EMPLOYEE HANDBOOK

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SECTION I – OVERVIEW

A. INTRODUCTORY MESSAGE

Employees are vital to operations of the City of Wisconsin Dells. Your daily exposure to public scrutiny, comments and criticism requires City employees to be mindful of how their conduct and appearance may reflect on the City. Although the amount of public exposure may be limited for your position, you have a vital role in presenting the City in a positive light. You may be the first point of contact when the City provides services to the public or responds to citizen inquiries and requests. The City operates in a manner to deliver services to the taxpayers at the highest level of efficiency while ensuring that the city's workforce is treated in a fair and equitable manner.

B. PURPOSE OF THE HANDBOOK

This Handbook was created to provide guidelines to all employees of the City of Wisconsin Dells in understanding policies, benefits, and procedures that relate to their employment with the City. The City's objective is to provide a work environment that is conducive to both personal and professional growth. Please note that no employee handbook can anticipate every circumstance. Nothing in this document should be construed as creating an employee contract or benefit entitlement. The Common Council of the City of Wisconsin Dells reserves right to revise, supplement, or rescind any benefits, policies or portions of this handbook from time to time as it deems appropriate. Employees will be notified of any changes.

This Employee Handbook contains many of the policies and procedures you are expected to follow as an employee of the City of Wisconsin Dells. The City has developed this Handbook to provide general information to its employees regarding topics that commonly arise during a person's employment. This Handbook is not meant to include all of the many policies that may apply to you in your specific role with the City.

C. EMPLOYEES SUBJECT TO THIS HANDBOOK

City employment is "at-will". Employees may be disciplined or terminated from employment at the city's discretion subject to the grievance policy adopted by the city. Nothing in this Handbook should be construed as altering the "at-will" relationship in any manner. This Handbook is not an employment contract nor is it intended to be construed as such. It does not guarantee any rights to employees, but serves as a valuable resource document for City employees.

Unless otherwise prohibited by law, final interpretation and implementation of the policies contained in this Handbook is vested solely with the City of Wisconsin Dells. The Handbook is subject to change at any time and will be reviewed and revised periodically.

These policies do not, however, contain all the procedures and regulations which may be applicable to a particular position with the City of Wisconsin Dells. More detailed departmental regulations may be adopted which are not inconsistent with these policies. It is your responsibility to read and understand these policies. It is also your responsibility to ask questions regarding portions of the Handbook or other policies that are applicable to your position in the City that you do not understand.

This Handbook does not apply to City officials elected or appointed into office.

To the extent that provisions is this handbook are not in conflict with the provisions in any collective bargaining agreement covering city employees, these policies shall apply to union employees as well. In any case where there is a conflict between this Handbook and a collective bargaining agreement, the terms of the collective bargaining agreement shall supersede the provisions in this Handbook.

City Departments may enact their own rules and policies governing practices within their own department as long as they are not in conflict with the provisions of outlined in this Handbook. All department rules and policies shall be provided to the Personnel Committee before adopted.

D. RESPONSIBILITY OF MANAGEMENT

All Wisconsin employers, including municipalities, are given broad authority to manage their operations and functions. These rights include, but are not necessarily limited to the following:

1. Prescribing and administering rules and regulations essential to accomplishing the services desired by the Mayor and the City Council;
2. Managing and otherwise supervising all employees;
3. Hiring, promoting, transferring, assigning and retaining employees;
4. Taking disciplinary action such as suspension, demotion, termination or any other disciplinary action deemed appropriate by the City;
5. Relieving employees of duties because of lack of work or for other legitimate reasons;
6. Maintaining the efficiency and economy of operations entrusted to the City administration;
7. Determining the methods, means and personnel by which such operations are to be conducted; and
8. Establishing the kinds and amounts of services to be performed and the employees to perform those services.

The above rights may be limited by the laws of the State of Wisconsin and the United States of America. Many of these laws are referenced in other portions of this Handbook.

E. CHAIN OF COMMAND

Operation of any government agency depends on an effective chain of command and the City of Wisconsin Dells is no exception.

City Council: The ultimate decision concerning policies in the City of Wisconsin Dells resides by law with the Mayor and Common Council.

City Administrator: The City Administrator is an employee of the City who is appointed by the City Council. As head of City Administration, this position is authorized to exercise all of the executive and general administrative powers granted under Section 64.11, Wis. Stats. with the exception of the following: Sworn law enforcement department heads and officers, fire fighters, and employees of the Kilbourn Public Library as they are governed under separate statutes.

Department Directors: The Directors of the designated Departments of the City are part of the senior management team of the City and report to the City Administrator.

Supervisors: Supervisors subordinate to the Department Directors are also members of the management team.

The City Administrator is responsible for the development, supervision, and the operation of the City and its personnel and facilities. Employees have an obligation to assist the City Administrator in providing professional advice to the City Council through the chain of command. The City Administrator is given the latitude to determine the best method of implementing the policy decisions of City Council.

All employees and supervisors shall be responsible to the City Council through their Department Director and the City Administrator. Each shall refer matters requiring administrative attention to his/her supervisor, who shall refer such matters to the next higher authority, when necessary, and through the City Administrator to the City Council.

Each employee is to keep the person he/she reports to informed of his/her activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this Handbook or about any other aspect of his/her job, then those questions, opinions or suggestions should be directed through the chain of command.

SECTION II – HIRING

A. EMPLOYEE RECRUITMENT AND SELECTION

The City of Wisconsin Dells recognizes how important it is to hire the most qualified and best candidate for positions within the city. The city agrees to follow the guidelines as set for in the Employee Selection Procedures adopted by the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs (OFCCP).

When a vacancy is occurs or the city authorizes the creation of new position, the following procedures will be followed:

1. Approval to fill the position must first be authorized by the Personnel Committee or be approved during the annual budget process.
2. The open position shall be posted at least once on the city's website for a minimum of one week.
3. Only the most qualified applicants will be selected for the oral interview process.
4. The selection of any applicant to fill a position shall be made on the basis of ability to perform the essential functions of the position, experience, education and other qualifications as determined by the city. The final hiring decision shall be made by the interview panel.
5. The city may temporarily fill a position while in the process of filling of the permanent position.
6. Vacant or new positions in the Police Department must be authorized to fill by the Public Safety Committee pursuant to Wis. State Statute 62.13(4).
7. Vacant or new position in the Kilbourn Public Library must be authorized to fill by the Library Board pursuant to Wis. State Statute 43.17.
8. The city relies on the information supplied on the application form and during the hiring process to be correct. Any applicant who omits or provides inaccurate information may be excluded from the employment consideration; or if already employed, may be subject to disciplinary action including termination of employment.

B. REFERENCE CHECKS/BACKGROUND CHECKS

It is the policy of the City of Wisconsin Dells to conduct an employment background investigation, in accordance with Wisconsin State Statutes 111.321 and 111.325, before an offer of full-time employment is extended. All applicants for employment will be required to sign a release and authorization form that

will allow the city to obtain this information. The City will attempt to secure as much information as possible about prospective employees as it pertains to the position they have applied for.

Full-Time Applicants - These following procedures will be followed in the investigation of each person selected:

1. All applicants for employment with the City will be required to sign a Release and Authorization form that will authorize the City to obtain the information required by this policy.

2. Upon an applicant's successful completion of any examinations and interviews that qualify an individual for employment, the Department Head making the employment recommendation will forward a copy of the candidate's application to the Chief of Police.

3. The Chief of Police will conduct a check of motor vehicle records to determine if the applicant has a valid driver's license, a history of traffic violations, or accident record.

4. Upon completion of these checks, the Chief of Police will provide a written report of his/her findings to the requesting department.

5. The results of the investigation will be made in writing and used to determine whether the candidate is qualified for employment with the City of Wisconsin Dells. The Department Head is responsible for determining if the Police Chief's report shows information that might be applicable to the job being offered to the extent allowed by §111.321 and §111.325, Wisconsin Statutes.

6. All information obtained during the background investigation will be confidential except to the extent required by Chapter 19, Wisconsin Statutes After having served the purpose for which it is intended, the reports will be filed and maintained as a confidential record separate from the employee's personnel file.

Part-Time, Seasonal and Volunteer Applicants - To the extent reasonably practical, background investigations shall be conducted on all applicants for seasonal or part-time employment positions and on all applicants for volunteer positions such as coaches, umpires, etc., before offering the position.

Juvenile Applicants - Law enforcement records pertaining to juveniles are confidential under Wisconsin law and cannot be released for employment purposes. Department Heads may base their employment decisions regarding juvenile applicants on personal knowledge of the individual and the recommendations of references. The reasons for recommending or denying employment must be documented by the Department Head.

C. PRE-EMPLOYMENT PHYSICAL

Policy: It is the policy of the City of Wisconsin Dells to hire employees who are able to meet the physical requirements of the job for which they are being hired.

All applicants who are offered employment with the City of Wisconsin Dells must complete a physical examination before commencing employment with the City. This will be coordinated with a health care professional chosen by the City and at the City's expense.

All applicants must be certified by the health care professional chosen by the City as being able to perform the functions of the position being offered in order to be employed by the City.

The City may require an employee at any time during the course of their employment to have a physical examination at City expense with reasonable notice, if in the opinion of the City the employee's health or physical condition no longer meets the requirements of their job, presents a hazard to the employee, fellow employees, or the public; or if the employee's health or physical condition can reasonably be expected to present a liability to the City.

D. NON-DISCRIMINATORY AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of Wisconsin Dells is an equal opportunity employer. Employment decisions are based on merit and operational needs. The objective of the City's employment practices is to employ individuals who are qualified for specific work by such job-related standards as work experience, demonstrated attitude and skills, education, training, overall ability and other job relevant considerations.

The City employs people who are concerned with the success of Wisconsin Dells; people who care first about the highest quality public service and the interests of the public; people who can carry on their work with skill and ability; and people who can work well with our City team.

Policy: The City provides equal employment opportunities for all qualified persons without regard to age, race, creed, color, disability, marital status, gender, national origin, ancestry, arrest record, conviction record, military service, or any other basis protected by State or Federal law.

The City complies with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and other laws. The City will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided the individual is otherwise qualified to safely perform the essential functions of the job and provided any accommodations made do not impose an undue hardship on the City.

Equal consideration shall be given to all qualified persons without regard to his/her protected status when making employment decisions including, but not limited to, the following:

1. Recruitment for employment
2. Hiring, placement, promotion, transfer or demotion
3. Compensation
4. Conditions of employment
5. Training and development
6. Involuntary layoff or separation from employment, and
7. All other components of the City's human resources system

Posted Notices: Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event any person believes he/she has been discriminated against.

E. IMMIGRATION LAW COMPLIANCE POLICY

The City of Wisconsin Dells is committed to employing only United States citizens and aliens who are authorized to work in the United States. The City does not unlawfully discriminate on the basis of citizenship or national origin.

Policy: In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing **identity** and **eligibility to work in the U.S.** In accordance with the IRCA, the I-9 should be completed within three days of first reporting to work.

F. RESIDENCY REQUIREMENT

Residency requirement will be as allowed by State Law.

SECTION III - EMPLOYMENT STATUS AND RECORDS

A. EMPLOYMENT CLASSIFICATION AND STATUS

The City of Wisconsin Dells complies fully with both state and federal wage and hour law regulations. It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. All employees are classified as either **Non-exempt or Exempt** under state and federal wage and hour laws. Non-exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from minimum wage and over-time laws. Exempt employees are generally department heads, supervisors or other administrative positions and are exempt from minimum wage and over-time laws.

Status of Employees:

1. **Full-time** employees are those employees who are scheduled to work a regular 35 (clerical) or 40-hour work week, 52 weeks per year.

   Employees hired as full-time are eligible for benefits subject to the terms and conditions and limitations of each benefit program.

2. **Part-time** employees are those employees scheduled to work less than the 35 or 40 hours per week, 52 weeks per year. Except as otherwise provided, part-time employees do not receive employee benefits.

3. **Limited-term** (LTE) employees are those employees who are hired to work for a specific period of time. Except as otherwise provided, limited term employees do not receive employee benefits.

4. **Seasonal** employees are hired to work based on the seasonal needs of the city. Seasonal employees do not receive employee benefits.

B. JOB DESCRIPTIONS

The City Administrator, along with the Department Directors, shall create job descriptions for each full and part-time position. The job descriptions shall be reviewed at a minimum of every three years, or whenever there is a vacancy to the position, to ensure that the description is still current.

C. PERSONNEL FILES

Employee personnel records are subject to Wisconsin's Open Records Law. The City Administrator shall be the official custodian of employee personnel records and responsible for the maintenance of the official personnel files for all employees and the disclosure of such information. If the City determines it must release personnel records pursuant to a request under the open records law, copies of such documents will

be presented to the employee. The employee may have a right to circuit court review of the City's decision to release the records due to the privacy interests and/or reputation concerns of the employee.

Employees may inspect their own personnel records at least two (2) times per year pursuant to Section 103.13, Wisconsin Statutes. Employees must make such request in writing to the City Administrator. The City shall respond within seven (7) working days of the request and arrange for the inspection or copying of the records. If the employee believes a correction should be made to their employment record, the City and employee may agree to such a change. If not, the employee may submit a written statement identifying the basis for the employee's disagreement with that provision in the employment record.

D. PERFORMANCE EVALUATION

Department Directors and Supervisors are strongly encouraged to discuss job performance and goals on and informal day-to-day basis. A written annual performance review will be done each September to provide both the supervisor and the employee the opportunity to discuss areas that may need improvement, recognize strengths and accomplishments, discuss positive approaches for meeting goals, job expectations, dependability, quality of work, initiative, ability to get along with others, attitude and attendance. A performance review may or may not be accompanied by a change in salary or duties.

SECTION IV - WORK PLACE ENVIRONMENT

A. HARASSMENT & RETALIATION-FREE WORKPLACE

Purpose: The purpose of this policy is to maintain a healthy work environment in which all individuals are treated with respect and dignity and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination.

Policy: It is the policy of the City that all employees have the right to work in an environment free of all forms of harassment. The City will not tolerate, condone, or allow harassment by any employee or other non-employees who conduct business with the City. The City considers harassment and discrimination of others to be forms of serious employee misconduct. Therefore, the City shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this City policy can lead to discipline up to and including termination, with repeated violations, even if "minor," resulting in greater levels of discipline as appropriate.

PROCEDURES

1. Prohibited Activity (Sexual Harassment and Harassment)

   A. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
      a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
      b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
      c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

   B. Harassment is any verbal, written, visual, or physical act that creates a hostile, intimidating, or offensive work environment or interferes with an individual's job performance.
      a. No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person.
      b. Employees shall not make offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, age, disability, marital status, sexual orientation, national origin, and other forms of discrimination prohibited by the Wisconsin Fair Employment Act. Such harassment is a prohibited form of discrimination under state and federal employment law and/or is also considered misconduct subject to disciplinary action by the City.

2. Covered Individuals: Individuals covered under this policy include employees and applicants for employment, volunteers, members of the public, elected officials, and appointed boards and commissions.

3. Supervisory Responsibilities

   A. Each Supervisor shall be responsible for preventing prohibited activities as defined above by:
      a. Monitoring the work environment on a daily basis for signs that harassment may be occurring;
      b. Training and counseling all employees on what constitutes harassment and sexual harassment, on the types of behavior prohibited, and the City's policy and procedures for reporting and resolving complaints of harassment.
      c. Stopping any observation that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision; and
      d. Taking immediate action to prevent retaliation toward the complaining party or witnesses and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation. If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish the complainant. Transfer or reassignment of any of the parties involved should be voluntary if possible and, if involuntary, should be temporary pending the outcome of the investigation.

   B. Each Supervisor has the responsibility to assist any employee of the City who comes to that Supervisor with a complaint of harassment in documenting and filing a complaint with the internal investigations authority as designated by this agency. Failing to carry out these responsibilities will be considered in any performance appraisal (evaluation) or promotional decision and may be grounds for discipline.

4. Employee Responsibilities

   A. Each employee of this agency is responsible for assisting in the prevention of harassment through the following acts:
      a. Refraining from participating in, or encouragement of action that could be perceived as harassment;
      b. Reporting acts of harassment to a Supervisor; and
      c. Encouraging any employee who confides that he/she is being harassed or discriminated against to report these acts to a Supervisor.

5. Complaint Procedures

   A. Any employee encountering harassment is encouraged, but not required, to inform the person that his/her actions are unwelcome and offensive. This initial contact can be either verbal or in writing. The employee is to document all incidents of harassment in order to provide the fullest basis for investigation.

B. Any employee who has unsuccessfully attempted to terminate the harassment by the means stated in Section 1 above, and who believes that he/she is being harassed, shall report the incident(s) as soon as possible to his/her Supervisor so that steps may be taken to protect the employee from further harassment, and so that appropriate investigative and disciplinary measures may be initiated. Where doing so is not practical, the employee may, instead, file a complaint with another Supervisor, City Administrator, Mayor or City Attorney.
    a. The Supervisor or other person to whom a complaint is given shall meet with the employee and document the incident(s) complained of, the person(s) performing or participating in the harassment, any witnesses to the incident(s), and the date(s) on which the alleged harassment occurred.
    b. Failure of any Supervisor (or other person to whom the complaint is given) to carry out the above responsibilities will be considered in any performance appraisal (evaluation) or promotional decision and may be grounds for discipline.

C. An employee should utilize the City's internal reporting procedure first. However, if after utilizing this procedure the complainant feels that the complaint has not been adequately addressed, the employee may file a complaint with either or both of the following:
    a. State of Wisconsin Equal Rights Agency, 201 East Washington Avenue**,** Madison, WI 53703**,** Phone: (608) 266-6860**,** and/or
    b. Equal Employment Opportunity Commission, 310 West Wisconsin Avenue, Suite 800, Milwaukee, WI 53203-2292, Phone: 800-669-4000
    c. If the employee exercises the reporting options of (1) or (2) above, he/she must file a copy of the complaint with the City Attorney within 24 hours of filing of that complaint.

D. The internal investigation authority shall be responsible for investigating any complaint alleging harassment or discrimination.
    a. The internal investigative authority (if other than the City Administrator or City Attorney) shall immediately notify the City Administrator and the City Attorney if the complaint contains evidence of criminal activity such as battery, rape, or attempted rape.
    b. The investigation shall include a determination whether other employees are being harassed by the person, and whether other City employees participated in or encouraged the harassment.
    c. The internal investigative authority shall inform the parties involved of the outcome of the investigation.
    d. A file of harassment and discrimination complaints shall be maintained in a secure location. The Mayor shall be provided with an annual summary of these complaints.

E. There shall be no retaliation against any employee for filing harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint.

F. The complaining party's confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances and to the extent permitted under the Wisconsin Public Records Law.

6. Retaliation

A. Retaliation against any employee for filing a harassment or discrimination com-plaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by this City and by Federal and State Statutes.

B. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for harassment and discrimination complaints.

C. Monitoring to ensure that retaliation does not occur is the responsibility of the City Administrator, Supervisors, and the appropriate internal investigative authority.

B. DEFINITIONS

Verbal Harassment – Sexual innuendoes, degrading or suggestive comments, repeated pressure for dates, jokes of a sexual nature, unwelcome sexual flirtations, degrading words used to describe an individual, obscene and/or graphic description of an individual's body or threats that job, wages, assignments, promotions, or working conditions could be affected if the individual does not agree to a suggested sexual relationship.

Non-Verbal – Sexually suggestive or offensive objects or pictures, inappropriate usage of voicemail, email, internet or other such sources as a means to express or obtain sexual material, comments, etc., printed or written materials including offensive cartoons, suggestive or offensive sounds, whistling, catcalls, or obscene gestures; any material which inappropriately raises the issues of sex or discrimination, treating an employee differently than other employees when they have refused an offer of sexual relations.

Physical – Unsolicited or unwelcome physical contact of a sexual nature, which may include touching hugging, massaging, kissing, pinching, patting, or regularly brushing against the body of another person.

Other Forms of Harassment – Persistent and unwelcome conduct or actions on the basis of disability, age, sex, arrests or conviction record, marital status, religion, race, creed, color, national origin, ancestry, sexual orientation, membership in the military reserve, or use or nonuse of lawful products away from work and other forms of discrimination prohibited by the Wisconsin Fair Employment Act.

Harassment on Any Basis (race, sex, age, disability, etc.) exists whenever:

- Submission to harassing conduct, either explicit or implicit, is made a term or condition of an individual's employment;

- Submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual;
- The conduct interferes with an employee's work or creates an intimidating, hostile, or offensive work environment.

Unwelcome - Sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. The conduct may be unwelcome even though the victim voluntarily engages in it to avoid.

B. VIOLENCE FREE WORKPLACE

The City of Wisconsin Dells is committed to providing a safe and healthy work environment free from any threats or acts of violence.

Policy: The City will not tolerate violence, threats of violence, harassment or intimidation in and around the workplace, or among individuals conducting City business. The City will intervene in situations involving such acts that it becomes aware of and will take appropriate action to resolve issues when necessary. The City reserves the right to address any off-premises conduct involving violence, threats of violence, harassment or intimidation that has or may have an impact on the workplace or an employee.

Violence: Violence is defined to include, but is not limited to: physical assault, aggressive behavior towards another individual, purposeful destruction of City property, intimidation through verbalized or implied threats, carrying weapons of any kind in the workplace, and destruction of another's property. Reported acts or threats will be investigated as a possible serious violation of City policy. Any confirmed act or threat will be grounds for disciplinary action, up to and including immediate termination of employment. When appropriate, an employee may be referred to the Employee Assistance Program for evaluation and recommendations.

Employee Responsibility: Any employee who has been a recipient of a threat of violence or victim of an act of violence is to make a report to his/her immediate supervisor and the City Administrator. Such reports will be kept confidential to the extent possible. The City will investigate such reports and act as appropriate to the situation. The City may involve and cooperate with local law enforcement representatives if it is determined that such action is warranted.

As acts of violence in the workplace may also be perpetrated by people from outside the workplace, the City requests any employee, who feels an outside threat poses a risk within the workplace, to report such a situation to his/her immediate supervisor or Department Director. The City will assess the need for special safeguards or other considerations.

The City of Wisconsin Dells prohibits the carrying of weapons as defined by State Statute.

C. DRUG-FREE WORKPLACE

The City is committed to providing employees with a safe, healthy and efficient workplace. To maintain the safety and health of its employees and those people to whom the City provides service, the City establishes the following rules:

- The use, possession, distribution, sale, manufacture, or being under the influence of illegal drugs during working hours, including lunch or other break periods, or while on the City's property is prohibited. Illegal drugs include non-prescription controlled substances.

- Employees are prohibited from being under the influence of, using, possessing, distributing, or selling alcohol during working hours, including lunch or other break periods, or while on the City's property, unless on a licensed premise.

- The use of prescription drugs which affect an employee's job performance is prohibited. Employees shall promptly inform their supervisor that they are taking a prescription medication which may affect their job performance. In doing so employees do not have to identify the medication or the medical condition for which the medication is prescribed, but rather may provide a physician's certificate of safety to work and of any work restrictions caused by use of the medication. Employees have a duty to ask the employee's physician whether any medication may create a work safety issue.

Any employee reporting to work in an impaired manner will not be permitted to work. Under no circumstances is a City employee to drive a City-owned vehicle or operate City equipment in an impaired state.

Random testing for the presence of non-prescription drugs or alcohol will only be conducted when required by law.

If an employee's supervisor has reasonable suspicion to believe that an employee is either using or under the influence of alcohol and/or illegal drugs during working hours, the employee may be required to submit to a drug and alcohol test which may include urinalysis, a blood test, or breath-screening test.

A positive drug or alcohol test will be considered a violation of this rule and be grounds for discipline, up to and including termination. Any employee who refuses to submit to a drug and alcohol test shall be considered insubordinate and subject to disciplinary action, up to and including termination.

Employees are required to notify their Department Director within five (5) calendar days following filing of charges and/or conviction of a criminal drug or driving under the influence of alcohol statute. The City may be required to advise Federal/State agencies of any convictions. In addition, the City is required to report any workplace drug crimes to the US Department of Labor within ten (10) days of a conviction.

Employees who are required to possess a Commercial Driver's License (CDL) or those to directly supervise employees who must possess a CDL must comply with the City's drug and alcohol testing policies and federal and state licensing laws governing CDL's.

The City recognizes that alcohol and substance abuse are serious matters and will offer appropriate assistance, as it is available for other employee issues. Information concerning drug abuse counseling, rehabilitation programs or any other treatment options is available to employees. Please refer to the Employee Assistance Program under the employee benefits section of this handbook.

D. WORKPLACE SAFETY

The City of Wisconsin Dells is committed to furnishing a safe place of employment that includes the use of safety devices and safeguards, methods and processes reasonably adequate to render employment safe, and other things reasonably necessary to protect the life, health, safety, and welfare of such employees.

Policy: The City of Wisconsin Dells subscribes to and follows the requirements of the law that relate to the protection of the life, health, safety, and welfare of City employees.

The City of Wisconsin Dells has a comprehensive safety program through Cities and Villages Mutual Insurance Company (CVMIC). This program encourages proper attitudes toward injury and illness prevention on the part of both management and employees. It also requires cooperation in all safety and health matters, not only between supervisors and employees, but also between each employee and his/her co-workers. It is the major objective of the safety program to protect the City of Wisconsin Dells' most valuable asset – its employees.

Workplace Safety: Any unsafe practice or condition, affecting persons, property or equipment, must be reported immediately to your supervisor. Should a hazardous situation exist, safety always takes precedence over continuing operations.

Employee: Job safety is everyone's responsibility. You, as a City employee, are required to follow all safe work procedures and must conduct yourself carefully at all times. Most accidents are caused by carelessness. When you observe unsafe working conditions, it is your obligation either to correct the problem or to report it to your supervisor. It is not your responsibility to attempt a job which appears to be unsafe; ask your supervisor for instruction or clarification. Similarly, all work areas are to be kept clean and free from debris, and tools and equipment are to be kept clean and in good repair. Failure to follow safe work procedures may result in disciplinary action, up to and including immediate termination of employment.

Please refer to the City of Wisconsin Dells Safety Manual for more detailed information about safety procedures.

E. WORKER'S COMPENSATION:

The City carries Worker's Compensation insurance to protect its employees against losses due to injury or illness caused while in the performance of his/her duties.

In Case of Injury in the Workplace: All injuries, no matter how slight, must be reported immediately to your supervisor or Department Director.

1. An Employee Accident Investigation Form must be filed out in a timely manner.
2. If immediate medical attention is required, the injured employee shall be sent to the nearest medical facility capable of handling the type of injury involved.
3. A return-to-work slip shall be provided to the employee's supervisor directly following a doctor's visit. A copy shall immediately be sent to the City Administrator.
4. Employee shall be placed on FMLA leave, if applicable.
5. Employee shall not accrue sick leave or holiday time when off on work comp leave.
6. Employee is responsible for all employee payroll deduction during work comp leave.
7. To insure no abuse of this program, the city's insurance carrier may require the employee to submit to a specific medical examination.
8. The City is not required to provide light duty work during healing time.

F. PERSONAL APPEARANCE

The personal appearance of employees reflects on the image of the City. Employees are expected to dress in a manner consistent with the position they hold and to the degree to which they have contact with the public. It is the responsibility of the Department Director/and or the Supervisor to ensure that employees are dressed appropriately while in the workplace.

SECTION V - PERSONAL CONDUCT POLICIES

A. GENERAL STANDARDS OF PROFESSIONAL & ETHICAL CONDUCT

Policy: The City holds its employees to high standards of professional and ethical conduct in their employment.

City employees shall conduct themselves in a manner that will reflect favorably upon the City and shall show respect toward other employees and the public. Employees in their capacity with the City shall not make comments or disseminate information which portrays any group or individual in a derogatory way or that creates a disparaging image, nor shall City employees use their position or City resources to promulgate information, which is disrespectful toward any group or individual.

The following policies address common situations that arise for many City employees, and give you general guidance. These policies are not meant to cover every possible scenario that could arise. The standards set forth in the following policies are intended to eliminate conflicts of interest, improve standards of service, and promote and strengthen the faith and confidence of the citizens in their City. If you ever have questions about the appropriate course of action for a specific situation that is or is not covered in this Handbook, you should discuss it with your supervisor or Department Director.

B. ATTENDANCE AND PUNCTUALITY

The City expects prompt and regular attendance from all employees. This means that all employees must be at their appointed work stations on time and ready begin work at their starting time. Continued tardiness and absenteeism have a disruptive impact on City operations and may result in discipline and ultimately termination of employment.

Employees are required to call in and report absences or tardiness to their supervisor before the start of the work day unless circumstances prevent the employees from calling in. If an emergency situation exists, the employee must notify the supervisor at the earliest reasonable time. An employee who fails to report for work for three (3) consecutive workdays without notice will be deemed to have voluntarily terminated City employment.

The following acts shall be violations of work rules and may be grounds for disciplinary action:

1. Failure to report promptly at the starting time of a shift; leaving before the scheduled quitting time of a shift; or failure to notify the proper authority of impending absence or tardiness;

2. Unexcused or excessive non-FMLA related absenteeism or failure to report to work;

3. Abuse of sick leave privileges, including but not limited to claiming inability to work due to illness or injury when in fact no such illness or injury exists which prevents working;

4. Employees are encouraged not to schedule personal appointments during regularly scheduled hours of work. If it is necessary to be absent or to leave for a personal appointment, an employee must give proper notice to their supervisor in a timely manner.

C. POLITICAL ACTIVITIES WHILE ON THE JOB

The City encourages employees to be active citizens and engage in the political process. However, City employees are expected to recognize the unique position they hold as a public employee. The City serves all citizens without regard to political affiliations.

When engaging in political activity or engaging in discussion of issues of public importance, you are expected to ensure that your actions and positions are not attributed to the City. City resources may not be used for promoting a particular candidate or a political party.

The distribution or wearing of political badges, buttons or printed matter during working hours or their placement on City property is prohibited at any time with the exception of bulletin boards in employee work areas out of view of the general public.

No City Department attire, equipment or depictions shall be used for any outside political activity.

With due consideration for the spirit and letter of this policy, political activities outside of working hours not otherwise attributable to the City or your employment with the City are within the proper exercise of citizenship.

D. INCOMPATIBLE OUTSIDE EMPLOYMENT

The City does not prohibit employees from accepting outside employment or following economic pursuits that do not interfere or conflict with the full and faithful discharge of their duties with the City. Employees shall not engage in outside employment which may tend to impair their independence of judgment, and shall not engage in outside employment which is unlawful. Outside employment is prohibited **ONLY** if it is illegal activities or the Department Direct has shown that it has directly affected the employee's ability to perform City duties or responsibilities.

You are required to notify your Department Director prior to accepting outside employment that may be incompatible with your City employment. The City is required by law to prohibit those activities that will cause a conflict of interest to the employee or to the City. In general, City employees otherwise have all of the rights and privileges accorded to other citizens of the City.

E. CONFIDENTIAL/PRIVILEGED INFORMATION

The City of Wisconsin Dells is bound by Wisconsin's Open Meetings and Public Records law to provide certain information to the public. It is the City's policy to follow these laws to their fullest extent. However, City employees often receive information that would be inappropriate for them to disclose. City employees must be aware of the confidential information that they receive and refrain from disclosing it unless directed by a supervisor.

Confidential/privileged information is defined as any information which is obtained by reason of an employee's job position with the City that by law or practice is not available to the public.

Policy: City employees shall not disclose any information gained during the course of or by reason of their employment with the City in a confidential capacity, unless expressly authorized to do so or as required by Wisconsin's public records law.

Employees shall not use any information gained during the course of their service in a confidential capacity for their own personal financial gain unless such information is, or becomes, a public record.

In instances where you are uncertain regarding whether information is confidential or not, consult with your immediate supervisor or the Department Director for a determination. The City's policy on public records is further spelled out in Section 1.07 of the City Code. The Department Director or other authorized employee may contact the City Attorney or the Assistant City Attorney for assistance in interpreting the public records law.

F. GIFTS & FAVORS

City employees are trusted to act in the public's best interest when fulfilling their employment duties. It is inconsistent with that trust to accept gifts or favors for the execution of their duties.

Policy: City employees shall not directly or indirectly solicit or accept any personal gifts, favors, services, money or anything with an individual or cumulative value of $25.00 or more from the public or any organization. Employees shall not accept gifts, money or anything of value for services which they are employed by the City to provide.

G. USE OF CITY PROPERTY OR EQUIPMENT

Policy: City property shall be used by employees only in conjunction with the performance of City operations and duties. City property shall not be used by City employees for personal purposes unless such City property is generally available for use by the public.

City Property: Offices, computers, desks, lockers and equipment provided to employees by the City to assist employees in performing their work are considered the property of the City and may be opened,

reviewed, or examined by a City representative at any time, without infringing on any employee's right to privacy or reasonable expectation of privacy. City property also includes written materials such as personnel policies, written agreements, contracts, project reports, formal City documents, financial information, etc. No employee may remove City property from the premises without a supervisor's knowledge and approval.

In instances when City employees are uncertain regarding whether use of City property for personal purposes is appropriate, they should consult with their immediate supervisor for a determination.

H. ELECTRONIC COMMUNICATIONS POLICY

The City's computers, networks, programs, communication devices and tools, other technology, and internet (collectively "technology") are intended as tools for the City to serve the public and the City, and are provided so employees may better perform their job-related responsibilities. Inappropriate use can adversely affect the City, interfere with the work of its employees, increase its costs, and even expose the City to damage, liability, and security risks.

Policy: City technology is provided to employees to assist with the performance of City operations and duties. Personal use of City technology must be kept to a minimum in order to ensure efficient and effective City operations.

Monitoring: In order to protect its interests, the City reserves its right to monitor all use by employees of technology. No employee should expect privacy or secrecy in the use of technology. Employee use constitutes acceptance of the City's monitoring and disclosure of the employee's use. Use of the City's technology can be limited by the City at any time for any reason. The City may consent to the disclosure of information from use of technology or any other property as required by law or otherwise deemed appropriate by the City.

Personal Use: Use leaves a record of the City name and your identity on the technology and at every internet site visited, and may result in unwanted or inappropriate return e-mails, solicitations, viruses and other harmful items. No written policy can list every conceivable circumstance that relates to proper use. The City's employees are professionals who are expected to exercise responsible professional judgment. The City has complete and sole discretion to determine whether any use or access is inappropriate, even if the use is not expressly prohibited or addressed in this handbook.

The City may ask employees to stop any use it believes is improper. In addition, the City may block access to any content it believes is not appropriate. Employees who do not adhere to this policy may be disciplined, which can include restriction of internet use or discipline up to and including termination. If you have a question about whether a particular use of the City's technology is proper, you should consult with your supervisor before engaging in such use.

Electronic Communication: The City provides some of its employees with electronic communication tools such as email, voicemail, cell phones, text messaging, pagers, computers and other communication tools and devices so they may better perform their job-related duties. The City's electronic communications system includes all messages sent through the City's computer network either externally via the internet or internally and through City issued communication devices and networks.

Electronic communications should be courteous, concise, focused and written or spoken in proper business English. The same care should be used in drafting electronic communications as is expected for drafting any other written communication. All electronic communications are unavoidably attributed to the City. When composing electronic communications, employees should keep in mind that personal comments may be perceived as comments made on behalf of the City.

Electronic communications may reside on the system in different recoverable forms (system backup, sent mail folders, spool queues, etc.). Employees should not assume that deleting a personal electronic communication removes all incidents of their existence. If there is a review of the information or an investigation, litigation, or other proceeding that requires or makes desirable the review or production of City records, it is likely that electronic communications will be requested and potentially disclosed. Moreover, employees should not delete any communications that are records under Wisconsin's Public Records Law.

No one should expect privacy or secrecy in the use of City technology or City-issued communication devices such as email, text messages, cell phone messages, or calls. The City does not condone "snooping"; employees should not read or review communications not sent to them except for legitimate business reasons. If an internal communication is confidential, it should be distributed personally or by a confidential routing envelope and not by e-mail. Employees should not presume an electronic communication sent via the internet is confidential unless it has been encrypted by the City.

Social Media: The City recognizes that technology is changing at a rapid pace and the City and its employees must adjust to an ever-changing world. The City also recognizes that not all employees use social media. For employees who use social media, the City expects them to do so in a responsible and respectful manner.

Policy: It is the policy of the City that information, in all its forms – written, spoken, recorded electronically, or printed – will be protected from accidental or intentional unauthorized modification, destruction or disclosure. All electronic media must be protected from misuse, unauthorized manipulation, and destruction.

The City reserves the right to review employees' use of social media and determine if abuse is occurring. Social media under this policy includes participation in a listserv. Participation in listservs should be limited to those used for business purposes. Employees should be mindful that postings to a listserv are

distributed to many unknown readers and can later be quoted in public materials. Employees must understand and comply with the guidelines and protocols of each listserv to which they subscribe.

Under no circumstances should employees use social media to engage in or post communications or material that would violate any Handbook policy, including, but not limited to, the Harassment & Retaliation Policy, the Confidential/Privileged Information Policy, or the City's Work Rules. If you have a question about whether a particular use of electronic communication or social media is appropriate, you should consult with your supervisor or Department Director before making such communication.

SECTION VI - WORK PLACE POLICIES

A. DISIPLINE, SUSPENSION & DISMISSAL

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Wisconsin Dells. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust may pursue a remedy through the grievance procedures. The supervisor and/or the City Administrator will investigate allegations on which disciplinary action might be based before disciplinary action is taken. The objective of this policy is to establish a recommended guide for disciplinary action for City employees.

The City retains sole discretion to determine what conduct warrants disciplinary action and what type and level of disciplinary action will be imposed.

No Contract Language Established: This policy does not create contractual terms of employment or establish terms and conditions of employment. Rather, it is intended to serve only as an informative guide for the administration of employment discipline.

No Just Cause Standard Established for At Will Employees: Nothing in this policy implies that any City employee has a property right to the job they performs. Nor shall this policy operate to restrain the City's authority to terminate the employment of at will employees at any time for any reason.

Policy: The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any city employee has a contractual right or guarantee (also known as a property right) to the job they perform.

Documentation of disciplinary action taken regarding an employee will be placed and remain in the employee's personnel file. A copy of the disciplinary action will be provided to the employee in cases of discipline where the level of discipline includes or is more severe than a verbal reprimand.

The following are descriptions of the various types of disciplinary actions that might be taken with regard to employee performance or misconduct. This list is not intended to be exhaustive:

Oral Reprimand. An oral reprimand may be issued where informal discussions with the employee's supervisor have not resolved the matter of concern. All supervisors have the ability to issue oral reprimands without prior approval. Oral reprimands are normally given for first infraction on minor offenses to clarify employee expectations and to put the employee on notice that the performance or behavior at issue needs to change, and what change(s) are expected. The supervisor will document the oral reprimand for placement in the employee's personnel file.

Written Reprimand. A written reprimand is more serious than an oral reprimand and may follow an oral reprimand or be used in response to a series of related or unrelated infractions. A second or more serious infraction of the same nature may require skipping either the oral or written reprimand, or both. Written reprimands may be issued by the supervisor with the prior approval of the City Administrator. All written reprimands will be documented for placement in the employee's personnel file.

Suspension With or Without Pay. Suspension with or without pay is more serious than a written reprimand and may follow a written reprimand or be used in response to a series of related or unrelated infractions. An employee may be suspended with or without pay by the City Administrator.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature and the severity of the allegations or if the employee's presence at work may interfere with the operations, finances or safety and security of workplace.

Demotion and/or Transfer. Demotion and/or Transfer is more serious than a suspension and may follow a suspension or be used in response to a series of related or unrelated infractions. An employee may be demoted or transferred if attempts at resolving an issue have failed, or it involves a serious issue, and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified and able to perform the functions for the position to which they are being demoted or transferred.

Salary or Compensation Adjustment. An employee's salary increase may be withheld or adjusted due to performance deficiencies or misconduct.

Dismissal/Termination. Dismissal/Termination is the most serious form of discipline. The City Administrator, with the approval of the City Council, may terminate an employee for reasons including but not limited to substandard work performance, serious misconduct, or behavior not in keeping with City standards, or as the reasonable conclusion of progressive discipline when applicable.

Conduct Subject to Discipline: The following are examples of misconduct that may be subject to discipline, but are not limited to:

1. Incompetence or inefficiency in performance of duties.
2. Conviction of a felony or misdemeanor if substantially related to the
3. employee's job position.
4. Violation of any lawful or official work or safety rule, regulation or City Ordinance.
5. Reporting for work and/or working on the job while under the influence of alcohol, drugs or other controlled substances.
6. The use of offensive language or offensive or inappropriate conduct directed toward the public, municipal officers or employees.
7. Carelessness and/or negligence in the handling or control of municipal property or property entrusted to the employee by the City.
8. Inducing or attempting to induce a person, officer, or employee of the City to commit an unlawful act or to act in violation of any lawful and reasonable official regulation, policy or order.
9. Dishonesty in the performance of employment duties.
10. Failure to report to work, refusal to work as assigned and directed, or other acts of insubordination, unless such refusal is based on a reasonable belief on the part of the employee that such work is unsafe, illegal, or in violation of a collective bargaining agreement.
11. Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favorable treatment in the conduct of City business.
12. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit.
13. Claiming paid sick leave for reasons other than those provided or for reasons not permitted by policy.
14. Being habitually absent or tardy for any reason (unless related to approved FMLA time).
15. Failure to perform assigned work in an efficient or effective manner.
16. Being wasteful of material, property or working time.
17. Inability to get along with fellow employees so that the work being done is hindered and not up to required levels.
18. Conduct on the job which violates the common decency.
19. Making derogatory or false accusations to discredit other employees or supervisors.
20. Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements when applying for employment.
21. Divulging or misusing information, designated or known to be confidential, including removal from City premises without proper authorization, any employee lists, records, designs, drawings or confidential information of any kind.
22. Violating any other policies contained in this Handbook

Off-Duty. The City reserves the right to take disciplinary action if an employee's off-duty conduct adversely affects the best interest of the City and/or the employee's future ability to serve the public and/or conduct business on behalf of the City.

B. JOB VACANCIES & JOB POSTINGS

The City values its employees and recognizes that in many cases filling vacancies with existing employees is beneficial. Promotion from within is often cost effective because internal candidates are frequently able to fill a position with little or no training. Further, the City is in a better position to consider an internal candidate because of the existing employment relationship. Therefore, the City desires to afford current qualified employees the opportunity to apply for open positions within the City's various departments and divisions.

Policy: The City will advertise its available positions internally with its current employees when it advertises a position externally in the labor market. The City's goal is to hire the person who best meets the needs of the City for a position.

Filling Job Vacancies: When considering internal candidates for vacant positions, the City will consider job-related standards such as work experience, the employee's past job performance, demonstrated attitude and skill, education, training, overall ability, length of continuous service and other job relevant considerations.

C. PROMOTIONS, TRANSFERS & DEMOTIONS

Employment with the City is dynamic. You should not expect that you will never change positions as an employee of the City. Employees change positions for a variety of reasons including career advancement, operational needs, and performance. Of course, the City recognizes that consistency and continuity are beneficial as well. All situations involving employee movement within the City's organizational structure are subject to review and approval by the Department Director and Personnel Committee. The following policies are meant to address the various ways that employees may change positions within the City. They cover many of the situations that arise and serve as a valuable background if you are considering a change in your position with the City.

Promotions: The City recognizes that career advancement through promotion is an important aspect of most employees' working life. This makes promotion an important recruitment and retention tool for the City. When circumstances warrant, the City reserves the right to fill positions by offering promotions to current employees. The City further reserves the right to determine what the appropriate level of compensation and benefits an employee will receive if he/she chooses to accept the promotion.

Transfers: Occasionally, the City may require an employee to change jobs in order to better meet the needs of City operations and/or the public. In those cases, the City may seek volunteers to transfer to the position. If there are no volunteers or the City determines that the volunteers do not meet the minimum qualifications, the City may choose an employee for an involuntary transfer. Employees may also request to transfer to a vacant position. The City reserves the right to determine the appropriate compensation level for any transfer to a new position.

Demotions: Unfortunately, there may be occasions when an employee is demoted due to performance issues, work-related misconduct, or changes in the composition of the workforce. In such cases the City will determine in its sole discretion the appropriate placement of the employee for wage and benefit levels.

Further, employees may voluntarily request a demotion for a variety of reasons such as job satisfaction or personal needs. In those cases the City will work with employees to help with the transition and to ensure that the position is meeting the employees' and the City's needs. As with other demotions, the City reserves the right to determine the employees' level of compensation and benefits in their new positions.

Reclassifications: Reclassifications can occur for a variety of reasons including but not limited to changes in job duties that naturally occur in a changing work environment or reorganizations of City departments or divisions. The City periodically reviews all position descriptions and the overall compensation plan to ensure that employees are classified correctly. When the City determines that a reclassification is necessary, it will review the position's compensation to determine if it is appropriate. The City reserves the sole discretion to determine the appropriate classification and compensation level for each position.

Temporary Appointments: From time to time, employees may be temporarily appointed to positions of a higher classification by their supervisor or department Director. In those cases, the City reserves the right to offer an incentive such as increased pay to employees that take on the additional responsibilities. Not all temporary appointments will qualify for increased pay. The City reserves the right to determine which temporary appointments will qualify for temporary appointment incentives, and will convey that to the employees prior to making the appointment.

D. LAYOFF & REHIRE

For any number of reasons including, but not limited to, lack of work or budget considerations, it may be necessary to reduce the number of employees in a specific Department.

Layoff Policy: In the event of a reduction in workforce through layoffs, the City will consider the skills, abilities, and other qualifications of employees needed to perform the remaining available work; employees' length of service to the City; and the interests and needs of the City in having the remaining available work performed effectively. The City may choose to solicit volunteers for any reduction in workforce situation.

Notification: When it has been determined to reduce the number of positions and/or the employees in a Department by means other than attrition, the employees affected will be notified as soon as is practical.

Rehire Policy: When a job opening occur in a Department, qualified employees who were laid off from the Department will be considered fill those openings.

The City does not offer formal recall rights to employees that have been laid off. However, the City will strongly consider rehiring any former employee who applies for a vacancy in the City. Further, if employees are rehired, the City may consider their length of service to the City for determining benefit levels so long as the break in service does not exceed their previous length of service.

E. PERSONNEL FILE ACCESS

The City maintains a personnel file for each employee. The files are kept in the office of the City Administrator. Information retained in the personnel file includes, but is not limited to, personal information such as enrollment forms for benefits, and specific work-related information such as applications for employment, resumes, performance evaluations, salary adjustments, job changes, and other designated records.

Policy: The City maintains complete personnel records that accurately reflect each employee's record of service to the City. Reasonable access to personnel records will be authorized in accordance with Wisconsin Statutes § 103.13. Further, all personal medical information will be secured in an area separate from the personnel records, with strictly controlled and limited access, in order to protect confidentiality.

Procedure for Review: Employees may request to inspect their own personnel files under Wisconsin Law. Requests to inspect your personnel file must be submitted in writing to the City Administrator who will schedule a mutually convenient time for you to inspect the records, generally within seven (7) working days.

You or your designated representative may review and copy items in your personnel file. However, you may not remove or alter personnel records unless agreed to by the City Administrator. If you disagree with any information in your personnel file, you may submit a written statement explaining your position which shall be attached to the disputed portion and included in the file.

F. SEPARATION FROM EMPLOYMENT

There are many reasons an employee may choose to terminate or be terminated from his/her employment with the City.

City Property & Records: All voluntarily terminating or involuntarily terminated employees are required to return all City property and records upon termination.

Resignation/Retirement with Notice: If an employee decides to voluntarily terminate his/her employment with the City, the employee is asked to advise his/her Department Director in writing at least two (2) weeks prior to his/ her date of departure so that an orderly transition can be made. Department Directors are required to provide at least sixty days (60) notice of resignation. Only accrued but unused vacation and comp-time hours will be paid to employees who resign. The City reserves its right to dismiss

the employee before the date identified by the employee. In the event the employee is dismissed by the City before completing their identified date, the employee will be compensated at their current rate through the end of the notice of resignation.

Resignation/Retirement without Notice: If an employee voluntarily terminates his/her employment with the City and fails to provide written notice at least two (2) weeks prior to his/her date of departure, the employee's resignation will be treated as a Resignation without Notice and will result in the nonpayment of accrued but unused vacation hours. The City reserves its right to dismiss the employee before the date identified by the employee. In the event the employee is dismissed by the City before completing their identified date, the employee will be compensated at their current rate through the end of the notice of resignation. Retirees failing to provide notice will forfeit any Sick Leave payout upon retirement.

Involuntary Termination for a Policy or Rule Violation: Should an employee be involuntarily terminated for a violation of the policies and rules in effect, the employee will not be paid for any accrued but unused vacation hours.

Reduction-in-Force: Any time a selection is to be made among employees for a reduction-in-force, consideration will be given to an employee's performance, knowledge, skill, ability, efficiency, reliability, attendance, overall record and length of service with the City. The employee will be paid all proper compensation up to his/her final day of employment, and any accrued but unused vacation hours.

Final Paycheck: Any employee who resigns or who is terminated will receive his/her final paycheck on the next regularly scheduled payday. All city keys and equipment must be turned in by that time.

G. GRIEVANCE PROCEDURE

Purpose: This procedure is designed to satisfy the requirement of Wis. Stat. sec. 66.0509(1m)l i.e., a local government unit that does not have a civil service system must have a grievance system.

- Applies to all employees covered by Wis. Stat. sec. 66.0509 except police employees subject to Wis. Stat. sec. 62.13.
- Does not create a legally binding contract or change the at-will nature of employment with the city.
- Does not apply to any elected official.

This grievance procedure applies only to issues concerning workplace safety, discipline and termination. For purposes of this policy:

Workplace Safety - Means conditions of employment affecting an employee's physical health or safety, safe operation of workplace equipment and tools, personal protective equipment, and workplace violence.

"Workplace safety" does not include conditions of employment related to general working conditions unrelated to physical health and safety, such as hours, overtime, leaves of absence, work schedules, breaks, vacation, performance reviews, compensation, etc.

Termination - Includes actions taken by the City to terminate an employee's employment for rule violations, performance issues, lack of qualifications, license or certification, or other inability to perform job duties, acts that are detrimental to the City or acts of misconduct, or end of employment due to disability; it shall not include layoffs, failure to be recalled from layoff, any activity related to workforce reductions, voluntary terminations, resignations, or retirements, job abandonment, end of employment and/or completion of assignment of a temporary, seasonal, contract or volunteer relationship.

Employee Discipline - Shall include any employment action that results in disciplinary suspension with loss of pay, disciplinary reduction in pay or benefits, or disciplinary demotion; it further includes verbal and written warnings. It shall not include plans of correction or performance improvement, performance evaluations or reviews, documentation of employee acts and/or omissions in an employment file, counseling, meetings, or other pre-disciplinary action, administrative suspension with pay, administrative suspension without pay pending investigation of alleged misconduct or nonperformance, non-disciplinary wage, benefit or salary adjustments, or any other action taken by the City for non-disciplinary reasons.

Procedure: Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

Step 1 – Written Grievance filed with City Administrator.

1. The employee must prepare and file a written grievance with the City Administrator within ten (10) business days of when the employee knows, or should have known, of the events giving rise to the grievance.

2. The written grievance must contain the name and position of the employee filing it, a statement of the grievance, the issue involved, the relief sought, the date the event giving rise to the grievance took place, the employer's steps to orally review the matter with the employee's supervisor and the employee's signature and date.

3. The City Administrator or their designee will investigate the facts giving rise to the grievance and inform the employee of their decision, if possible, within ten (10) business days of receipt of the grievance.

4. In the event the grievance involves discipline, workplace safety or termination of the City Administrator, the grievance shall be filed with the Mayor and the Mayor or their designee shall conduct the Step 1 investigation.

Step 2 – Impartial Hearing Officer.

1. If the grievance is not settled at the first step, the employee may file in writing, within ten (10) business days following receipt of the Step 1 decision, a request for written review by an impartial hearing officer (IHO). The City shall designate the impartial hearing officer.

2. The IHO will determine whether the City acted in an arbitrary and capricious manner; i.e. "a willful and unreasonable action without consideration or in disregard of facts or law. In all cases, the grievant shall have the burden of proof to support the grievance.

3. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the IHO will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The IHO shall prepare a written decision.

4. If a request for an IHO is timely filed the IHO decision deadlines are as follows:
   a. Mayor names IHO within 10 days of request.
   b. Within 15 days of appointment, after consultation with employee and city, IHO determines if matter will be decided after hearing or upon submission of written documents.
   c. Hearing conducted or documents filed within 30 days of IHO's process determination.
   d. IHO decision within 20 days of hearing of submission of documents.

Step 3 – Review by the Governing Body.

1. If the grievance is not resolved after Step 2, the employee or the City Administrator may request within ten (10) business days of receipt of the written decision from the hearing officer a review by the Common Council.
2. The Common Council shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The matter will be scheduled for the Common Council's next regular meeting.
3. Common Council will inform the employee of its findings and decision in writing within ten (10) business days of the Common Council meeting and decision.
4. Common Council shall decide the matter by majority vote and this decision shall be final and binding.
5. If the employee fails to meet the deadlines set forth above, the grievance will be considered terminated and resolved.
6. All expenses incurred by either party in investigating, preparing or presenting a grievance shall be borne by the party incurring the expense. The costs of the IHO shall be borne by the City.

H. CITY CREDIT CARD POLICY

The City maintains corporate credit accounts and cards to facilitate purchases. Department Directors will designate which employees will be authorized to use City-issued credit cards. City-issued credit cards may only be used for authorized expenditures.

Any employee using a City-issued credit card must also use the City's tax-exempt status whenever applicable to ensure that no unnecessary charges are incurred through the use of a City- issued credit card. The amount of available credit on each card will be determined by the City Administrator

When using a city issued credit card, employees must submit the receipt for the items charged to their Department Director or Supervisor who must ensure that the expenditures are in conformance with City policies and that all receipts are submitted to the City Administrator for payment. In the event the Department Director or Supervisor determines that an unauthorized expenditure has occurred, the City Administrator shall be notified and the offending employee shall make reimbursement to the city for the purchase. Continued misuse or inappropriate use of a City-issued credit card by an employee will lead to disciplinary action, up to and including discharge.

SECTION VII - EMPLOYEE BENEFITS

A. HEALTH INSURANCE AND COBRA COVERAGE

Full-time employees who are regularly scheduled a minimum of 40 hours per week (35 hours per week for clerical) are eligible for health insurance benefits with the City of Wisconsin Dells. Part-time employees, who are WRS eligible, are also eligible. Seasonal and limited-term employees are not eligible for this benefit.

The City shall participate in the Wisconsin Public Employee's Group Health Insurance Program. The City shall contribute 88% of the lowest plan rate available towards the employee's chosen health plan premium; and contribute 50% of the lowest plan rate available for eligible part-time employees. The employee shall be responsible for the remaining balance of the premium through a pre-taxed payroll deduction.

Dual city coverage prohibited. If an employee and spouse both work for the City, they may only elect to take one family health plan or two single health plans between the two of them.

Co-Pay Reimbursement. The city shall provide reimbursement for up to 2 emergency room co-pays per year and co-pay reimbursements on durable medical equipment.

Insurance Continuation (COBRA): Under state law and the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") and subsequent amendments to the act, employees covered under the City's group health insurance plan are eligible for continuation of medical coverage under the group plan upon the employee's termination (except for gross misconduct) or when there is a reduction in hours to a level that does not qualify the employee for benefits under the City's insurance plan. Under COBRA regulations an employee's covered spouse and covered dependents are allowed to elect continuation of coverage upon the employee's death, divorce or legal separation, an employee's entitlement to Medicare, or a dependent's loss of dependent status under family coverage.

All employees, as well as their qualified dependents, will receive notice of mandated insurance continuation benefits at the time of hire or whenever the plan coverage for the employee begins. If a qualifying event occurs which entitles the employee and/or qualified dependents to continuation coverage, the plan administrator will notify the qualified beneficiaries of their right to elect continuation coverage. Continued participation will be solely at the participant's expense. Details are available in the Human Resources Department.

Disclaimer: This policy is not intended to give a detailed explanation of insurance benefits, but rather to provide general information. Complete details of insurance benefits are available from the City Administrator.

B. DENTAL/VISION INSURANCE

The City may participate in a Dental/Vision Plan. The plan is optional for full-time employees and cost is to be paid for by the employee through payroll deductions.

C. LIFE INSURANCE

The City shall participate in the State Group Life Insurance Plan which is provided for by state statutes and governed by the State Group Life Insurance Board rules. This insurance is optional and cost is to be paid for by the employee through payroll deductions.

D. CAFETERIA PLAN/OTHER INSURANCE OPTIONS

The City may participate in a Section 125 Cafeteria Plan that allows employees to make pre-taxed contributions for their insurance premium contributions. The Plan also provides employees the opportunity to purchase additional supplemental insurance plans, in additional to flex spending and child care expense reimbursement accounts.

E. WISCONSIN RETIREMENT SYSTEM

The City shall participate in the Wisconsin Retirement Plan (WRS) as provided by state law and Wisconsin Retirement Board rules. The City shall pay 100% of the Employer portion. The Employee shall pay 100% of the Employee portion through payroll deductions.

F. DEFERRED COMPENSATION PROGRAM (457 Plan)

The City may provide the opportunity for full-time employees to participate in a 457 Plan tax deferred compensation program. The program is optional and there is no employer contribution.

G. PAID VACATION DAYS

Policy: The City believes that employees need time away from work each year and provides eligible employees with paid vacation time according to an established schedule of eligibility while meeting the needs of the City. The City grants full-time employees vacation with pay at their regular, straight-time rate. Vacation time is accrued after completing 6 months of service. Vacation time cannot be used before it has been accrued. Employees will take their vacation days at such time approved by the Department Head. The number of employees on vacation at any given time shall be determined by the Department Director taking into consideration staffing requirements in order to provide on-going city services. Employees transferring from another WRS entity will be credited their years of service for the purpose of the vacation schedule.

Vacation accrual schedule is as follows after completing designated years of service:

Years of Completed Service:	Vacation Time Accrued:
6 months - 1 year	1 week (average work week hours not to exceed 40 hours)
2-6	2 weeks (average work week hours not to exceed 80 hours)
7-9	3 weeks (average work week hours not to exceed 120 hours)
10	4 weeks (average work week hours not to exceed 160 hours)

Grandfather clause: Employees hired prior to January 1, 2014 will continue their current accrual schedule.

Vacation Carryover/Forfeit: Any vacation hours not used within 60 days past the employee's anniversary date will be forfeited.

H. PAID SICK LEAVE

Policy: The City shall provide employees with a level of income protection through paid sick leave to address their own personal health, or dental, care needs and/or the health, or dental, care needs of immediate family members.

Accrual: Eligible employees will accrue paid sick leave to the stated maximum hours based on their normal work schedule. The objective is to allow employees to accrue enough paid sick leave so that if they encounter any type of serious illness or injury, they will not have their regular income severely impacted.

1. Full-time employees working 40 hours per week will accrue Sick Leave at the rate of 8 hours each month up to a maximum of 480 hours (12 weeks).
2. Full-time employees working 35 hours per week will accrue Sick Leave at the rate of 7 hours each month up to a maximum of 420 hours (12 weeks).
3. Employees who currently exceed the maximum number of accrued hours shall not accrue any additional hours until they fall below the new maximum allowed.
4. A physician's statement will be required for 3 or more consecutive sick leave days taken.

State and Federal Family and Medical Leave laws may provide broader coverage for use of sick leave to care for a family member suffering from a serious health condition. Please refer to the Family Medical Leave (FMLA) Policy.

Notification of Intent to Use: Employees who will be missing work due to illness or injury must notify their immediate supervisor as soon as possible prior to the start of their scheduled work day. Employees

should consult their immediate supervisor to learn the proper procedure for notifying them of the need to use sick leave, such as what number to call.

Verification: The City may require verification of illness or of the estimated time needed away from work due to an illness or injury. In order to use 3 consecutive days of sick leave, a physician's note is required.

Payout Upon Retirement. Employees with a minimum of fifteen (15) years of full-time service, who retire under the Wisconsin Retirement System, will receive a twenty-five percent (25%) cash payout of any unused sick leave or have the value of fifty percent (50%) of their unused sick leave put towards insurance premiums if they continue coverage through the city's existing insurance plan. The wage used to calculate this value will be the employee's average base hourly wage for the last five (5) years.

I. FAMILY MEDICAL LEAVE ACT (FMLA) POLICY

Purpose: This policy outlines the provisions of the federal and Wisconsin Family and Medical Leave Acts and the rights and obligations of employees and employers under both laws.

Policy: The Family and Medical Leave Acts provide eligible employees with up to 12 workweeks of unpaid protected leave each year for specified family and medical reasons. The eligibility and entitlements are defined differently under federal and state law.

The City recognizes the calendar year for purposes of Federal FMLA and Wisconsin FMLA.

1. **Eligibility -** Employees are entitled to FMLA benefits if they:

    a. **Federal** – Have been employed by the City of Wisconsin Dells for at least 12 months (not necessarily consecutive); and have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave.
        i. Any absence from work due to military service covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA) must be counted toward the employee's 12-month employment period when determining FMLA eligibility.
        ii. Time spent on paid or unpaid leave does not count in determining the 1,250 hour eligibility

    b. **State** – Have been employed by the City of Wisconsin Dells for at least 52 consecutive weeks and have worked for at least 1,000 hours during the 52 weeks prior to the start of the FMLA leave.

2. **Qualifying Event and Amount of Leave -** Eligible employees may take up to a total of 12 work weeks of unpaid FMLA leave in a calendar year for the following qualifying events:

    a. **The birth or placement of a child** for adoption or, under Federal FMLA, for foster care:

i. State law provides up to 6 work weeks of unpaid leave for any one child.
ii. Federal law requires that leave conclude within 12 months after the birth.

b. **To care for the employee's spouse, child, domestic partner** (under Wisconsin FMLA), or parent (includes a parent-in-law and domestic partners' parents under the Wisconsin FMLA) with a serious health condition;
   i. State law provides eligible employees up to 2 work weeks of FMLA family leave.
   ii. Care for a child does not include the children of the employee's domestic partner.

c. **Qualifying Exigency** - Family leave due to an employee's spouse, child or parent being deployed or called to covered active duty in a foreign country as a member of any branch of the military, including the National Guard or Reserves.
   i. Eligible employees may take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty.
   ii. The amount of time an eligible employee may take for Rest and Recuperation qualifying exigency leave is expanded to a maximum of 15 calendar days.

d. **For the employee's own serious health condition** that renders the employee unable to perform his/her job.
   i. State law provides eligible employees up to 2 work weeks of FMLA medical leave.
   ii. State law provides eligible employees up to 6 work weeks of FMLA leave for bone marrow or organ donation, in accordance with the Bone Marrow and Organ Donation Leave law (Section 103.11 Wis. Stats.). Note: This leave may run concurrent with FMLA if the bone marrow or organ donation qualifies as a serious health condition under Federal or State FMLA.

3. **Military Caregiver** - Eligible employees may take up to a total of 26 work weeks of unpaid FMLA leave during a single 12 month period (beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the employer to determine the employee's 12 workweek of leave of leave entitlement for other FMLA-qualifying reasons) to care for a spouse, child, parent, or next of kin who is a member or veteran of the Armed Forces who suffered an injury or illness incurred/aggravated in the line of duty on active duty for which the servicemen or veteran is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list.
   a. A covered veteran is defined as an individual who was discharged or released at any time during the five (5) year period prior to the first date the eligible employee takes FMLA to care for the covered veteran. A dishonorable discharge disqualifies the veteran from coverage.

4. During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 work weeks of leave under federal law.

5. Leave qualifying for both Wisconsin and federal FMLA leave will count against the employee's entitlement under both laws and will run concurrently. When the reason(s) for qualified leave differ, the leave may not run concurrently under federal and state law, and an employee may be entitled to

more than 12 weeks of leave in a calendar year. This type of leave occurrence will be evaluated and reviewed with the employee at the time of the leave. Qualified leave taken under Worker's Compensation also will run concurrently with federal FMLA leave.

Under the federal FMLA, spouses employed by the City of Wisconsin Dells are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law) who has a serious health condition.

6. **Non-continuous or Intermittent Leave** - Employees are permitted to take leave on an intermittent (blocks of time) or reduced work schedule:
    a. When it is medically necessary to care for a family member with a serious health condition or because of the employee's serious health condition.
    b. When it is necessary to care for a family member or next of kin who suffered an injury or illness while on active duty.
    c. To care for a newborn, adopted or foster child. Federal FMLA leave for the birth or placement of a child for adoption or foster care may not be taken in non-continuous increments unless approved by the Municipality. Under the Wisconsin FMLA, the last increment of leave for the birth or placement of a child for adoption must begin within 16 weeks of that birth or placement.

    Medical or family caretaking leave should be planned so as not to unduly disrupt the Municipality's operations. Employees requesting non-continuous federal FMLA leave that is foreseeable based on planned medical treatment for purposes of providing care to a child, spouse or parent with a serious health condition or for the employee's own serious health condition may be required to transfer temporarily to an available alterative position for which the employee is qualified and which better accommodates recurring periods of leave than the regular employment position of the employee. An employee temporarily transferred will receive the same pay and benefits, but may be assigned different duties.

    The City of Wisconsin Dells allows for intermittent leave to be taken in no less than fifteen-minute increments. The employee may not take, or be required to take, more leave than medically necessary to address the circumstances that caused the need for the leave.

7. **Payments on FMLA Leave -** In general, both Wisconsin and federal FMLA leaves are unpaid. The City of Wisconsin Dells may require employees, or employees may choose, to substitute paid leave for which they are eligible (such as vacation days, personal leave, compensatory time or sick leave) for unpaid leave available under the federal FMLA; or employees may choose to substitute available accrued leave for unpaid Wisconsin FMLA.

8. **How to Apply for FMLA Leave**

a. Employees must submit a Request for Leave form to the City Administrator at least **30** days, or as soon as practicable, in advance of taking leave. If circumstances do not permit an employee to give notice in advance of taking leave, the employee must notify the City Administrator and submit the Request for Leave form as soon as possible, but no later than five days from the date of the incident. Failure to give timely notice may result in the delay or denial of FMLA leave and may subject you to discipline under Municipality policies.

b. If the leave is for a family member's or the employee's serious health condition, the employee must submit a medical certification from the employee's or the family member's health care provider within **15** days. Documents containing family information must be kept confidential pursuant to the Genetic Information Nondisclosure Act (GINA).

c. If an employee does not provide the required certification by the designated deadline, or if the City determines that an employee's absence is not covered as FMLA leave, the leave may not be designated as Wisconsin and/or federal FMLA leave, and the employee may be subject to discipline under the City's attendance policies unless he or she uses accrued paid leave (like vacation) and/or is granted a non-FMLA leave of absence.

d. Second or third certifications at the City's expense and periodic re-certifications at the employee's expense may be required under certain circumstances. The City requires periodic reports during federal FMLA leave regarding the employee's status and intent to return to work.

e. Forms are available on the City's website or through the City Administrator.

9. Health Insurance Benefits - Group health insurance coverage will be maintained for employees while they are on FMLA leave, on the same terms as if the employee continued to work. The employee will be required to pay his/her regular portion of health insurance premium payments on a schedule established by the City.

The City may recover its share of health insurance premiums paid during a period of unpaid FMLA leave from an employee if the employee fails to return to work (for a minimum of 30 calendar days) after the expiration of the leave. The City may not collect the premiums if the reason the employee does not return is due to continuation, recurrence or onset of a serious health condition that would entitle the employee to leave under FMLA, or other circumstances beyond the employee's control.

The City may discontinue health insurance benefits if the employee fails to make a premium payment within 30 days of the due date after providing written notice to the employee of the cancellation of coverage for non-payment.

10. Other Benefits - Other City benefits, such as life insurance, dental, vision and other elected coverages may be continued during periods of unpaid FMLA leave, and arrangements should be made for employee's portion of the payments with the City Administrator.

11. **Worker's Compensation and Light Duty** - Federal FMLA will run concurrent with worker's compensation provided that the injury meets the criteria for a "serious health condition", as defined by law. Substitution of accrued paid leave is not allowed for Worker's Compensation absences unless an applicable labor agreement provides otherwise.

If an employee accepts a light duty assignment while on worker's compensation, that time may not count against the employee's family or medical leave entitlement. If the light duty position is declined and the employee elects to stay on FMLA leave, the employee may give up their worker's compensation benefits.

12. **Return to Work** - Any employee returning from FMLA for their own serious health condition must provide a Fitness for Duty" statement signed by their treating physician Upon return from FMLA leave, an employee shall be restored to his or her original position or, if the position is not vacant, to an equivalent position with equivalent pay, benefits and other terms and conditions of employment.

An employee will not be restored to their original or equivalent position if they are unable to perform the functions of their job because of a mental or physical condition. The City may require that the certification specifically address the employee's ability to perform the essential functions of the job. The City must provide an employee with a list of the essential functions with the "designation notice" and indicate that the certification address the employee's ability to perform those essential functions. (825.312(b)).

13. **DEFINITIONS**

Child - Biological, adopted, or foster child, stepchild, legal ward or, under the federal FMLA, the child of a person having day-to-day care of the child, or a child of a person standing "in loco parentis," who is under 18 years of age or 18 years of age and older and incapable of self-care because of a serious health condition.

Covered Servicemember (Federal FMLA) - Active members of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, AND veterans who were members of the Armed Forces (including National Guard or Reserves) and were released or discharged from service within the five-year period prior to the date the employee's military caregiver leave began. An individual discharged dishonorably does not qualify. The time period between the 10/28/09 enactment date and 3/8/13 effective date of the regulations is excluded in the determination of the five-year period for covered veteran status.

Domestic Partner (Wisconsin FMLA) - The Wisconsin FMLA provides certain benefits to employees with a registered or unregistered domestic partner. To be eligible, registered domestic partners must have filed a declaration of domestic partnership with the Register of Deeds in their

county of residence by April 1, 2018, and unregistered domestic partners must have filed an affidavit with the Department of Employee Trust Funds prior to September 23, 2017, attesting to satisfying specific statutory criteria. Same-sex couples who register in their county of residence and same-sex and opposite-sex couples who are not required to register.

1. To qualify as registered domestic partners, two individuals must meet the following criteria: at least 18 years of age and capable of consenting to the relationship, not married to, or in a domestic partnership with another individual, not more closely related than second cousins (whether of the whole or half blood or by adoption), they must share a common residence, and be members of the same sex.
2. To qualify as domestic partners without registration, two individuals must meet the following criteria: at least 18 years of age and capable of consenting to the relationship, not married to, or in a domestic partnership with another individual, they must share a common residence, they must not be related by blood in a way that would prohibit marriage under Wis. Stat. 763.03, they must consider themselves to be members of each other's immediate family; and they must agree to be responsible for each other's basic living expenses.

Incapable of Self-Care – The individual requires active assistance or supervision to provide daily self care in three or more of the ***activities of daily living*** (i.e. grooming, hygiene, bathing, dressing, eating) or ***instrumental activities of daily living*** (i.e. cooking, cleaning, shopping, utilizing public transportation, paying bills, maintaining a residence, using telephones and directories, and using a post office).

Next of Kin (Federal FMLA) - The nearest blood relative other than the covered servicemember's spouse, parent, son or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemembers' next of kin and make take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

Parent - Biological parent, foster parent, adoptive parent, stepparent or legal guardian of an employee, or parent-in-law or domestic partners' parents under the Wisconsin FMLA. Under the federal FMLA, "parent" includes an individual who provided day-to-day care to the employee when the employee was a child.

J. PAID HOLIDAYS

Policy: The City of Wisconsin Dells will observe the following holidays for full-time employees only:

Identified Holidays:

New Year's Day	Labor Day	Christmas Eve Day
Easter (Good Friday)	Veteran's Day	Christmas Day
Memorial Day	Thanksgiving Day	Personal Holiday
Fourth of July	Day after Thanksgiving	

Observance: When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday shall be observed on the following Monday. The Police Department will recognize all holidays on the actual holiday.

Work on a Holiday: The City recognizes that some City operations must continue to be performed even on a holiday. Employees who are required to work on an identified holiday listed above will be paid at a rate of time and one half in addition to holiday pay for the hours they worked.

Accrued Holiday Hours (Dispatchers): Accrued holiday time is to be taken during the year in which the hours were accrued. Any holiday time not used by the end of the year will be paid out at the normal hourly rate it was accrued at.

K. FUNERAL/BEREAVEMENT LEAVE

The City recognizes the need for employees to have time to make arrangements, handle family matters and attend funerals when a close member of their family dies. Factors to be considered include the relationship of the employee to the deceased, the location, date and time of the funeral, and other facts specific to the deceased and the funeral and/or family arrangements. It is not reasonable for employees to consider Bereavement Leave as an entitlement to three days off with pay when a qualifying relative dies. Employees not involved or attending the funeral may not qualify for Bereavement Leave.

Policy: An employee shall be allowed up to five (5) days off with pay in the event of the death of the following:

1. Spouse
2. Parent

3. Child

An employee is allowed up to three (3) days off with pay in the event of the death of the following:

1. Grandchild
2. Brother/Sister
3. Grandparent
4. Mother-in-law/Father in-law
5. Brother-in-law/Sister in-law

Each employee is allowed one (1) day off with pay in the event of a death in the employee's extended family. For purposes of this policy, extended family includes the following:

1. Niece/Nephew
2. Son-in-law/Daughter-in-law
3. Grandparent-in-laws
4. Aunt/Uncle
5. Cousin

The City realizes that "immediate family" and "extended family" may not recognize all people within a family who are cared about deeply. In these instances, other forms of paid or unpaid leave may be used with approval from the Department Director**.**

L. EXPENSE REIMBURSEMENT POLICY

Policy: The City reimburses employees for reasonable expenses incurred in the performance of City business. These expenses include, but are not limited to, the cost of meals, lodging, travel, and registration fees. All expense reimbursements are processed in accordance with Internal Revenue Service guidelines.

Proper Documentation Required: The City requires original itemized receipts for all expenses to be reimbursed. The Department Director shall review and sign off on the request.

Meals: The City will reimburse employees for the costs of meals and non-alcoholic beverages in accordance with U. S. General Services Administration - Meal & Incidentals Per Diem Rates.

Mileage Reimbursement: Employees who do not have access to a city vehicle and use their personal vehicle for official business will receive the current Internal Revenue Service mileage rate.

Out of State Travel. All out of state travel must receive prior approval by the department's governing committee or board.

M. CLOTHING ALLOWANCE

Protective Gear: The City agrees to provide protective gear for those employees who require it for safe performance of their jobs. When not in use, all protective gear shall be stored in the appropriate city building. This shall include ½ the cost of ANSI safety boot each year if needed and ½ the cost of prescription safety glasses.

Clothing Allowance: To be paid to the employee on January 1st each year.

Public Works, Park Maintenance, Building & Grounds, Code Enforcement, Water & Sewer Utilities: The City agrees to provide up to $250 each year for work related clothing.

Electric Utility: The City will provide and purchase safety and protective gear as needed.

Dispatch: The City shall provide Dispatchers with their initial set of clothing. Additional clothing will be provided for by requisition.

Police: As detailed in the Wisconsin Dells Professional Police Association WPPA/LEER Local 462 Union contract.

N. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City shall offer an Employee Assistance Program (EAP) through the Paquette Center in Portage. The EAP provides confidential assessment and counseling services for all full-time employees and their qualified dependents.

The City recognizes that personal, behavioral and medical circumstances can affect a person's health, safety and/or job performance. Employees may also be affected if their family members experience these circumstances. For these reasons, the City encourages employees and their dependents to use the EAP for assistance. Employees may be requested to utilize the EAP as part of a positive program toward improving the employee's performance.

Reports from the agency, firm or person designated to operate the EAP for the City shall only provide the City Administrator with summary reports indicating the amount of program usage.

Nothing in this policy shall obligate the City to assume any financial responsibility for the services provided to an employee or a dependent.

1. The City will provide assistance for employees and their dependents facing issues to find and access informational, diagnostic, counseling, treatment and support resources.

2. The City will not discriminate against any employee in areas of job security or promotional opportunity due to their use of the EAP. An individual's voluntary participation in the EAP is

confidential and will not be made part of the individual's personnel record. An individual participating in the EAP retains all benefits otherwise available.

3. Employees are encouraged to contact the EAP voluntarily for a confidential assessment for any life circumstance issue for which they need good information. It shall be the employee's option to accept or reject a referral to the EAP or any subsequent referral to other resources.

4. When job performance is affected, the supervisor may offer a referral to the EAP. The offer of EAP services will be documented.

5. There is no cost to the employee or dependent for using the EAP. If an employee or dependent is referred for additional services the cost of such services is the employee's or dependent's responsibility. City employee benefits, such as health insurance, may in most cases pay for additional services.

Employees and dependents may contact the Pauquette Center directly at 608-742-5518 to schedule an assessment.

SECTION VIII - WORK SCHEDULES AND PAY

A. PAYROLL AND TIME RECORD KEEPING POLICY

Payroll Policy: The City has a standardized payroll system and payroll procedures in accordance with State & Federal Guidelines. Employees are paid bi-weekly by direct deposit.

Employees are Responsible for Data Changes and Updates: For the system to be effective, it requires current information for all City employees. Therefore, it is the employee's responsibility to keep all payroll and required Human Resources information current. Employees are to notify their supervisor, and Human Resources, of any changes to their name, home address, telephone number(s), marital status, name or number of dependents, number of tax exemptions, insurance classification, beneficiary changes, or individuals to be contacted in case of emergency. Having all this information current and accurate is necessary as it may affect benefits and other important matters.

Deductions from a Paycheck: It is the City's policy to comply with applicable wage & hour laws and regulations. If you have any questions or concerns about your employment status or you believe that any deduction has been made from your pay that is inconsistent with your employment status, you should immediately raise the matter with your Supervisor and/or City Administrator so they can assist you in understanding, as well as obtaining, the information that is required in order to investigate the matter, if an investigation is necessary.

Time Record Keeping Policy: All employees (exempt and nonexempt) are required to record their hours worked. Nonexempt employees are required for attendance purposes only.

Employees are required to record the time at the beginning of their work day and at the end of their work day. Under normal circumstances, employees should arrive no earlier than 7 minutes before the beginning of their shift; nor leave more than 7 minutes later than the end of their shift.

Employees are required to sign in and out for unpaid lunch breaks taken.

Supervisors will use discretion in disciplinary actions when employees have various, repeated offenses to the time keeping policy and/or procedure.

B. WORK SCHEDULES & HOURS OF WORK

Work schedules and hours of work shall be determined by the Department Directors to best meet the needs of the city in the most efficient manner. Employees shall have the expectation of duty when needed to report to work after hours for emergencies and other such work as needed.

C. OVERTIME

The City may require FLSA non-exempt employees to work overtime when the City deems such overtime is necessary to the operations of the City. Overtime should be kept to a minimum and approved in advance whenever possible. Overtime hours shall be compensated at one and one-half time the employee's normal hourly rate for hours **worked** in excess of eight (8) hours in a work day. Over-time for police officers shall follow Section 7(k) of the FLSA.

D. COMP-TIME

The maximum amount of comp-time which can be banked by non-administrative employees at any given time is forty (40) hours. Any employee off work on comp-time can be called into work during an emergency. Comp-time is only paid out upon end of employment (termination of employment, resignation, or retirement.)

E. CALL-IN PAY

Employees who respond to "call-in" outside of their regular scheduled hours of employment shall be entitled to a minimum of two (2) hours of over-time pay.

F. STANDBY COVERAGE PAY (ELECTRIC UTILITY ONLY):

Lineman shall provide weekly standby coverage. For purposes of this coverage, the weeks shall consist of starting at 7:00AM on Monday and ending at 7:00AM on the following Monday.

A) Each lineman shall be assigned weekly standby coverage by their supervisor on a rotating basis. Such assignments shall be equalized annually. Lineman may agree to trade their assigned standby weeks or portions thereof, subject to supervisor approval:

B) A Lineman are required to carry a pager or cell phone provided by the supervisor during a lineman's standby coverage shift.

C) A Lineman shall, during the assigned standby coverage, remain within a distance of the City of Wisconsin Dells city limits in order to respond to a page or call outside of the normal working hours within thirty (30) minutes; and

D) Compensation for Standby Coverage shall be 2 hours of the employee's normal hourly rate for each day they are on standby coverage. This payment is waived in

the event that a call-in occurs, whereas the employee shall then be entitled to the 2-hour over-time minimum call in provision.

G. PAY DAY AND DIRECT DEPOSIT

The City will process payroll by-weekly ending on a Saturday with payday being every other Thursday for the preceding pay period. Payment will be made by means of direct deposit into the employee's designated bank account(s).

H. LEAVE OF ABSENCE

Employees past their probationary period are eligible for a general leave of absence. Leaves of absence shall be granted as follows:

1. Jury Duty: Leave for jury duty shall be as provided by law. An employee called to jury duty will be paid their regular salary.

2. Military Leave: Leaves will be granted for various duties of service in the military as provided by law. Such leaves will be without pay. An employee may use vacation or compensatory time for such military leave.

3. General Leave: A leave that does not involve paid time of fall under FMLA is classified as unpaid leave of absence. Requests for unpaid leave shall be submitted to the Department Director in writing. Approvals of such requests are at the Department Director's discretion. No leave shall be granted for the purpose of seeking other employment. Failure to report back to work following an approved leave of absence shall be considered a voluntary resignation.

4. Family and Medical Leave: See the appropriate policy section of this handbook.

No benefits shall accrue during an unpaid leave of absence. At the employee's expenses, an employee may continue the employee's health insurance during an approved leave of absence in accordance with applicable state and federal continuation requirements.

I. INCLEMENT WEATHER

All city building and offices shall remain open during inclement weather unless the Mayor declares them closed. In that case, city employees shall receive their normal wage for the hours missed due to the closing.

EMPLOYEE ACKNOWLEDGEMENT

I have received a copy of the Employee Handbook. I have read and I understand its contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I understand that it is my responsibility to comply with all City policies, rules and expectations as set forth in this Handbook, as well as policies, rules and expectations that the City may otherwise establish or change from time to time. I further understand and acknowledge that this Handbook provides guidelines and information, but this Handbook is not, nor is it intended to constitute, an employment contract of any kind. I understand that any contract or employment agreement must be authorized and approved by the City Council at a duly-noticed meeting. I acknowledge that I have not entered into any such individual agreement or contract by acknowledging receipt of this Handbook or by following any of the provisions of this Handbook. I understand that any contract or employment agreement must be authorized and approved by the Employer and Union to the extent required by law.

I understand that the contents of this Handbook may be changed by the Personnel Committee and/or the Common Council.

After you have reviewed the Handbook sign this Employee Acknowledgment page and return it to your supervisor, who will submit it to the Human Resources Department to be placed in your personnel file. Thank you for being part of the City of Wisconsin Dells staff.

_____ _____

Employee's Signature Date

_____

Print Name