem or complaint with their immediate shift Supervisor to determine if the grievance can be resolved. Within some Village departments, the Department Director is also the immediate supervisor. If that is the case, please go immediately to Step 2.
- (b) Step 2: If the grievance cannot be resolved at Step 1, the employee should, prior to filing a written grievance, discuss within ten (10) calendar days any problem or complaint with their immediate Department Director to determine if the grievance can be resolved.
- (c) Step 3: If the grievance cannot be resolved at Step 2, the employee may appeal a denial by filing a written appeal with the Administrator no later than ten (10) calendar days from the date the employee first becomes aware of the termination, discipline, or workplace safety condition causing the grievance. The written grievance shall include:
 - (1) a summary of the facts pertaining to the grievance;
 - (2) a listing of all parties involved;
 - (3) the remedy sought by the employee; and
 - (4) the employee's signature.

The Administrator shall meet with the employee within ten (10) calendar days and then respond to the grievance in writing within ten (10) calendar days of the meeting.

(2) Appeal to Impartial Hearing Officer:

The Village may contract with an Impartial Hearing Officer to hear and provide a recommendation for further appeals at Step 4. The Village will be responsible for the expenses of the Impartial Hearing Officer but any additional expenses will be the responsibility of the requesting party.

- (a) Step 4: If the grievance is not resolved at Step 3, the employee may appeal a denial by filing a written request for a hearing before an Impartial Hearing Officer. This request must be received by the Administrator no later than fourteen (14) calendar days after the employee receives the Administrator's written response (In Step 3). On appeal, the Administrator shall transmit the grievance, all grievance responses, and this Grievance Procedure to the Impartial Hearing Officer. As soon as is practicable; thereafter, the Impartial Hearing Officer shall schedule a date for a hearing. The hearing shall be held at a mutually agreeable time in a public building. Following receipt of the appeal requesting a hearing before an Impartial Hearing Officer, the Administrator or designee, shall attempt to find an Impartial Hearing Officer who is mutually agreeable to both parties. If the parties cannot mutually agree on an Impartial Hearing Officer, the Administrator shall provide the name of the individual who shall serve as an Impartial Hearing Officer.
- (b) The Impartial Hearing Officer shall have the authority to administer oaths and issue subpoenas at the request of the parties and shall be responsible for the fair and orderly conduct of the hearing and the preservation of the record. Any party requesting a subpoena

from the Impartial Hearing Officer is responsible for the fees associated with the subpoena. All testimony shall be taken under oath. Each party is responsible for its own costs in proceeding to hearing. The Impartial Hearing Officer may only recommend overruling a disciplinary action if the action taken was arbitrary or capricious. The Impartial Hearing Officer may not change or modify any discipline imposed.

- (c) Impartial Hearing Officer Recommendation: The Impartial Hearing Officer shall submit their recommendations affirming or reversing the action with the reasons therefore in writing to the Human Resources Committee and the employee within ten (10) calendar days of the close of the hearing or the submission of the parties' written briefs, if any, whichever is later, or on a later date mutually agreed upon by the parties.

(3) Appeal to Human Resources Committee:

- (a) Step 5: Within ten (10) calendar days of the date that the Impartial Hearing Officer's decision is mailed, either party may file with the Human Resources Committee a written notice of appeal of the Impartial Hearing Officer's decision. The appeal should be sent to the Chairperson of the Human Resources Committee with a copy sent to the Administrator. The Human Resources Committee shall meet with the parties to discuss the matter as soon as practicable. The Hearing Officer's determination may be affirmed, modified, or reversed by a majority vote of the Human Resources Committee. Within ten (10) calendar days of the meeting, the Human Resources Committee shall issue a written decision sustaining or denying the decision of the Impartial Hearing Officer.

(4) Appeal to Village Board:

- (a) Step 6: Within fourteen (14) calendar days of the date that the Human Resources Committee's decision is mailed, either party may file with the Board of Trustees a written notice of appeal of the Human Resources Committee's decision with the Board of Trustees. Any such appeal shall be on the written record, the preparation of which shall be the responsibility and at the cost of the party seeking the appeal. The appealing party shall supply a copy of the written record to the other party without charge. The written record shall be filed with the Board of Trustees within twenty-one (21) calendar days of the notice of appeal. No formal hearing shall be held before the Board of Trustees. The Board of Trustees shall receive no further evidence on the matter but may request additional written submittals of the parties on matters which were raised before the Impartial Hearing Officer or, at its discretion, meet with the parties to review the matter. The Board of Trustees may retain outside counsel if necessary during the process.
- (b) Within thirty (30) calendar days of the receipt of the written record, the Board of Trustees shall make and file its written decision with the Administrator. The Administrator or designee shall, within ten (10) calendar days, mail a copy of the decision to the last known address of the employee or the employee's representative and provide a copy of the decision to the Human Resources Committee. Any previous course of action may be affirmed, modified, or reversed by a majority vote of the Board of Trustees. The Board of Trustees' decision shall be final and binding on the parties. There shall be no subsequent right of appeal.

(5) Employee Representation:

Employees may be accompanied by a representative of their choice at any level of the grievance procedure after the appeal to the department head provided the employee notifies the Village Administrator at least 24 hours ahead of the meeting that the representative will attend. The representative is allowed to help the employee present their grievance but no step in the

procedure is a legal proceeding. Employees may opt to have the grievance proceedings occur in open or closed session as permitted by law. Employees may contact their representative to discuss their problem only during non- work time.

- (6) Settlement of Grievance: A grievance shall be considered waived if not filed or appealed within the designated grievance timelines. Dissatisfaction is implied in recourse from one step to the next step. A grievance shall be deemed settled and dismissed at the completion of any step in the grievance procedure if all parties concerned are mutually satisfied or the grievance has not been timely processed to the next level. The parties can mutually agree to skip steps or extend timelines. All settlements shall be in writing and signed by the employee in question and the appropriate Village official(s) involved at the step level that the grievance was settled.
- (7) Revisions/Updating: This Policy may be revised, updated, or repealed as permitted by law.

Sec. 11.09. Complaints of Alleged Discrimination on the Basis of Disability.

This procedure is intended to inform the public and employees of the process for filing complaints of discriminatory action on the basis of disability in the delivery of Village Government services, programs, and activities, including employment.

- (1) Step 1: Person(s) who believe that they have been discriminated against by Village on the basis of their disability shall within one hundred and eighty (180) calendar days of the event causing the complaint, provide a written summary of the issue which contains:
 - Complainant's name and address;
 - Name of department involved;
 - A summary of facts describing the alleged discrimination in detail (who, what, when, why, where, how);
 - Witnesses names (if any) and addresses and phone numbers;
 - Name(s) of victims of alleged discrimination;
 - Name, address and phone number of attorney/designee (if any);
 - Dated and signed by complainant.

The complaint shall be mailed or delivered to:

Village of Weston
Attn: Employee Resources Department
5500 Schofield Ave
Weston WI 54476

Upon receipt, the Administrator shall designate and assign the appropriate department head to investigate the complaint. The designated department head shall review the complaint and meet with the complainant and/or the complainant's legal counsel or designee, and other witnesses as deemed necessary by the department head.

Within fifteen (15) calendar days of the date the complaint was received, the department head shall prepare an internal memorandum summarizing the matter, the investigation efforts and findings and forward it to the Administrator. The Administrator shall review the investigation and recommendation of the department head. The Administrator shall issue a written determination stating what action should be taken to remedy the complaint. A copy of the Administrator's determination shall be mailed to the complainant no later than thirty (30) calendar days after the receipt of the complaint.

If the Administrator determines, after consultation with the Attorney, that s/he lacks the legal authority to implement a determination without approval of the Board of Trustees, the Administrator shall immediately refer the determination to the Human Resources Committee for action and contemporaneously notify the complainant of said referral.

The Human Resources Committee shall add such matters referred to it by the Administrator to the agenda of their next scheduled meeting. The Human Resources Committee shall review the complaint, the Administrator's determination and any other information deemed relevant by the Committee. A written explanation of action taken by the Human Resources Committee shall be mailed to the complainant within thirty (30) calendar days of the meeting held to review the Administrator's determination.

- (2) Step 2: If the complainant is not satisfied with the response provided under Step 1, the complainant may be provided an opportunity for appeal to the Human Resources Committee. Written notice of the desire for an appeal shall be provided to the Village of Weston, Attn: Village Administrator, 5500 Schofield Ave, Weston, WI 54476 within thirty (30) calendar days of the determination provided under Step 1.

The Human Resources Committee shall meet within thirty (30) days of receipt of the written appeal to review the evidence and consider any argument provided by the parties. A written determination of the Human Resources Committee shall be mailed to the complainant within thirty (30) calendar days of the hearing.

Complaints filed by current and past employees of Village involving issues arising out of their Village employment will not be subject to a Step 2 appeal.

- (3) Step 3: If the complainant is not satisfied with the response(s) provided under the grievance procedure, the complainant may pursue further action by filing a complaint with the Civil Rights Division of the U.S. Department of Justice, the Equal Employment Opportunity Commission, or with other appropriate federal agencies that provide financial assistance for the program or service in question. The Village Administrator shall provide a list of appropriate designated agencies that may be requested by the Complainant.

Complaints under the Americans with Disabilities Act may be sent to:

US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – NYA
Washington, D.C. 20530

Equal Employment Opportunity Commission
Milwaukee District Office
Reuss Federal Plaza
310 West Wisconsin Avenue Suite 500
Milwaukee WI 53203-2292

Sec. 11.10. Complaint Procedure for Other Issues.

It is the policy of the Village to deal promptly and fairly with employee complaints. This complaint procedure is established to alert management to the reasons for employee complaints and to provide an effective means for resolving them. The procedure is as follows:

- (1) Step 1: An employee having a complaint may, within ten (10) calendar days of the event causing the complaint, discuss and attempt to resolve the matter with the supervisor. In the event of a complaint over a work assignment, the employee should perform the assigned task and then discuss the problem with the supervisor. Within ten (10) calendar days of receipt of the complaint, the supervisor shall meet with and transmit an answer to the employee.
- (2) Step 2: If the complaint is not settled by discussions with the supervisor, the employee may, within ten (10) calendar days of receipt of the supervisor's response, submit a written complaint to the department head who shall discuss it with the employee within ten (10) calendar days and attempt to settle the complaint with the employee and the supervisor. The department head shall, within ten (10) calendar days of the meeting, issue a written decision to the employee.
- (3) Step 3: If the complaint has not been resolved by discussion with the department head, the employee may, within ten (10) calendar days of receipt of the department head's reply, appeal in writing to the Administrator with a copy of the appeal sent to the department head. The Administrator shall, within fifteen (15) calendar days, meet with the employee and the department head and attempt to settle the complaint. The Administrator shall, within ten (10) calendar days of such meeting, issue a written decision to the employee.
- (4) Step 4: If the complaint has not been resolved by discussion with the Administrator, the employee may, within ten (10) calendar days of receipt of the Administrator's reply, appeal in writing to the Human Resources Committee with copies of the appeal to the Village Administrator and the department head. Within thirty (30) calendar days, the Human Resources Committee shall meet with the employee, the Administrator and the department head and attempt to resolve the complaint. The Committee shall, within ten (10) calendar days of such meeting, issue a written decision which shall be final.

APPENDIX A

***NOTE** The documents in this appendix are casual examples of disciplinary forms, letters and reports and do not reflect any actual forms currently in use.



VILLAGE OF WESTON DISCIPLINARY ACTION REPORT

Employee Write Up

Employee Information

Employee Name: _____ **Date:** _____
Social Security # XXX-XX-____-____ **Job Title:** _____
Supervisor _____ **Department:** _____
Department Head: _____

Type of Warning

First Warning Second Warning Final Warning

Type of Offenses

Tardiness/Leaving Early Absenteeism Violation of Village Policies
 Substandard Work Violation of Safety Rules Rudeness to Customers/Coworkers
 Other: _____

Details

Description of Infraction:

Plan for Improvement:

Consequences of Further Infractions:

Acknowledgment of Receipt of Warnings

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your manager have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature

Date

Supervisor/Department Director Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date



Letter confirming suspension (alleged gross misconduct)

Add/delete information in brackets as appropriate

[add date]

Private and confidential

[add address]

Dear [add name]

I write further to our [meeting/conversation] on [add date] when we discussed the allegations of gross misconduct with have been made against you. [Add details of misconduct].

In accordance with the Village's formal discipline procedure, I confirm that from [add date], you are suspended from work on full pay, while a full investigation is carried out. Your suspension is to enable the Village to conduct a thorough and speedy investigation and does not in itself carry any implication of guilt or prejudice. Nor does it constitute any form of disciplinary action against you.

During your suspension, you are instructed not to contact by any means (directly or indirectly) any [clients/customers/staff/colleagues]. You may contact counsel if you require his/her advice. If you have questions in relation to this matter, please telephone me at [add telephone number]. Failure to comply with these instructions may in itself constitute misconduct (or, if this investigation is undermined in any way, gross misconduct), which may result in disciplinary action against you.

I will contact you at the earliest opportunity to inform you of the outcome of the investigation. If you are required to attend a disciplinary hearing, you will be given full details of the allegations against you and the results of the investigation in advance of the hearing.

You are required to remain available during your suspension, so that I am able to contact you if the need arises.

Yours sincerely,

[add name]

[add title]



Letter confirming suspension without pay*
(Job Performance, Grossly Inefficient Job Performance, or Personal Conduct)
(All disciplinary letters should be presented to the Human Resources Committee
for approval before giving this letter to the employee)

Add/delete information in brackets as appropriate

Date: [add date]

Private and confidential
Employee Name [add name]
[add address]

Dear [add name]:

This letter communicates my decision concerning the recommendation for disciplinary action due to your unsatisfactory job performance [grossly inefficient job performance, or unacceptable personal conduct].

1. On [date(s)], you were given a Written Warning[s] for [job performance or personal conduct issue(s)].

The specific issue(s) giving rise to the recommendation for disciplinary action are:

2. Since the Written Warning, you failed to submit a written proposal for the [job performance or personal conduct] corrective action the agreed upon [date] deadline which was included in the action plan[s] [specifications]. As of today, you have not submitted even the outline of the proposal.

A pre-disciplinary conference was conducted on [date]. Present at the conference were you, I, and [Department Director name] and the Employee Resources Manager. In response to the concerns listed above, you discussed the activities you would undertake to improve your [job performance or personal conduct], including [action agreed to].

Despite your efforts, your [job performance, personal conduct] is still at issue and has not been remedied. Based on my review of all information available, including your comments (or lack of comments) during the pre-disciplinary conference, you will be suspended without pay for [time span] [day of week], [date], through [day of week], [date]. If after your return to work on [day of week], [date], you do not make the necessary [job performance or personal conduct] improvements within the next 30 days we will consider further disciplinary action, up to and including dismissal. This disciplinary action will remain active in your personnel file.

You have the right to appeal this suspension without pay under the Village of Weston Employee Policy & Procedure Manual Chapter 11 **Sec. 11.08**. A copy of the policy is enclosed. If you have questions about your appeal rights, call [Employee Resources Manager] at 715-359-6114.

Sincerely,
[Administrator;s Signature]
cc: Employee Records
Employee Resources Manager

See page 2



Letter confirming suspension without pay*
(Job Performance, Grossly Inefficient Job Performance, or Personal Conduct)
(All disciplinary letters should be presented to the Human Resources Committee
for approval before giving this letter to the employee)

**An employee must have at least one active disciplinary action before he/she can be suspended without pay for unsatisfactory job performance. No prior discipline is required for grossly inefficient job performance- or conduct-based disciplinary action. A pre-disciplinary conference must be conducted prior to an employee's disciplinary suspension without pay. A draft of a suspension letter must be reviewed by the Employee Resources Manager, [Employee Resources Manager], prior to presentation to the employee. If this disciplinary action is due to grossly inefficient job performance or personal conduct, modify the letter accordingly.*



Letter of termination (with notice)

Fill in the bracketed information

[Date]:

Private and confidential

[Enter Employee's Full Name]

[Enter Employee's Full Address]

Dear [Enter Name];

Termination of your employment

I am writing to you about the termination of your employment with the Village of Weston,

The next part of the letter sets out a best practice performance/conduct counseling prior to termination. It is not prescribed by law. The Village may have done all the things in the three paragraphs below so you should delete what is not relevant to the current situation.

On [insert date] you met with [insert name(s) of other(s) at the meeting]. In that meeting, you were advised that [insert advice given to employee regarding improvement of performance or conduct, for example and deadlines for improvement, new targets set, etc.]. You were issued a formal [warning/counseling] letter on [letter date].

On [insert date] you had a second meeting with [insert name(s) of other(s) at the meeting] and you were advised that your [performance/conduct] had not improved to the level required. You were issued a second [warning/counseling] letter on [letter date].

You also attended a meeting with [insert name(s) of other(s) at the meeting] on [insert date]. In that meeting you were issued a final [warning/counseling] letter. This letter indicated that your employment may be terminated if your [performance/conduct] did not improve by [insert date].

[I/We] consider that your [performance/conduct] is still unsatisfactory and have decided to terminate your employment for the following reasons:

[Insert reasons related to performance/conduct]

[Insert reasons related to performance/conduct]

Option A: Use this option if you want the person to work his/her notice period

Based on your length of service, your notice period is [insert number] weeks. Therefore, your employment will end on [insert future date to cover all of the weeks you need to give notice].

Option B: Use this option if you want the person to be paid in lieu of notice

Your employment will end immediately. Based on your length of service, your notice period is [insert number] weeks. In lieu of receiving that notice, you will be paid the sum of \$[insert amount].

You will also be paid your accrued entitlements and any outstanding pay, up to and including your last day of employment. This includes the balance of any paid time off accrued, overtime accrued but not yet paid (paid at the rate applicable when the overtime was worked, and superannuation.

If you have received any payments in advance, those payments will be deducted from your final pay.

COBRA benefits are available. You will need to meet with the Employee Resources Manager to obtain information concerning those benefits.

Sincerely,

[insert name]

[insert title]

PLEASE KEEP A COPY OF THIS LETTER FOR YOUR RECORDS

CHAPTER 12

EMPLOYEE BENEFITS

- Sec. 12.01. Employee Benefit Presentation Attendance Policy.
- Sec. 12.02. Wisconsin Retirement System (WRS) Employer.
- Sec. 12.03. Insurances.
- Sec. 12.04. Deferred Compensation.
- Sec. 12.05. Employee Assistance Program.
- Sec. 12.06. Employee Wellness Program

Sec. 12.01. Employee Benefit Presentation Attendance Policy.

In keeping with Village's goal of being a preferred employer and good steward of tax dollars, The Village will provide opportunities for employees to attend on-site employee educational benefit sessions. The following guidelines have been established:

- (1) Attendance may be permitted during an employee's regular work time with supervisory approval for attending the following benefit sessions:
 - ▶ Health Insurance
 - ▶ Dental Insurance
 - ▶ Flexible Benefits
 - ▶ Income Continuation Insurance
 - ▶ Wisconsin Retirement System
 - ▶ Employee Trust Funds Life Insurance
 - ▶ Wellness Team Presentations
 - ▶ Employee Assistance Programs
- (2) No overtime or compensatory time will be allowed for attendance outside of an employee's normal work hours. Village of Weston will attempt to provide alternative methods of communication to accommodate employees who cannot attend a session due to scheduling conflicts.
- (3) There will be opportunities to participate in voluntary benefit presentations that meet individual needs. Voluntary benefit presentations will be normally scheduled outside of regular work hours and employee attendance will be voluntary and unpaid. The following are examples of voluntary benefits offered to employees:
 - ▶ Deferred Compensation Plans
 - ▶ Other Voluntary Benefit Plans

Sec. 12.02. Wisconsin Retirement System (WRS) Employer.

- (1) Eligibility: Employees eligibility for retirement shall be determined by the requirement of the State of Wisconsin Department of Employee Trust Fund (ETF). Consult the ETF website (<http://etf.wi.gov>) for details.
- (2) Contributions: The Village pays the employer's share of retirement eligible earnings. Employees are required to pay their portion of retirement eligible earnings which will be determined annually by the WRS. Employee contributions are made on a pre-tax basis.

- (3) **Benefits:** Benefits may be paid upon termination, retirement, disability or death. Consult the ETF website (<http://etf.wi.gov>) for more information.

Sec. 12.03. Insurances.

- (1) **Health Insurance:** The Village offers group health care coverage to its eligible regular employees. Consult the Summary Plan Description for details.
- (2) **Dental Insurance:** The Village offers group dental coverage to its eligible regular employees. Consult summary plan description for details.
- (3) **Life Insurance:** Employees who are participants under the Wisconsin Retirement System may elect to become covered by life insurance through the Wisconsin Group Life Insurance Program. Consult the summary plan description for eligibility details.
- (4) **Income Continuation Insurance:** The Village offers Income Continuation Insurance to employees who are eligible to participate under the Wisconsin Retirement System. Income Continuation Insurance helps employees and their families guard against the threat of loss of income due to a physical or mental disability. Consult the summary plan description for details.

Sec. 12.04. Deferred Compensation.

- (1) Eligible employees may participate in the following Deferred Compensation Programs:

Wisconsin Deferred Compensation Program
Nationwide Deferred Compensation Program
- (2) Deferred Compensation is a supplemental retirement savings program that permits the employee, through payroll deduction, to defer a portion of their salary on a regular basis. Employees can invest through pre-tax or Roth (post-tax) dollars. Such amounts shall be treated as contributed to their deferred compensation account within a period not to exceed five (5) business days in which the amounts would otherwise have been paid to the employee.

Sec. 12.05. Employee Assistance Program.

We are committed to deal cooperatively and constructively with employees and their family who develop medical and/or behavioral problems. These problems may be physical or emotional in nature and they may involve marital, family, financial, personal, as well as alcohol or drug abuse issues that affect, or have the potential to affect, the employee's job performance. We are equally concerned with the employee's general state of physical and emotional health even when there are no current job performance problems. In accordance with our concern for the employee as an individual as well as a worker, we have adopted the following statement of policy:

- (1) We recognize that many medical and/or behavioral problems can be successfully treated through the early identification of the problem and the employee's acceptance of appropriate assistance.
- (2) We encourage employees and their family who are troubled by medical and/or behavioral problems to obtain the professional assistance required to resolve these problems. Referrals to the Employee Assistance Program will be based on job performance or by the personal request of the employees and their family for assistance.
- (3) Health insurance coverage will be provided for such services as specified in the Village insurance policy.

- (4) We will provide employees and their family with information about EAP services and procedures available to seek such services.
- (5) We encourage local union and management officials at all levels to exercise their best efforts towards the early identification of employees to seek assistance.
- (6) The decision to seek assistance is the responsibility of the individual employee and/or family member. When employees do not seek help, they will be evaluated on the basis of their job performance.
- (7) Confidential and private handling of employee's personal information associated with the EAP will be honored in accordance with Federal Law. No one will be made aware of employee's participation in the EAP unless the employee requests it. Private discussions an employee has with the EAP Staff will not be disclosed to anyone except when failure to disclose would likely result in the imminent threat to serious bodily harm to an employee or to other persons.
- (8) Contact Associated Employee Assistance Services @ 1-800-540-3758.

Sec. 12.06. Employee Wellness Program.

Our employee wellness program policy describes our company's wellness initiatives that promote employee health. We want our employees to have access to wellness resources and a personalized wellness plan.

Employee wellness programs have many benefits. Wellness helps people become more productive. It can reduce the number of sick days employees take and various sickness-related expenses and accidents. But, most importantly, employee wellness is a vital aspect of building a happier workplace.

This employee wellness program policy applies to all our employees. We may offer our wellness program as part of a group health plan or separately.

The Village provides a wellness program that promotes employee health and disease prevention. Each employee can have a personalized wellness plan and a variety of wellness resources.

Our wellness program has several goals. For example, we want to help our employees:

- Lose weight
- Quit smoking
- Manage stress
- Lower blood pressure and cholesterol levels
- Improve their physical strength and stamina

Our list is not exhaustive. We aim to promote every outcome that will make our employees healthier. Some training or courses aim to prevent occupational accidents and promote correct use of equipment and materials on the job. These fall under the purview of our workplace health and safety policy.

Wellness resources include any kind of information, advice, activity, facility, equipment and membership that promotes employee health (physical, emotional and psychological) and fitness.

Wellness resources available:

- Access to wellness coach and a personalized wellness plan
- Reduced price for gym membership
- Nutritious snacks and drinks
- Stress management seminars
- Nutrition/health information classes
- Employee Assistance Program (EAP)
- Discounts on wearable activity trackers
- Fitness Activities
- Biometric screenings
- Fitness Challenges
- Wellness Incentives

Resources like fitness activities, fitness challenges, EAP, seminars and nutritious snacks are readily available to everyone. Employees wanting to sign up for other resources like gym membership and fitness classes, or have a wellness plan set for them, should refer to the Employee Resource Manager or the Wellness Committee. Any other employee suggestions should be taken to the Wellness Committee for consideration.

As part of our wellness program, we may use third-party vendors such as gyms, wellness centers, coaches, physicians and health education providers. Physicians or health experts may ask employees to answer assessment questions and take biometric screenings to determine their health risk and help them follow a suitable program. Questions and screenings are voluntary and regulated.

Any third-party vendors, or personal information provided during an assessment, education session or challenge is kept strictly confidential based on HIPPA regulations. These items are also completely voluntary to participate in.

We may also host competitions among our employees, like 8 (eight)-week weight loss contests. Participating in these contests is also voluntary.

Wellness Committee

The Village has established a Wellness Committee that will work with the Employee Resource Manager, Employee Insurance Committee and the Human Resources Committee to communicate our wellness initiatives to our employees.

It is the mission of the Wellness Committee to promote the health and wellness of staff through education and initiatives that:

- Encourage habits of wellness
- Increase awareness of factors and resources contributing to well-being
- Inspire and empower individuals to take responsibility for their own health
- Support a sense of community

The goals of the Wellness Committee are the following:

- Overall employee health and education
- Supportive social and physical environments
- Creating a linkage with related employee programs (EAP, results based wellness, etc.)
- Provide screening programs

- Reduced absenteeism
- Improved productivity
- Improved employee health and wellness
- Improved employee morale
- Decreased medical claims and insurance costs
- Reduced presenteeism

The Wellness Committee will communicate to the employees the following:

- The village offers a wellness program
- How and when they can use the wellness program
- That they can get personalized wellness plans through our coaching appointments
- Where employees can go for more details

The Wellness Committee members are advised to encourage employees to participate and be open to discuss any concerns when needed.

Wellness Incentives

We want to encourage our employees to participate in our wellness programs, so we'll provide employee wellness program incentives. We'll also offer rewards for employees who achieve their wellness objectives, as they're formed in their personalized wellness plan. Incentives and rewards may be:

- Cash
- Time off
- Reductions in insurance premiums
- Discounts on wearable activity trackers
- Other gifts and awards

Incentives and rewards may be regulated by law. We'll follow legal limitations at all times.

Wearable Activity Trackers Policy

- **New Employees**

All new employees will be offered \$45 towards the cost of a wearable activity tracker. Though it is highly encouraged, it is not mandatory for a new employee to accept this benefit offer, and he/she may waive receiving this benefit. If a new employee wishes to take advantage of this Wellness Benefit, they should contact the Clerk/Employee Resources Manager to receive the list of current available devices and process their order. An employee who wishes to accept the Wellness Benefit can apply the \$45.00 towards purchasing the least expensive device, or may apply the \$45.00 towards the full cost of a more expensive device, in which the employee pays the difference. Any additional costs to the employee can be paid by the employee or authorize the Clerk/Employee Resources Manager to make payments spread out through payroll deduction until paid in full.

- **Existing Employees**

All current employees received the new employee wearable activity tracker benefit during fiscal year 2016. Most of these trackers came with a one year or two-year warranty depending on the device. It is known that technology is ever advancing and over time the trackers will become obsolete and may no longer function for their intended purpose. For this reason, every two years, beginning in January 2019, the Village will allow employees the original \$45 wellness benefit towards a new wearable activity tracker. For those needing or wishing to order trackers outside of this timeframe, the village will allow employees to utilize the village's specialized pricing to order new trackers twice a year in January and June. The Village has become an authorized dealer to allow bulk and specialized pricing for the units and the ability to offer this specialized pricing to village employees as a wellness benefit.

Employees with Disabilities

We can make reasonable accommodations for our employees with disabilities to help them have equal access to our wellness program. Our Clerk's Department/Employee Resources Manager and the Wellness Committee will consult with physicians and wellness experts to help our employees with disabilities have a suitable wellness plan.

The same applies to employees who can't participate in certain wellness activities due to age, pregnancy or other reason. We want everyone to have access to wellness plans and resources they can use. We'll also pay any wellness incentives to all our employees who participate in our wellness programs without discriminating against protected characteristics.

We encourage our employees to reach out to our Employee Resources Manager. They can explain their situation and discuss options. These discussions and any relevant information will be kept confidential.

Legality of wellness program

The Village will handle any health insurance and wellness plans with attention to relevant legal guidelines.

Genetic information and disability

Confidentiality and respect to our employees' rights are important to us. We won't:

- use any genetic information and disability status to disadvantage our employees in any way
- use wellness incentives in exchange for genetic information or information on our employees' health condition or that of their family
- try to coerce employees into providing health/genetic information or taking medical examinations

We will let employees know what health information we need for our wellness program, who will be able to see it and why. All data will be kept confidential and the village will be able to access aggregated data.

Voluntary participation

We encourage employees to participate in our wellness program but their participation is voluntary. There won't be any punishment or adverse action for employees who choose not to use our wellness resources and program.

Incentives

Employees may receive incentives. Any incentives that encourage employees to participate in our wellness programs will always be within legal guidelines. We'll give the same incentive to all employees who participate in our wellness program, regardless of disability or health risk.

Design

Our wellness program will be designed with employee health in mind. It won't be unpleasant, too time-consuming or require heavy spending by our employees. We can create personalized wellness plans for each employee. We always welcome ideas and suggestions for our employee wellness program. Please see the Employee Resources Manager or a member of the Wellness Committee to share any ideas and suggestions you may have to make our wellness program better.

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CHAPTER 13

EMPLOYEE PAID AND UNPAID LEAVES

- Sec. 13.01. General Provisions.
- Sec. 13.02. Breaks.
- Sec. 13.03. Holidays.
- Sec. 13.04. Paid Time Off.
- Sec. 13.05. Family Medical Leave.
- Sec. 13.06. Medical Leave Bank.
- Sec. 13.07. Leave Donation Policy.
- Sec. 13.08. Funeral Leave.
- Sec. 13.09. Leave of Absence.
- Sec. 13.10. Leave of Absence for Education.
- Sec. 13.11. Leave of Absence for Military Leave.

Sec. 13.01. General Provisions.

<RESERVED>

Sec. 13.02. Breaks.

- (1) **Lunch Periods:** Generally, an unpaid ½ hour lunch period is provided in the middle of an eight or ten hour work day. Employees who are scheduled to work more than 5 consecutive hours are normally expected to take an unpaid lunch break.
- (2) **Break:** Regular full-time employees may be granted two 15-minute rest breaks in each complete working day. Rest breaks will be scheduled by the department supervisor. Employees are not allowed to accumulate rest breaks and/or use them to extend their lunch period or shorten the work day. Rest breaks not taken are forfeited.

Sec. 13.03. Holidays.

- (1) **Holiday Closures.** The Village is closed on the following holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Friday after Thanksgiving Day, Christmas Eve, and Christmas Day.
- (2) **Work on Holiday:** Employees required to work on an actual (not observed) holiday shall receive time and one half for hours worked in addition to their holiday pay on the observed holiday. Holiday pay offsets regular pay.
- (3) **Weekend Holidays:** If any of these holidays fall on a Saturday or Sunday, the preceding Friday or following Monday or any other day as determined by the Human Resources Committee shall be considered a holiday for observed holiday pay purposes. Municipal maintenance workers in the Parks, Public Works, and Utilities departments shall have the observed holiday recognized as the actual day (date) the holiday falls.
- (4) To be entitled to holiday pay, an employee must receive pay the work day before and after a holiday.

Sec. 13.04. Paid-Time Off.

- (1) Purpose/Scope: Paid Time-Off (herein after referred to as PTO) is an all-inclusive “paid time off” program that will provide income protection for “no fault” time away from work, including illness-related absences. PTO is intended to be used for a variety of traditional types of time away from work, including vacation, personal illness, personal business, doctor appointments, family time, and personal voluntary community service; however, an employee does not have to designate the reasons for the scheduled absences being requested. The design of PTO is intended to assist the Village in managing staffing needs in order to meet the operational needs of the Village.
- (2) PTO Accrual Schedule: PTO shall be accrued on a bi-weekly basis. PTO increases with years of service in accordance with the following schedule and is allocated accordingly on a bi-weekly basis. During the first sixty (60) days of employment, an eligible employee shall accrue PTO but shall not be eligible to use it or receive reimbursement for accrued PTO upon termination of employment. The Administrator submits yearly adjustments, if any, in; the years of service accumulation rates, bi-weekly accrual hours and maximum accumulation allowed to the Human Resources Committee for their review and adjustment if warranted. The Human Resources Committee will forward its recommendation(s) to the Board of Trustees for action upon the recommendation(s).

Years of Continuous Service	Biweekly Accrual	Annual Accrual Based on Biweekly Accrual	Approximate Annual Accrual		Maximum Accumulation Allowed Hours
			Hours	Days	
0 thru 4	6.1538	159.9988	160	20	200
5 thru 9	7.0769	183.9994	184	23	224
10 thru 14	8.0000	208.0000	208	26	248
15 thru 19	8.9230	231.9980	232	29	272
20 +	9.8461	255.9986	256	32	296

- (a) If an employee leaves mid-pay period, the amount of PTO for that pay period will be pro-rated based on hours actually worked.
- (b) Changes in the bi-weekly PTO accrual rate shall become effective at the beginning of the pay period in which the anniversary date of the qualified employee falls.
- (c) New employees will begin to accrue PTO during their first two-week pay period during which the employee works at least 75% percent of the initial pay period.
- (d) At the discretion of the Administrator, employees may be granted PTO at a higher accrual rate than the normal schedule for newly hired employees.
- (3) Accumulation. PTO Accrual Maximums are capped biweekly at the numbers set forth in PTO Accrual Schedule. If the cap is exceeded, the excess PTO hours automatically will be transferred into the employee’s Medical Leave Bank.
- (4) Requests For and Usage of PTO: PTO is a benefit to be used by every permanent full-time employee. However, the scheduling of time off is dependent upon the judgment and discretion of the employee's Department Director or designee. This includes scheduled surgery or medical conditions covered by the FMLA policy, vacations, personal days, etc.

- (a) Employees are strongly encouraged to take 40 consecutive hours annually, but in any event must use a minimum of 40 nonconsecutive hours during the course of the year. Employees who fail to use a minimum of 40 hours of leave during a year may be subject to mandatory scheduling revisions. New employees having worked for the Village for less than a year will not be subject to this requirement.
 - (b) When absences due to illness are necessary, the employee shall notify their respective Department Director or designee of their illness or their immediate family member's illness prior to the beginning of his/her scheduled reporting time within the time period designated by the Department Director. Failure to do so without a bona fide reason may result in the employee being considered absent without leave and subject to disciplinary action. Immediate family is defined as spouse or legal dependent.
 - (c) PTO can be requested to be taken in either half-hour increments, or daily increments as deemed necessary and desirable by the employee with the agreement of the Department Director or designee. All PTO will be paid at the employee's regular rate of pay.
 - (d) If the reason for the employee's absence is due to immediate family illness, injury, disability, or hospitalization, the employee must first use 3 PTO days per qualifying event before accessing his/her Medical Leave Bank. If the Medical Leave Bank shall subsequently be exhausted, the employee must then use any remaining accrued PTO leave. Use of PTO and Medical Leave Bank hours will run concurrently with an approved family and/or medical leave request.
 - (e) An employee will continue to accrue PTO during a leave of absence as long as the leave is with pay.
 - (f) If an employee's accrued PTO days have been exhausted, additional time off, if granted and as allowed by family and/or medical leave, will be unpaid. Negative balances are not permitted. Any employee who has exhausted PTO and is not eligible for family and/or medical leave shall be subject to disciplinary action up to and including termination.
 - (g) PTO will be counted as time worked for purposes of calculating overtime pay.
 - (h) An employee in an unpaid leave status shall not accrue PTO.
 - (i) In the event, an employee utilizes all their Medical Leave Bank hours, please see the Village's leave donation policy within this chapter.
- (5) Use of PTO for Unscheduled Leave
- (a) All employees shall report any illness immediately to their Department Director or designee and shall inform the Department Director or designee of an anticipated date of return.
 - (b) Unscheduled leave/absences are defined as unscheduled time off that is unapproved in advance by the Department Director or designee. If less than 3 working days' notice are given for any requested time off, the absence is considered unscheduled.
 - (c) Unscheduled absences may also qualify for the PTO benefit, provided that their unscheduled nature was unavoidable and not due to neglect or untruthfulness by an employee.

- (d) Employees absent from work for unplanned absences and receiving PTO may not work, perform services, receive, or earn compensation from or from any other entity, including the employee's own business, from the beginning of such absence until the employee returns to work, unless authorized in advance by the Department Director or designee.
- (e) Excessive unscheduled absences or apparent misuse of the PTO program's flexibility will be addressed as necessary and may ultimately result in disciplinary action up to and including termination. Supervisors have the responsibility to determine the impact of unscheduled absences and whether disciplinary action is warranted, depending on the situation and the reason for the unscheduled absences.
- (f) Upon request by the Department Director, any employee who is unable to work on account of sickness or accident for more than three (3) separate unscheduled absences in a calendar year may be required to provide a doctor's certificate as proof of the employee's inability to work. The Village reserves the right to check whether or not the employee is actually ill or unable to work on account of an injury and to have an employee examined by a physician paid for by the Employer.
- (g) A Department Director or designee may grant approval of a request by an employee to use PTO with less than three (3) day notice if the impact does not affect departmental workload, project completion, and sufficient staffing levels exists.

Sec. 13.05. Family and Medical Leave.

Our policy is to provide family and medical leave as required by federal and Wisconsin law. You must be employed at least 52 consecutive weeks and have worked for at least 1,000 hours during those 52 weeks in order to be eligible for family and/or medical leave under Wisconsin law. If you have worked at Village for over 1,250 hours in the previous 12 months, you are eligible for family and/or medical leave under both Wisconsin and federal laws.

If eligible under federal and Wisconsin law, you may take up to 12 weeks unpaid leave within a 12-month period for:

- ✓ The birth or placement of a child for adoption or foster care;
- ✓ Caring for a spouse, child, or parent; and
- ✓ Your own serious health condition that renders you unable to perform your job.

If you wish to take family and/or medical leave we must receive reasonable advance notice of the leave. We reserve the right to deny intermittent leaves that unduly disrupt our operations. We require certification from a health care provider if you request family leave to care for a child, spouse, or parent with a serious health condition, or if you request medical leave. We may also require a second opinion or, if the first two opinions differ, a third opinion, at our expense, from health care provider.

Any group insurance to which you are entitled will be maintained during your leave as required by the law, provided that you continue to make any premium contributions as required by our insurance plans. Failure to pay the required premium contribution within 30 days of the premium's due date may result in cancellation of your insurance coverage. If you fail to return to work after your family and/or medical leave, we may recover premiums paid by Village to maintain your insurance coverage. Additional information regarding the requirements/provisions relating group insurance during the period of a leave may be obtained from the Employee Resources Manager.

While you are out on a family and/or medical leave, you are allowed to use all accrued paid time off benefits for which you are eligible. Depending on the length of the leave, some benefits such as the following year's vacation accrual could be impacted.

You will be returned to the employment position you held immediately prior to the leave if that position is vacant or you will be placed in an equivalent position. If your reason for family and/or medical leave was your own serious health condition, you will be required to present a fitness-for-duty certification from your health care provider before returning to work.

Failure to return to work after the expiration of your leave period will be considered voluntary termination of employment on your part, unless you are on an extended leave of absence that has been approved in writing.

If you sustain a work-related injury, you may be eligible for a medical leave of absence and payment through our workers' compensation plan. Please note that any leave of absence relating to a workers' compensation injury will run concurrently with Village's medical leave absence.

Employees may also be eligible for leave time related to military situations in order to care for an injured or ill service member (up to 26 weeks under federal law) or for a qualifying need for employees whose family members are on active duty (up to 12 weeks under federal law). Please see the Employee Resources Manager for details.

Our intent is to comply with application provisions of both the federal and Wisconsin Family and Medical Leave Acts. Because these laws are complex and can be quite confusing, please check with the Employee Resources Manager if you would like more information.

Sec. 13.06. Medical Leave Bank.

(1) Purpose:

The purpose of this bank is to address the long term medical needs for an employee's personal illness or the personal illness of an eligible family member.

(2) Use of Medical Leave Bank:

- (a) The medical needs must be for qualifying non-intermittent (a qualifying condition lasting more than 3 days) events as described in the Family and Medical Leave Act for personal or family medically related reasons (i.e. illness, injury, medical emergency or military exigencies for the employee or family members).
- (b) In the event the Medical Leave Bank is exhausted for qualifying events, employee will use their PTO bank. Time off without pay is not allowed, unless an unpaid leave of absence is approved. Exceptions are for absences covered by family and/or medical leave. Negative balances are not permitted.
- (c) Employees who have a covered event that will require the employee to be absent for longer than 3 working days, are required to contact their Department Director or designee.
- (d) The Medical Leave Bank account may be accessed for an employee's non-intermittent family and/or medical leave after the appropriate certifications have been received by the Employee Resources Manager and approved by the Administrator.

- (e) Using the Medical Leave Bank for intermittent leave may be allowed following a written request to the Employee Resources Manager and subsequent approval by the Administrator under certain circumstances such as prolonged therapies necessitating multiple appointments, travel requirements or symptomatic absences due to treatments.
- (f) Employees requesting medical leave in order to care for a family member must first use 3 working days of PTO per family and/or medical leave qualifying event before accessing their Medical Leave Bank account and will observe the same requirements regarding intermittent use.
- (g) The Medical Leave Bank account may be used for the three (3) day waiting period to cover time loss in the event of a Worker's Compensation time loss.
- (h) The Employer reserves the right to require satisfactory proof of illness, which may include a physician's statement or other evidence. Unauthorized use of medical leave may result in loss of pay for the duration of the absence and may be considered grounds for disciplinary action.
- (i) The Employer may require the employee to provide a certificate of recovery before the employee returns to work from either a registered physician as named by the employee or the Employer.
- (j) Employees may accumulate up to a maximum of 720 hours (90 days) in their Medical Leave Bank. Once an employee's Bank reaches a maximum of 720 hours, no more hours will be credited to the employee's Bank until hours are used and fall below the 720 hour maximum. The Administrator submits yearly adjustments, if any, in maximum accumulation allowed to the Human Resources Committee for their review and adjustment if warranted. The Human Resources Committee will forward its recommendation(s) to the Board of Trustees for action upon the recommendation(s).

(3) Increasing Medical Leave Bank account hours:

After completing 6 months, an employee's individual account will be established with an initial Village contribution of twenty (20) hours into the account. Employees may build hours in their account by rolling hours from their PTO into their Medical Leave Bank account.

There are two ways in which to accomplish this:

- ✓ To the extent that the PTO balance exceeds the Accrual Maximum, those hours will be transferred to the Medical Leave Bank account on an hour for hour basis with no Village match.
- ✓ Prior to December 15 of each year, employees can elect to deduct up to up to 40 hours from the PTO balance and transferred to the Medical Leave Bank account. This transfer will be matched with up to an additional 50 percent (50%) of the 40 hours from the Village, making the possible total transfer 60 hours into the Medical Leave Bank account.

Sec. 13.07 Leave Donation Program.

- (1) Purpose: The purpose of the leave donation program is to assist an employee faced with a serious medical illness or injury to themselves or an immediate family member by allowing employees to voluntarily transfer accrued PTO hours to another eligible employee who has exhausted all other

paid leave.

(2) Qualifying Event: Employee may request leave donation for a serious health condition qualifying under Federal/Wisconsin Employee and Family Medical Leave Act affecting themselves or their immediate family member. Donated leave may not be used for child rearing leave following birth or placement of a child for adoption or foster care.

(3) Procedure for Requesting Employee:

(a) Any eligible employee may request a leave donation by completing the “Request to Receive Donated Leave” form (Appendix 13-A). If the employee is not capable of applying in writing on their own behalf, a personal representative may complete a written request for the employee. Before applying on behalf of an employee, every effort must be made to obtain consent from the employee or, in situations where this is not possible, the employee’s guardian. To be eligible to receive donated PTO time, the requestor must have or shortly will have exhausted all PTO time including Medical Leave Bank in cases where the use of Medical Leave is permissible under FMLA.

(b) Request for leave donation must be submitted to the Department Director for review. The Department Director will forward the request to the Administrator. The Administrator shall review and approve/deny the request and forward his/her recommendation to the Employee Resources Manager. Applications must be submitted within 25 (twenty-five) calendar days of the qualifying event, if at all possible. Factors that may be considered for approval include, but are not limited to:

- Completion of appropriate form
- Whether the requestor meets the qualifications to receive donate PTO
- Eligibility for other benefits i.e. Short-Term Disability, Long Term Disability, Workers’ Compensation. Etc.
- Years of service as compared to benefit balances
- Benefit balance usage and patterns of usage

(c) For employee’s own illness, the amount of donated leave cannot exceed the employee’s waiting period for income continuation insurance or until the decision has been made regarding their income continuation insurance. Employee must actively pursue income continuation insurance benefits first.

(d) During the use of donated PTO, benefits will continue to accrue for the employee (e.g. PTO, health and dental insurance benefits, etc.).

(e) Donated time will transfer to employee’s PTO account.

(4) Procedure for Donating Employee:

(a) Prorated hours based on pay rate are donated by completing the “Request to Donate Paid Leave” form (Appendix 13-C) and must be submitted to the Department Director for review. The Department Director will forward the request to the Administrator. The Administrator shall review and approve or deny the donation and forward the approval/denial to the Employee Resources Manager as indicated on the posted notice (Appendix 13-B). Prorated hours mean that if your pay rate is less than the pay rate of the requestor your hour may not equal their’s. Example: Requestor’s pay rate = \$20.00/hour, your pay rate = \$15.00/hour

effective donated pay rate is 75% of a requestor's hour.

- (b) The employee may only donate hours from their PTO bank and relinquishes all rights and claims to donate leave. Hours cannot be donated from an employee's medical leave bank. Donated hours will be accepted in order of date received. If and when the total number of requested hours is reached and then exceeded, those employees, whose donation(s) (in received order) exceed the total number of hours shall be notified by the Employee Resource Manager that the goal has been exceeded and that any excess donated hours will be reinstated in their PTO bank.
- (c) Leave may only be donated in four-hour increments.
- (d) Donor's name and hours donated are not given to recipients.
- (e) Donations are deducted from the donor's balance at the time the Employee Resources Manager forwards it to the Finance Department. The Finance Department will convert the donor PTO hours to equivalent recipient PTO hours and adjust the recipient's and donor's PTO balances. Donors will be notified when the donated hours are processed. However, when hours are transferred to recipient the transfer will show up on the donor's direct deposit stub. Department Directors will be notified that PTO hours have been transferred to the requestor's PTO account.

Sec. 13.08. Funeral Leave.

- (1) In the event of the death of a member of your immediate family (parent, spouse, child, brother or sister, grandchild, grandparent, mother-in-law, father-in-law, sister-in-law, or brother-in-law), you will receive up to three days off at your regular rate of pay to make arrangements for and to attend the funeral. Regular pay will be given for those funeral leave days, which fall on a regular workday.
- (2) In the event of the death of a niece, nephew, aunt, or uncle, you will receive one day off at your regular rate of pay if the funeral falls on a regular workday.
- (3) Funeral Leave may be granted in the event of a death of a non-blood relative, with approval of the Administrator. Funeral leave in this instance shall not exceed one day.
- (4) If your funeral leave exceeds the number of days off allowed by the Village, you may deduct these days from accumulated paid time off or take the days off without pay if approved by your Department Director.
- (5) In the event you will be using funeral leave, please contact your Department Director as soon as possible. You must attend the funeral to receive funeral leave compensation. Employees may be required to provide verification of the death, date of the funeral, and relationship of the deceased.

Sec. 13.09. Leave of Absence.

- (1) Employees giving two (2) weeks prior notice, may, at the discretion of the Administrator, be granted an unpaid personal or medical leave of absence not to exceed thirty (30) calendar days upon presenting a written request to the Administrator. Employees should use eligible paid leave prior to requesting an unpaid leave of absence.
- (2) An employee may, at the discretion of the Administrator, retain a maximum of 40 hours total in

eligible leave banks. For example: Medical leave would include all leave banks; Personal Leave would include all leave banks except for Medical Leave Bank.

- (3) Leaves of absence for longer periods of time and extensions of leaves of absence may be granted upon the approval of the Human Resources Committee.
- (4) Leave of absence shall not be granted for the purpose of accepting employment with another employer.
- (5) If the employee is paid less than 50% of his/her standard hours per pay period, the employee's full insurance premiums (employee + Village's portion) will be prorated based on hours paid and the employee shall not earn the bi-weekly PTO accrual.
- (6) An employee's next step increase could be delayed if the employee takes more than 1 calendar week of unpaid leave during his/her initial employment period. PTO schedules will be unaffected for calculating number of years worked and employee's hire date will not be adjusted.
- (7) Unpaid leave may not be taken until such time that all eligible paid time off banks total 40 hours or less. Employees need prior authorization to taken any unpaid leave. Employees receiving worker's compensation benefits or Village provided Income Continuation Insurance are allowed to retain paid time off banks totaling more than 40 hours.

Sec. 13.10. Leave of Absence for Education.

Educational leave of absence not to exceed one (1) year may be granted without pay and benefits at the discretion of the Human Resources Committee. The employee must agree in writing to remain employed for a period of time equivalent to three times the length of the leave of absence. If that amount of service is not rendered, the employee shall be required to make repayment of that expenditure within sixty (60) days of termination.

Sec. 13.11. Leave of Absence for Military Service.

- (1) Military Reserve: If you are a full-time employee and a member of the Armed Forces or National Guard, you will be allowed a paid leave of absence to attend a military training session each calendar year. Official orders must be presented to your supervisor. You will receive the difference between your military pay and regular pay, but not to exceed three (3) weeks in a calendar year. Presentation of your military pay voucher to your supervisor is required. Military reserve duty will not be counted against accrued paid-time off.
- (2) Military Leave: If you are full-time employee and leave Village for active duty in the U.S. Armed Forces during wartime or other national crisis, you will be granted a leave of absence without pay for the duration of military service. Any employee on military leave may continue insurance coverage, provided the employee pays the full cost. After completion of service, you may return to Village work if your absence has been within the period specified by law. The Village shall consider all military service continuous service.

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APPENDIX 13-A



VILLAGE OF WESTON REQUEST FOR PAID TIME OFF (PTO) DONATION

Please print

General Information

Employee First Name	Last Name	MI
Department	Social Security Number XXX-XX-____	Has employee made a previous PTO donation request? <input type="checkbox"/> Yes <input type="checkbox"/> No

Benefit Balance Information

Current PTO Balance	Current Medical Leave Balance
---------------------	-------------------------------

About the Request

Total number of hours requested from PTO donation: _____
Illness/injury: <input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Other: _____

DESCRIPTION OF CATASTROPHIC EVENT: _____

 PROVIDE SPECIFICS OF FINANCIAL HARDSHIP INCURRED: _____

My (the Requester's) name will be held in confidence. However, if an inquiry is made, I give my permission to reveal to my work department only. Yes No

Please specify the hardship details that you'd like included on the PTO donation posting:

 EMPLOYEE SIGNATURE (**REQUIRED**) DATE (MM/DD/YYYY)

I verify that the above employee information is accurate and the employee has managed their benefit balances responsibly.

 Department Director Signature (**REQUIRED**) DATE (MM/DD/YYYY)

I verify that I have reviewed this request. REQUEST APPROVED REQUEST DENIED

 Administrator Signature (**REQUIRED**) DATE (MM/DD/YYYY)

ROUTING:
 If denied, route to Department Director . Department Director to requestor .

If approved, Route copy to Department Director. Department Director copy and route to requestor
 Original to Employee Resources Manager

ACTION BY EMPLOYEE RESOURCE MANAGER

REQUEST NUMBER (UNIQUE IDENTIFIER)	FORWARDED TO FINANCE DEPARTMENT DATE	POSTED TO ALL STAFF DATE	ATTACH POSTING <input type="checkbox"/>
DEADLINE FOR DONATIONS DATE	DONATIONS YES <input type="checkbox"/> NO <input type="checkbox"/>	SIGNED DATE	



VILLAGE OF WESTON PAID TIME OFF (PTO) DONATION

Note: your identity will not be released nor will the amount of donated PTO be revealed to the requestor. This information will be provided to your Department Director and the Administrator. The Finance Department will receive this donation form in order that they may make the necessary adjustments to your and the requestor's PTO bank.

Please print

General Information

Employee First Name	Last Name	MI
Department	Social Security Number XXX-XX-____	Has employee made a previous PTO donation? <input type="checkbox"/> Yes <input type="checkbox"/> No

Benefit Balance Information

Current PTO Balance (May not donate Medical Leave)	Hours
---	-------

PTO Donation Request Number:	Donated hours <small>(Must be in 4-hour increments)</small>
------------------------------	--

EMPLOYEE SIGNATURE (**REQUIRED**)

DATE (MM/DD/YYYY)

ACTION BY EMPLOYEE RESOURCE MANAGER

REQUEST NUMBER (UNIQUE IDENTIFIER)	FORWARDED TO FINANCE DEPARTMENT	SIGNED
DATE	DATE	DATE



VILLAGE OF WESTON REQUEST FOR PAID TIME OFF (PTO) DONATION

This letter should be filled out after having received an approved PTO Donation Request. The bracketed areas are for entry. The letter should be sent out to all staff as an attachment to an e-mail under the subject matter of PTO Donation.

[Date:]

Dear fellow Village employees. The Village has received a Paid Time Off Donation Request [REQUEST NUMBER] from a fellow employee who has suffered a [financial emergency or information from the request] which would be eased by your donation of PTO hours from your PTO bank. Please take the time to assist a fellow employee, if you can, by donating some of your PTO hours bank.

If you would like to donate, please contact the Village Employee Resources Manager and ask for a donation form. If you would like further information, the Village of Weston Personnel Policies & Procedures Manual, Chapter 13. **Sec. 13.07. Leave Donation Policy.** details complete information on PTO donations.

Thank you,

[signed by Employee Resources Manager]

Village of Weston
Employee Resources Manager

Copy: PTO Donation File
Requestor Personnel File

This letter should be printed out after filling out and copies placed as above.

Created 03/09/2018

CHAPTER 14

EMPLOYEE SEPARATIONS AND RETIREMENTS

- Sec. 14.01. Separation and Retirement Procedures.
- Sec. 14.02. Last Day Worked.
- Sec. 14.03. Payouts of Paid Time-Off Bank.
- Sec. 14.04. Payouts of Medical Leave Bank.
- Sec. 14.05. Employment Termination.
- Sec. 14.06. Employment References.
- Sec. 14.07. Reduction in Force.

Sec. 14.01. Separation and Retirement Procedures

- (1) Employees are encouraged to consult with the Employee Resource Manager to discuss how their termination/retirement will impact their benefits.
- (2) Exempt Employees shall provide a minimum of twenty-eight (28) calendar day written notice to their Department Director. Non-exempt employees shall provide a minimum of fourteen (14) calendar day written notice to their Department Director. Employees who do not provide the required written notice prior to separation of employment may forfeit their paid time off. The above notice requirement may be waived by prior approval of the Administrator.
- (3) The Department Director shall forward original written notice to the Employee Resource Manager and complete the appropriate Employee Report form.

Sec. 14.02. Last Day Worked.

The employee's last day of work will be the last day on the payroll. Employees will not be permitted to utilize paid-time off to stay on the payroll after the last day at work. This policy can be waived when an employee is on an approved medical leave and may be waived in personal emergency or crisis situations with prior approval of the Administrator.

Sec. 14.03. Payouts of Paid Time-Off Bank.

- (1) Voluntary Separation (Excluding Retirement) and Layoff: Employees who leave the employment of the Village in good standing and give required notice, shall receive cash payment or choose to roll over the funds into a 457(b)-deferred compensation plan, not to exceed the annual internal revenue service legal limits, for all remaining accrued PTO.
- (2) Retirement: Employees who leave the employment of the Village in good standing and give required notice, shall receive a cash payment or choose to roll over the funds into a 457(b)-deferred compensation plan, not to exceed the annual internal revenue service legal limits, for all remaining accrued PTO.
- (3) Forced to Retire Due to Medical Disability: Employee who are forced to retire due to medical disability, shall receive a cash payment or choose to roll over the funds into a 457(b)-deferred compensation plan, not to exceed the annual internal revenue service legal limits, for all remaining accrued PTO.

- (4) Dismissal: Employees who are dismissed for unsatisfactory performance, shall not receive a cash payment for all remaining accrued PTO.
- (5) Death: The Village shall pay out the remaining accrued PTO.
- (6) The Village reserves the right to subtract from the PTO payout balances owed to the Village. Should the employee voluntary leave the Village within one year following the completion of a course, which the employee was reimbursed from the Village through the Education Reimbursement Program, it will be at the discretion of the Administrator to determine if any amount of the reimbursement is owed back to the Village (See Chapter 8, Section 5).

Sec. 14.04. Payouts of Medical Leave Bank.

- (1) Voluntary Separation (Excluding Retirement) and Layoff: Employees who leave the employment of the Village in good standing and give required notice, shall not receive a cash payment for leave accrued in the medical leave bank.
- (2) Retirement: Employees who leave the employment of the Village in good standing and give required notice, shall not receive a cash payment for leave accrued in the medical leave bank.
- (3) Forced to Retire Due to Medical Disability: Employee who are forced to retire due to medical disability, shall receive a cash payment for all remaining accrued medical leave.
- (4) Dismissal: Employees dismissed for unsatisfactory performance may not receive payment from their medical leave bank.
- (5) Death: If an employee dies, fifty percent (50%) of the medical leave remaining in the employee's accumulated medical leave bank may be converted to its monetary value. If an employee dies, and their death was caused from performing work-related duties, one hundred percent (100%) of the medical leave remaining in the employee's accumulated medical leave bank may be converted to its monetary value.

Sec. 14.05. Employment Termination.

Below are examples of common circumstances under which employment is terminated.

RESIGNATION	Employment termination initiated by an employee who chooses to leave the Village of Weston voluntarily. If you intend on terminating employment with us, we ask that you put your resignation in writing and provide at least two (2) weeks' notice for nonexempt and four (4) weeks for exempt. Unused accrued PTO time will be paid.
DISCHARGE	Involuntary employment termination initiated by the Village of Weston for disciplinary reasons. Unused accrued PTO time will be paid.
RELEASES AND LAYOFFS	Involuntary employment termination initiated by the Village of Weston for non-disciplinary reasons. Unused accrued PTO time will be paid.
MEDICAL TERMINATION	Employment termination initiated by the employee or by the Village of Weston when an employee is unable, for health reasons, to continue to work and perform the essential functions of the job. Unused accrued PTO time will be paid.
RETIREMENT	Voluntary retirement from active employment status initiated by the employee. Unused accrued PTO time will be paid.
JOB ABANDONMENT	No-call, no-show, or other failure to report to work.

The Village has the right to terminate an employee at any time for any reason, except those prohibited by law, with or without cause. If you have used any unearned vacation prior to your termination, the amount of the vacation will be deducted from your final paycheck.

All of your employee benefits will be affected by employment termination. Health insurance coverage, at our rates, may be continued at your expense as specified by COBRA. You will be notified in writing of the terms, conditions, limitations, and costs associated with continuation coverage. Please ask your Department Director if you have any questions.

When an employee leaves the Village, whether their separation is voluntary or involuntary, the employee will be required to participate in an exit interview with the Department Director and Employee Resources Manager to further understand the reasons for leaving.

Any property of the Village in your possession at termination must be returned to your immediate Department Director no later than your last day of work. A forwarding address must be furnished so we can send you a W-2 at year-end.

Sec. 14.06. Employment References.

- (1) We will provide accurate and job-related information to prospective employers about current or former employees. The Employee Resources Manager or the department the employee is/was assigned to may provide information to a prospective employer orally concerning an employee's length of service, job title and/or verification of salary.
- (2) Employees who terminate their employment will be asked to sign a Reference Consent and Release Form (Appendix 14-A). Current employees will be asked to sign the release form when a reference inquiry is received. By signing this form, the employee will acknowledge the Village's right and intent to respond to employer inquiries. When a past or current employee has failed or refused to sign the Consent and Release Form, employment references will, in general, be restricted to position held, salary information, dates of employment, and employment status. We may advise the potential new employer that further information, beyond position held, salary information, date of employment and employment status, is being withheld because of the employee's failure or refusal to execute the release. We do, however, reserve the right to provide any other information that we deem appropriate.
- (3) Responses to inquiries beyond confirming position(s) held, salary information, dates of employment, and employment status can be made after appropriate release is received. The employee's direct supervisor shall respond orally or in writing if he/she is still employed by the Village. If the direct supervisor is no longer employed by the Village, the department director or another supervisor with firsthand knowledge of the work of the former employee shall respond orally or in writing. The response shall be accurate, related to the employee's job and/or employment, and supported by documentation or personal knowledge. If a written response is provided, it shall be reviewed and approved by the department head. A copy of the written response shall remain on file with the responding department.
- (4) The Employee Resources Manager shall be consulted for any oral or written reference responses for those former employees who were terminated for misconduct or resigned under the threat of involuntary termination involving some form of misconduct before responding to the prospective employer.

- (5) We expect all employees to act in good faith and provide accurate information without malice when responding to a reference inquiry.

Sec. 14.07. Reduction in Force.

In the event of a reduction in force caused by budget limitations or program changes, layoffs will be determined by the department head on the basis of ability, skill, job performance, and experience.

APPENDIX 14-A



VILLAGE OF WESTON REFERENCE CHECK RELEASE FORM

Please print, except for signatures

I,

Employee First Name	Last Name	MI	Social Security Number XXX-XX- ____ ____ ____
<input type="checkbox"/> Former Employee <input type="checkbox"/> Current Employee		Date release requested (MM/DD/YYYY)	

give permission to the Employee Resources Manager of the Village of Weston to release and discuss information regarding my current and/or previous employment with the Village of Weston.

In addition, I permit the following person(s) and employers to discuss with the Employee Resources Manager information regarding my current and/or previous employment with the Village of Weston.

Name	Phone Number	Relationship

- This release shall expire 6 (six) months from date of signing unless renewed by a subsequent consent and release.

- This release shall expire 12 (12) months from date of signing unless renewed by a subsequent consent and release.

The Village of Weston does, however, reserve the right to provide any other information that we deem appropriate.

PRINT NAME

EMPLOYEE SIGNATURE

DATE (MM/DD/YYYY)

NAME OF WITNESS (PRINT)

WITNESS SIGNATURE

DATE (MM/DD/YYYY)

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