

## **VILLAGE OF CLINTON EMPLOYEE HANDBOOK**

### **I. OVERVIEW/INTRODUCTION**

#### **About the Village of Clinton**

The Village of Clinton was founded in 1837. Our Village of 2,246 residents (as of 1/12) has a rich history and many community traditions. We encourage you to learn about the Village's history because it will help you to better understand the Village today. Residents and citizens of the Village are served by a Village Board which meets monthly. The Village Board governs the Village with the assistance of a professional Village Administrator who manages the day to day operations of the Village government.

Following a strategic planning process, the Village Board approved this vision statement for the Village in December, 2012: "The Village of Clinton shall be a safe, family oriented, attractive "small town" with active and diverse business services; residential areas; employers and jobs; quality government services and facilities; and a sense of history and focus on the future."

The Village which in 2012 marked its' 175<sup>th</sup> anniversary is proud to be recognized as an official "Tree City USA" community!

#### **Purpose of This Employee Handbook & At-Will Employment Policy**

The purpose of this handbook is to communicate to you the Village's system for administration of all personnel matters. Please read through it carefully. It will provide you with basic information about your employment with the Village.

The goal of uniform personnel practices is to ensure that the principles of fairness and merit are the basis of all personnel matters. In addition, the intent of this handbook is to assist in establishing a safe, effective and efficient work place for Village employees.

This handbook has been prepared for informational purposes only. None of the statements, policies, procedures, rules or regulations contained in the handbook constitute a guarantee of employment, a guarantee of any other rights or benefits, or a contract of employment express or implied. Unless otherwise specified by law, statute, ordinance, an employment contract or a collective bargaining agreement, all Village employees are employed "at will", and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause at the option of the Village or the employee. The Village may modify or eliminate the provisions set forth in this handbook at any time with or without notice. This handbook supersedes all previous manuals, statements, policies, procedures, rules or regulations given to employees, whether verbal or written.

In the event any provision in this handbook conflicts with any collective bargaining agreement, employee contract, village ordinance, state or federal law or administrative rule; the terms and conditions of that agreement, law or rule shall prevail. In all other cases, the provisions in this handbook shall apply.

#### **Organizational Chart**

Please see attachment A of this handbook for the Village's organizational chart.

### **Mission Statement for Village of Clinton Government**

The Village's mission statement for Village government is as follows: **With fairness; openness to all; cooperation; integrity; and a focus on the future, the Village Board and staff will preserve the small town atmosphere of the Village by providing quality Village services and facilities while protecting the historical character of the Village; and encouraging planned business and residential diversity; retention and growth.**

### **Village Board Vision for Conduct of Village Employees & Value Statements for Village Government**

The Village is dedicated to the mission statement for Village government. In addition, the Village has adopted a strategic plan for 2013 – 2017 which guides the Village's work to ensure we live by our mission statement. It is important that you as an employee of the Village support the efforts of the Village Board and Administrator in serving the Village and community. Decisions made by the Village Board are based on the Village's adopted Strategies which can be found in the Village's adopted strategic plan. As a team, we can and will achieve those strategies in the best interests of the Village and thus in keeping with the Village's mission.

The Village expects that you, as an employee of the Village, will promote the Village's best interests and will assist all those involved in the Village to build goodwill with the citizens. In the course of your work, you will come in direct contact with citizens and at those times you are the "Village". People form an opinion of the Village based on his/her interaction with you, thus your performance, attitude and appearance are critical. You are expected to think of all interactions you have with citizens in this way!

The Village Board has also adopted the following Value Statements for Village Government: Village Board members and staff will exhibit these values in the conduct of Village business.

- All citizens and businesses will be treated with respect and courtesy. Their concerns will be addressed in a timely manner.
- Village ordinances will be enforced fairly and uniformly.
- Communication with each other and the community will be encouraged, open and full.
- Honesty, integrity, and the best interests of the Village will govern all decisions and actions.
- Cooperation with each other, residents, businesses, and other governments/school district will be the standard.
- Village resources will be used effectively and only for Village purposes.

### **What the Village Provides for Employees**

The Village of Clinton believes in creating and ensuring a harmonious working relationship among all employees and between employees and our customers – the citizens of Clinton. In pursuit of this goal, the Village will as your employer strive to:

- Provide an interesting, challenging, and rewarding workplace and work experience.
- Hire employees on the basis of skill, training, ability, attitude and character without discrimination with regard to age, sex, color, race, creed, national origin, religious persuasion, marital status, political belief, sexual orientation, a disability that does not prohibit performance of essential job or work functions, or any other legally protected status.

- Compensate all employees fairly based on the Village Board’s compensation plan or based on negotiated labor agreements.
- Review wages, employee benefits and working conditions regularly with the objective of being competitive in these areas consistent with sound business practices.
- Provide vacation, sick leave and holidays to all eligible employees.
- Provide eligible employees with health and welfare benefits.
- Take prompt and fair action on any complaint which may arise in the everyday conduct of business to the extent it is practicable.
- Treat all employees with courtesy, respect, and consideration.
- Provide work spaces and offices that are comfortable, orderly and safe.
- Promote employees on the basis of their ability and merit (consistent, if applicable, with labor agreements in effect).
- Keep all employees informed of the Village’s overall goals, objectives and activities.
- Promote an atmosphere in keeping with the Village’s vision, mission and value statements for Village government.

### **Management Rights**

The Village as your employer has certain management rights. These rights include but are not limited to: managing the employees of the Village including hiring, promoting, scheduling, transferring, training, assigning, or retaining employees in positions with the Village; to establish work rules; to establish and alter employment policies and procedures including those set forth in this handbook; to suspend, discharge, or take other appropriate disciplinary action when necessary; to schedule overtime work as required consistent with the needs of the Village; to develop job descriptions to serve as a guideline and not a rigid limitation; to assign employees to specific duties; to introduce new or improved methods or facilities or to change existing methods or facilities; to fulfill the Village’s obligation in contracting out for matters relating to its operation; and any other right or responsibility the Village may have by law or otherwise. (Please note: The Village has in place a Library Board per Wisconsin Statutes. The Library Board is responsible for Library personnel as set out by Wisconsin Statute. This handbook is not intended to conflict with process or rights set out by State Statute for sworn Police personnel.)

### **Amendments to the Handbook**

This employee handbook shall be reviewed and amended as needed at the discretion of the Village Board. Changes to this handbook shall be subject to Village Board approval.

## II. EMPLOYMENT

### **Position Descriptions**

Each dept. of the Village will have a binder containing all position descriptions that pertain to that dept. The Village Administrator's office will have a complete set of approved position descriptions.

### **Filling Vacant Positions**

Department heads must request approval from the Village Administrator to proceed with filling a vacant position and the Dept. head will propose the method to be used in filling it. Possible options for filling a vacant position include but are not limited to the following: recruitment (may involve an evaluation of applicant's education, training, experience, and other work related qualification, a written examination to measure essential kinds of work related knowledge, a performance test to measure essential skills, and an oral interview), promotion, transfer, and reinstatement. If the department head believes they were unnecessarily denied their request to fill a position they may appeal the decision to the Village Board.

### **Recruitment and Selection**

The Village shall undertake recruitment and selection processes that are intended to result in the hiring of employees on the basis of skill, training, ability, attitude and character without discrimination. The Village is an equal opportunity employer. The selection process works to match the best person to the position available. The best person will have the necessary skills and ability and also will be someone that is comfortable working with our team to achieve the Village's goals.

### **Immigration Reform and Control Act of 1986 (IRCA)**

This federal law intends to reduce illegal immigration by removing employment opportunities for those who are in the United States illegally. Under this law, the Village may only hire citizens and aliens who are authorized by the Immigration and Naturalization Service to work in the United States. To comply with this law, applicants for Village positions may be informed that, if offered employment, they will be required to produce an original document or documents which are genuine and legally acceptable to establish their identity and employment eligibility, as listed on the I-9 form of the Immigration and Naturalization Service. Such documents must stay current for documentation of continued eligibility.

### **Work Rules**

Business Hours The Village Hall is open to the public for business from 8:00 a.m. to 4:30 p.m. Monday through Thursday and 8:00 a.m. to 1:00 p.m. on Friday. Other Village buildings' hours for business may vary. An employee's particular hours of work and the scheduling of breaks is determined and assigned by the Village Administrator (or Department Head should the Village Administrator so designate). Required half hour lunch breaks are not paid time.

Attendance Employees are expected to be at work and ready to work at the beginning of their assigned work hours. Failing to report for work, habitual lateness and/or absences may be cause for corrective action up to and including termination.

Reporting Absences From Work In the event an employee finds it necessary to be absent from work due to illness, injury or other emergency, he/she must contact his/her department head directly by phone as soon as possible prior to the start of his/her scheduled work time, unless the employee is unable to give such notice because of serious illness, etc. If the department head cannot be reached,

the Village Hall administration office should be contacted and a message left for the Village Administrator.

Unusual or Undesirable Working Conditions (Severe Weather or Other Emergencies) Should the Village Hall be closed by the Village Administrator or his/her designee because of inclement weather, loss of adequate building heat, light, or use of all sanitary facilities, etc., employees will be paid for that day based on the employee's normal work schedule for that day. If the Village Hall is open for business and an employee cannot or chooses not to report to work and is scheduled that day, he/she may take vacation or other accumulated paid or unpaid leave.

### **Equal Employment Opportunity**

The Village of Clinton is an equal employment opportunity employer. Employment decisions are based on merit and Village needs and not on race, color, citizenship status, national origin, ancestry, gender, sexual orientation, age, religion, creed, physical or mental disability, marital status, veteran status, political affiliation, or any other legally protected status. If you believe that you or someone else has been subject to discrimination prohibited by this policy, you should immediately report this to the Village Administrator. Anyone engaging in unlawful discrimination may be subject to discipline up to and including termination.

### **Americans with Disabilities Act Compliance Statement & Reasonable Accommodation**

It is the policy of the Village of Clinton to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). It is also our policy to comply with applicable laws for nondiscrimination in employment against individuals with disabilities. The Village will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations do not impose an undue hardship on the Village of Clinton. An employee or applicant who believes he or she has a disability and may require an accommodation must contact the Village Administrator.

## **III. EMPLOYEE DEVELOPMENT**

### **New Employee Orientation**

On the first day of employment, a new employee will receive the Human Resources – Policies and Procedures Handbook for Employees. Within the first week of employment, new employees will be invited to the Administrator's office for orientation to introduce the employee to Village policies, rules and benefits programs and to ensure that all employment paperwork is completed within necessary timeframes. New employees can also ask questions at this time about information contained in the Policies and Procedures Handbook.

The employee's Supervisor will continue orientation by introducing department co-workers to them, explain hours of work, review job duties/responsibilities, initiate training as needed and explain department and safety rules.

### **Training, Conferences and Related Expense Reimbursement**

The Village of Clinton believes in and supports employee education, training and professional development. Annually, the Village budgets funds for training, professional development opportunities,

memberships for professional organizations and conferences. Employees may participate in job related education, training and professional development at the recommendation of their Supervisor and if funds are budgeted. The Village Administrator shall approve Department Head related formal training and professional development activities prior to any employee attending such activities. The Village Administrator shall also review unbudgeted training and development activity for all employees including approval of associated costs.

Employees will be reimbursed for mileage (IRS Rate) to and from the qualified event and also for meals not provided during the event. The maximum meal reimbursement shall be \$8.00 for breakfast, \$12.00 for lunch, and \$20.00 for dinner. Gratuities shall not exceed 15% of the total meal cost and no alcohol cost shall be reimbursed. A Village reimbursement form along with receipts documenting qualified expenses must be turned in for reimbursement of mileage and meal.

#### **IV. COMPENSATION, BENEFITS, LEAVE AND CLASSIFICATION**

##### **Compensation**

Annually, the Village Board will adopt a salary/wage resolution that includes all Village employees. The resolution is normally adopted in December (after the adoption of the Village Budget) for the following fiscal year, from January through December. The salary resolution adopted by the Village Board will reflect compensation for employees not covered by a collective bargaining agreement and those covered by a collective bargaining agreement in accordance with the pay as provided for in the collective bargaining agreement in effect.

##### Pay Periods

Village employees are paid bi-weekly, every other Friday. Elected officials are paid twice annually.

##### Fair Labor Standards Act (FLSA) and Compensation

The Village of Clinton does comply with the Fair Labor Standards Act concerning overtime and compensatory time. A non-exempt employee is defined as an employee who is not employed in an administrative, executive, or professional capacity and therefore is covered by state and/or federal minimum wage and hour law. An exempt employee is employed in an executive, administrative or professional capacity that meets the qualifications for exemption under the Fair Labor Standards Act as amended and therefore is not covered by state or federal minimum wage and hour law. When a position is designated as exempt, the employee in that position may be paid on a salary basis without regard to the number of hours worked.

Overtime Pay – Non-Exempt employees are eligible to receive overtime pay of one and one-half (1 ½) times their regular hourly wages for approved hours worked over 9 hours a day or over 40 hours in 1 week based on a workweek of Sunday through Saturday. Approved leaves, such as holidays, vacation days, or paid sick time are counted as hours worked for the purpose of computing eligibility for overtime pay. All overtime must be approved in advance. An hour which qualifies as overtime shall be paid for only once, and accordingly, an hour counted and paid as overtime shall be paid for only once (either as over 9 hours in a work day or over 40 hours in a work week). There shall be no pyramiding of overtime pay.

Compensatory Time Off – The Village gives employees the option of receiving compensatory time off instead of overtime pay for overtime hours worked. All comp time off must be given at the rate of one

and one-half hours for each hour of overtime worked. Comp time scheduling will be done on a prior approval basis and will be scheduled to meet both the needs of the employee and the Village.

Compensatory time may be accumulated to a maximum of 40 hours per calendar year. Compensatory hours less than or equal to 40 existing at the end of the calendar year, may be carried over into the next calendar year but shall not increase the maximum of 40 hours per calendar year provided in this section.

Exempt employees are not eligible for overtime pay under FLSA. Exempt employees will be compensated by salary and on the basis of responsibilities and duties rather than the number of hours required to perform their duties.

#### Weekend Rounds

Non-exempt public works employees will be required as needed by the Public Works Director to conduct weekend rounds. Weekend rounds shall include checks of sewer utility facilities, water utility wells and related duties. This schedule includes each weekend (Saturday and Sunday) and individual weekdays (Monday through Friday) due to the observance of a scheduled holiday being on a weekday.

An employee assigned to perform weekend round duty will be paid at one and one-half times their regular hourly rate of pay for 3 hours for each day on which weekend or holiday rounds are performed.

#### On Call Pay

The term "on call" shall refer to periods of time during which a public works employee shall remain available to respond to directions to perform work that has not been scheduled (non-scheduled work). A public works employee may be scheduled by the Director of Public Works to be on call during each weekend (Saturday and Sunday) and on individual weekdays (Monday through Friday) due to the observance of a scheduled holiday on a weekday.

Times during which an employee is required to be on call will be scheduled by the Public Works Director at his/her discretion. An employee assigned to be on call during a weekend shall be required to remain on call from the end of the regularly scheduled work day shift on the preceding Friday through the beginning of the regularly scheduled work day shift on the following Monday. Should a holiday be observed on an adjoining Friday or Monday, the on call time shall extend through those days.

At all times while an employee is on call, the employee shall remain available to report for work within 60 minutes of being contacted and directed to do so.

Non-scheduled work shall first be offered to the employee on call. Otherwise, non-scheduled work shall be assigned by seniority.

An employee on call during a weekend shall receive 4 hours of compensation time (2 hours for Saturday and 2 hours for Sunday) to be taken by the employee on or before the 7<sup>th</sup> calendar day succeeding the Sunday included in the weekend. An employee required to remain on call on a weekday, shall receive 2 hours of compensatory time for each such weekday to be taken by the employee on or before the 7<sup>th</sup> calendar day succeeding the weekday. An employee may bank extra on call hours if unable to use them due to an emergency beyond the employee's control (emergency defined as act of God, and/or not enough personnel to cover required work schedules).

### Time Records

All employees must report all hours of work (daily start and end times), all time off taken (vacation, sick leave, doctor appointments, etc.) on their payroll sheets. This payroll sheet shall be verified and signed by the employee and the employee's department head.

### **Benefits**

#### Eligibility

The benefits explained in this section of the handbook apply to all regular, full time, non-represented employees of the Village. Sworn police employees represented by the labor association should refer to their current collective bargaining agreement for an explanation of their benefits.

Regular part-time employees that are scheduled to work thirty (30) or more hours per week, year round are eligible for pro-rated (to their normal weekly work schedule) holiday, sick leave and vacation as described in this section.

Eligibility for retirement benefits and group insurance (health and life) for all part time employees shall be based on and determined by the State of Wisconsin Employee Trust Fund Plan rules as long as the Village participates in the State of Wisconsin Retirement System and the associated State Trust Fund Health Insurance Program.

#### Deferred Compensation Program

The Wisconsin Deferred Compensation program is available to all eligible employees at their cost. Employees may contact the Village Administrator for the Village representative to sign up for this.

#### Group Insurance (Health and Life)

The Village provides group health and life insurance benefits. The Village has the sole discretion to determine what insurance benefits will be provided and the level of the benefits to be offered. Currently, the Village participates in the State of Wisconsin's Employee Trust Fund (ETF) Health Insurance Program and Life Insurance Program. For more detail on these insurance plans, you may visit the State's Department of Employee Trust Funds website at [www.etf.wi.gov](http://www.etf.wi.gov). or see the Village Administrator.

Because of the ever-increasing cost of medical insurance, employees are required to contribute an amount toward the cost of monthly premiums. On an annual basis during the budget process, the Village Board shall review and establish the employer/employee portion of health insurance costs. For life insurance only, the Village pays 100% of the premium for all Village employees eligible to participate in the life insurance plan.

Eligibility and coverage for participation in the health insurance plan shall be subject to the insurance policy contract.

Upon termination of your employment with the Village, group health insurance may be continued for a specified period by law (COBRA), if the employee pays the monthly premiums to the Village and meets other qualifying criteria. Any questions concerning this should be addressed to the Village Administrator.

### Holidays

The following 10 holidays are recognized by the Village as paid holidays: New Year's Day, Friday preceding Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve Day, Christmas Day and 1 floating holiday. Holiday pay is pro-rated to reflect the employee's normal number of hours that would have been worked on the holiday.

Effective 1/1/14 for employees hired 1/1/14 and after, there shall be 9 paid holidays: New Year's Day, Friday preceding Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve Day, and Christmas Day.

When a holiday falls on a Sunday, the following Monday shall be observed as the holiday. When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

Non-represented, full-time Department Heads will be paid at the employee's regular rate of pay for the number of hours scheduled to be worked during the weekday on which the holiday is observed.

### Wisconsin Retirement System (Pension)

Wisconsin retirement system benefits are provided to full-time and eligible part-time employees as provided under the rules of the Wisconsin Retirement System (WRS). Under current rules, the Village contributes the employer share of the required contributions. Participating employees pay the employee share which is deducted pre-tax from each pay check the employee receives.

### Uniform/Clothing Allowance for Department of Public Works Employees

The Village shall provide each full-time public works employee with an allowance for clothing/uniforms routinely worn by the employee while at work and determined to be suitable for work by the department head. The amount of the allowance (determined annually) shall be reimbursed from the allowance upon submission of receipts approved by the Department Head. New employees shall have a pro-rated clothing allowance based on their start date.

### Vacation

Vacation is intended not only to reward an employee for service to the Village but also to provide employees with a break from their normal routine so that they may become refreshed and recharged when returning to work. Therefore, pay in lieu of vacation is not permitted. Each eligible employee should take a period of time away from work at least once a year and full-time employees who have earned more than 80 hours of vacation shall be required to use at least 40 hours vacation in one block. Vacation time is based on a calendar year schedule and may not be carried over from year to year except in exceptional cases where circumstances do not permit all vacation time to be used within the calendar year. Requests for vacation carryover into the next calendar year must be recommended by the Department head in writing to the Village Administrator by November 1 of each year and must be approved in writing by the Village Administrator.

Vacation shall be granted to an employee based on accumulated continuous service.

Vacation benefits are offered to all eligible employees pro-rated to reflect the employee's normal number of hours worked per week based on the following schedule:

40 hours - during first calendar year (pro-rated to month of hire)

80 hours – during second calendar year

During the third and subsequent years, an additional 8 hours per year up to a maximum of 200 hours.

Employees hired 1/1/14 and after shall have the following vacation benefits pro-rated to reflect the employee's normal number of hours worked per week:

40 hours – after completion of first calendar year

80 hours – after completion of second calendar year

During the third and subsequent years, an additional 8 hours per year up to a maximum of 120 hours.

Vacation time off is granted at the discretion of the employee's supervisor. Under normal circumstances vacation time shall not be granted to more than one employee within a department at a time. The department head may grant additional employees vacation time if the department is staffed in the best interests of the Village AND additional labor cost is not incurred. Vacations should be scheduled for each department to ensure that each department has appropriate staff coverage and the approval of vacation usage is cost effective for the Village. An employee shall give notice to their supervisor of intent to take vacation and the amount of vacation time to be taken. The department head will approve or deny the request in writing as soon as possible. Seniority shall be the deciding factor on vacation requests submitted.

An employee who in any calendar year ceases to work as an employee of the Village, shall be entitled to receive vacation pay for the calendar year in proportion to the number of calendar days in the year which have elapsed from the first day of such year, through the date on which the cessation occurs less the amount of vacation pay for the year which the employee has already received.

#### Workers Compensation Insurance

All Village employees are covered by Workers Compensation Insurance. Workers Compensation covers those injuries sustained by employees on the job or on Village property during the course of their workday. An employee who is injured on the job must strictly follow the Village's accident reporting procedures including immediate notification to their supervisor that an accident has occurred.

#### **Leave**

##### Bereavement (Funeral) Leave

The employee shall notify his/her supervisor, in the event there is a death in the immediate or extended family of an employee, consisting of spouse, parent, step-parent, parent-in-law, step-parent-in-law, children, step-children, brother, sister, grandparent, or grandchild, son or daughter-in-law, brother or sister-in-law, niece, nephew, aunt, uncle, or grandparent-in-law and the employee attends the funeral service (except in unusual circumstances), the employee shall be granted up to 3 days leave of absence with full normal pay. Upon supervisor approval, other earned paid leave may also be taken. The Village Administrator may request proof of death.

Employees hired 1/1/14 shall have the same bereavement leave as noted above with the following exception: for niece, nephew, aunt and uncle, the employee shall be granted up to 1 day of leave with full normal pay.

### Family Medical Leave Act (FMLA)

The Village of Clinton does not currently meet the threshold established by the State of Wisconsin or the federal government for mandatory participation under this Act. The Village does however recognize times may arise when an employee desires to be away from work for the birth or adoption of their child or to care for the serious health condition of themselves or their parent, child, or spouse. The Village may allow up to a total of 320 hours leave in a twelve month period for: birth or adoption of the employee's child; the employee's own serious health condition; or to care for the employee's parent, child, or spouse who has a serious health condition.

At their option, employees taking leave for any of the above qualified reasons may take the leave unpaid or substitute accrued vacation or compensatory hours for the time off. An employee taking a foreseeable leave should notify their direct supervisor at least 30 days prior to the beginning of the leave. Unforeseeable leaves should be reported as soon as practicable (generally not more than 48 hours after the leave commences). During an employee's leave, health insurance and any other benefits in place prior to the leave will be maintained in a manner consistent with policies for non-FMLA leave.

### Jury Duty

A full-time employee selected to perform jury duty will continue to receive pay at the employee's regular rate of pay for all hours away from work due to jury duty. Any compensation (other than mileage) which an employee receives from the court system for jury service shall be reimbursed to the employer. When serving on jury duty, the employee will contact their supervisor upon release from jury duty to determine if they are to report to work for the remainder of the day. Employees are to present jury duty hours and pay voucher or other payroll document for the calculation of pay during this time.

### Military Service Leave

Employees who are members of the National Guard or any of the recognized reserve components of the Armed Forces are entitled to military leave for the purpose of attending military course instruction, training, or performing active duty. Employees in service in the uniformed services of the United States, as defined by the provisions of the Uniform Services Employment and Re-Employment Rights Act (USERRA), Title 38, U.S. Code Chapter 43, shall be granted all rights and privileges provided by USERRA and/or other applicable state and federal laws. This shall include the continuation of health coverage to the extent required under USERRA, and continuation of retirement contributions for the employee's period of service as provided by USERRA. Employees shall be subject to all obligations contained in USERRA which must be satisfied for the employees to be covered by the law.

### Sick Leave

Full-time employees shall earn and accumulate 8 hours of paid sick leave for each month of employment. Sick leave may accumulate and carry over from year to year to a maximum of 960 hours (maximum of 320 hours for employees hired 1/1/14 and after). Sick leave may only be used after it is earned. Sick leave does not accumulate during an unpaid leave of absence. An employee may use paid sick leave for the following: personal illness, injury, disability, doctor/dentist appointments for themselves or their immediate family which cannot be scheduled outside of regular work hours. Employees shall attempt to make arrangements so as not to interfere with their work. The employee's supervisor must be informed at least 3 days in advance of the medical or dental appointment, except in case of an emergency.

An employee off work for an extended period due to illness must keep his/her department head informed of his/her progress so that the department head can plan work and work schedules.

Employees who are absent for three (3) consecutive work days without notifying their department head may be considered as having voluntarily resigned unless failure to do so is for proper cause. If an employee has been under a doctor's care for an injury, he/she must obtain a release from his/her doctor before he/she may be allowed to return to work. In addition, an employee off work with an illness over three (3) consecutive work days may be required to provide a dated note from his/her doctor.

Termination of employment for any reason will cancel all unused sick leave.

For employees who have reached their maximum accumulation of 960 hours and use 0 to 24 hours of sick leave during a calendar year, they shall receive 1 floating holiday in the next calendar year. This benefit shall not longer apply for employees hired 1/1/14 and after.

#### Unpaid Leave

Unpaid leave must be requested in writing and shall be authorized at the discretion of the Village Administrator. Requests for unpaid leave exceeding 3 consecutive days must also be forwarded to the Village Board for approval.

#### **Classification**

Employees are classified as either: Regular Full-Time (exempt and non-exempt under Fair Labor Standards Act), Regular Part-Time, Part-Time Hourly, Limited Term or Seasonal Employees.

Regular Full-Time Employees – An employee regularly scheduled to work at least 2080 hours per year, averaging 40 hours per week (2004.75 hours for sworn law enforcement personnel) on a regular basis of 52 weeks per year, inclusive of earned benefit time off.

Exempt – (Under Fair Labor Standards Act): Includes the following positions: Administrator, Treasurer/Deputy Clerk, Director of Public Works, Police Chief, Library Director

Non-Exempt (Under Fair Labor Standards Act): Includes all other regular positions not listed as exempt.

Regular Part-Time Employees – An employee working between 600 hours and 2080 hours per year, on a regular basis of 52 weeks per year.

Part-Time Hourly Employees – An employee who works less than 600 hours per year.

Limited Term or Seasonal Employee – An employee, full or part-time that is hired for a fixed period of time (i.e. to fill in for another employee on leave, for the summer or to complete a specific project) not as a permanent employee. A limited term or seasonal employee is not eligible for benefits.

## **V. PERFORMANCE EVALUATION AND REVIEW**

All regular full-time and part-time employees will be evaluated by their department head at least once each year using a designated format. Performance evaluations should be viewed as an opportunity for growth and development concerning an employee's work with the Village. The Village's goal is to assist employees in being successful in their work with the Village.

Each employee will meet with his/her department head and will be shown the completed evaluation after it is prepared by his/her department head. At the meeting there will be opportunity for discussion before the employee is asked to sign the completed form. Employees who believe an evaluation is unfair or contains biased information may enter written objections on the back of the form or attach a separate statement to the form. Both the evaluation form and any statement added to it will be filed in the employee's personnel file.

## **VI. DISCIPLINE**

### **Discipline**

Discipline may result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates a policy or rule, when an employee's performance is not acceptable, or when the employee's conduct is detrimental to the interests of the Village. Disciplinary action may call for any of four steps, including a verbal warning; written warning or reprimand; suspension (with or without pay); or termination of employment. The discipline imposed will depend on the severity of the actions or failure to act, the employee's response to the incident including a willingness or lack thereof to accept responsibility for their actions and to learn from their mistake, and a review of the employee's work history suggesting similar type of issues. There may be circumstances when one or more steps are bypassed based on aforementioned factors. Certain types of employee problems may be serious enough to justify either a suspension or termination of employment without going through progressive disciplinary steps. The Village reserves the right, in its sole discretion, to impose disciplinary action as may be determined to be appropriate to the particular circumstances.

### **Standards for Conduct**

It is the Village's objective to promote the well-being of its employees in the workplace and to maintain high standards of professional conduct and work performance. Accordingly, this policy sets forth the standards for professional conduct and behavior that is unacceptable.

To ensure orderly operations and provide the best possible work environment, the Village expects employees to follow rules of conduct that will protect the interests and safety of all employees and citizens. This policy covers all employees of the Village.

### **Unacceptable Conduct**

Listing all forms of behavior that are considered unacceptable in the workplace is not possible. The following are examples of unacceptable conduct that may result in disciplinary action up to and including termination of employment. This list is not intended to be exhaustive.

- Excessive tardiness or absenteeism
- Unsatisfactory job performance

- Being absent from work without permission or proper notification
- Discourtesy toward other employees, elected officials and the general public
- Insubordination or failure to perform duties as instructed; willful and intentional refusal to perform work assignments or to follow orders of your supervisor
- Gross neglect or negligence
- Violation of any safety procedure, program, or rule causing unsafe conditions, or carelessness in regard to safety to self or others or failure to properly use safety devices or tampering with safety equipment
- Engaging in criminal conduct, threatening behavior or acts of violence, fighting or provoking a fight
- Theft or unauthorized possession of Village property or the property of fellow employees; unauthorized possession or removal of any Village property, including documents from the premises without prior permission from the Village Administrator
- Sleeping during work hours
- Giving confidential information to unauthorized individuals
- Spreading malicious gossip and /or rumors; engaging in behavior which creates discord and/or lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same
- Conducting a lottery or gambling on Village property
- Any act of harassment, sexual, racial or other; telling sexist or racist jokes; making racial or ethnic slurs
- Creating or contributing to unsanitary conditions
- Obscene or abusive language toward any fellow employee, or the general public; indifference or rudeness toward a fellow employee or member of the general public
- Failure to immediately report damage to or an accident involving Village property
- Working under the influence of alcohol or illegal drugs
- Possession of dangerous or unauthorized material, such as explosives or firearms at work

### **Grievance Procedure**

This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than police subject to Section 62.13(5), Wis. Stats. For the purposes of this policy the following definitions apply. "Employee discipline" includes all levels of progressive discipline outlined in the Discipline section, but shall not include the following items: placing an employee on paid administrative leave pending an internal investigation, supervisor/subordinate counseling sessions, meetings or other pre-disciplinary action, actions taken to address work performance, including use of a performance improvement plan, training, or job targets, demotion, transfer or change in job assignment or other personnel actions taken by the employer that are not a form of progressive discipline. "Employee Termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions: voluntary resignation, layoff or failure to be recalled from layoff at the expiration of the recall period, retirement, job abandonment, "no call, no show", or other failure to report to work, or termination of employment due to medical condition, lack of qualifications or license, or other inability to perform job duties. "Workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence and training related to the same.

Any written grievance filed under this policy must contain the following information: the name and position of the employee filing it, a statement of the issue involved, a statement of the relief (remedy) sought, a detailed explanation of the facts supporting the grievance, the date(s) the event(s) giving rise to the grievance that took place, the identity of the policy, procedure or rule that is being challenged, the steps the employee has taken to review the matter, either orally or in writing with the employee's supervisor, and the employee's signature and the date.

### **Steps of the Grievance Procedure**

Employees should first discuss complaints 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. The following are the formal steps of the grievance procedure.

**Step 1 – A written grievance is filed with the appropriate department head** The employee must prepare and file a written grievance with their department head within 5 business days of when the employee knows or should have known of the events giving rise to the grievance. The Department Head will investigate the facts giving rise to the grievance and inform the employee of his/her decision, if possible within 10 business days of receipt of the grievance. In the event the grievance involves the Department Head, the employee may initially file the grievance with the Village Administrator, who shall conduct the step 1 investigation.

**Step 2 – Review by Village Administrator** If the grievance is not settled at Step 1, the employee may appeal the grievance to the Village Administrator within 5 business days of the receipt of the decision of the Department Head at Step 1. The Village Administrator will review the matter and inform the employee of his/her decision, if possible within 10 business days of receipt of the grievance.

**Step 3 – Impartial Hearing Officer** If the grievance is not resolved by both parties at Step 2, the employee may request in writing, within 5 business days following receipt of the Village Administrator's decision, a request for written review by an impartial hearing officer. The Village shall select the impartial hearing officer. The hearing officer shall not be a Village employee. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer will determine whether the Village acted in an arbitrary and capricious manner. 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 impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.

**Step 4 – Review by the Village Board** If the grievance is not resolved after step 3, the employee or the Village Administrator shall request within 5 business days of receipt of the written decision from the hearing officer, a written review by the Village Board. (For Library employees, the review shall be handled by the Library Board.) The Village Board 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 not be scheduled for the Village Board's next regular meeting. The Village Board will inform the employee of its findings and decision in writing within 10 business days of the Village Board meeting. The Village Board shall decide the matter by majority vote and the decision shall be final and binding.

An employee may not file a grievance outside of the time limits set forth above. If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the grievance will be reviewed at the next possible meeting date. An employee must process his/her grievance outside of normal work hours, unless the employee elects to use accrued paid time (vacation, comp. time, etc.) in order to be paid for time spent processing his/her grievance through the various steps of the grievance procedure.

### **Anti-Harassment Policy**

It is our policy that employees and others acting on the Village's behalf are entitled to respectful treatment in the workplace. Being respected means being treated honestly and professionally, and with your unique talents and perspectives valued. A respectful workplace is about more than compliance with the law. It is a working environment that is free of inappropriate behavior of all kinds. We are committed to providing a workplace in which the dignity of every individual is respected. Each of us should understand that incidents of harassment and inappropriate behavior will not be tolerated by the Village of Clinton.

### Harassing Conduct

Harassment is unwelcome conduct toward an individual because of his or her race, color, sex, age, sexual orientation, religion, national origin, disability, or any other legally protected status, when the conduct creates an intimidating, hostile or offensive work environment that causes work performance to suffer or negatively affects job opportunities. Examples of harassment that may violate the law and will violate this policy include:

- Oral or written communications that contain offensive name-calling, jokes, slurs, negative stereotyping, or threats. This includes comments or jokes that are distasteful or targeted at individuals or groups based on race, color, sex, age, sexual orientation, religion, national origin, disability, or any other legally protected status
- Non-verbal conduct, such as staring, leering and giving inappropriate gifts
- Physical conduct, such as assault or unwanted touching
- Visual images, such as derogatory or offensive pictures, cartoons, drawings or gestures. Such prohibited images include those in hard copy or electronic form

### Sexual Harassment

"Sexual harassment" means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. Sexual harassment includes conduct directed by a person at another person of the same or opposite gender. Unwelcome verbal or physical conduct of a sexual nature includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment.

### Inappropriate Behavior

Our goal is to have a work environment where we all treat each other respectfully and professionally. **Any unprofessional or disrespectful behavior, even if it does not rise to the level of "harassment",**

**interferes with that goal and will not be tolerated.** The Village reserves the right to respond to inappropriate behavior even where no one has complained or indicated they have been offended.

#### How to Report a Violation

Do not assume the Village is aware of the problem. It is your responsibility to bring your complaints and concerns to our attention so that we can help resolve them. Immediately report suspected violations of this policy to your supervisor, or the Village Administrator.

#### Investigation and Response

If you report a complaint of harassment or inappropriate behavior, we will investigate your concerns. Where there has been a violation of policy, we will take appropriate action to try to avoid future violations. In appropriate cases, disciplinary action (up to and including termination) will be taken against those violating the Anti-Harassment Policy. We will inform parties about the status of reviewing their complaints. To respect the privacy and confidentiality of all people involved, we might not share specific details of the discipline or other action taken.

#### Management Responsibility

Every supervisor is responsible for ensuring the Village provides a workplace free of harassment and inappropriate behavior and that complaints are handled promptly and effectively. The Village Administrator or employees in a supervisory role, must inform their employees about the policy, promptly investigate allegations of harassment, take appropriate disciplinary action and take steps to assure retaliation is prohibited.

#### Retaliation is Prohibited

This policy strictly prohibits any retaliation against an employee or other person who reports a concern about harassment or other inappropriate behavior.

#### Application

This applies to all employees and to anyone else doing business for or with the Village. This includes staff, elected officials, customers, vendors, suppliers and contractors. It also applies to all locations and situations where Village business is conducted and to all Village sponsored events.

## **VII. LABOR/EMPLOYEE RELATIONS**

### **The Wisconsin Employment Relations Commission (WERC)**

Employment relations in the State of Wisconsin are governed by laws and rules found primarily in Chapter 111 of the Wisconsin State Statutes.

### **Bargaining Units**

Currently, the Village of Clinton has labor agreements with sworn police employees (Wisconsin Professional Police Association) and full time public works employees (Teamsters).

Employees are not granted time off with pay to engage in labor association activities unless specifically provided for in the labor agreement.

## **VIII. PERSONNEL RECORDS**

The Village Administrator and Department Heads are responsible for handling personnel records and related personnel administration in cooperation of the Village Clerk and Village Treasurer. Personnel records are maintained in a secure location within the offices of the Village Administrator and Department Heads. Questions regarding personnel matters and interpretation of policies may be directed to the Village Administrator.

### **Employee Personnel File**

An employee's personnel file will contain some or all of the following information: legal name, home address, home telephone number, person to call in case of an emergency, military status, and training certificates.

It is the responsibility of each employee to submit updated information as often as necessary to assure that this file is current.

Other types of information that may be in an employee's file include: initial hire information, payroll, some benefit information, performance, training, attendance, and separation. Information that will not be found in an employee's file because of confidentiality rules include: medical records and other non-work related personnel information.

### **Wisconsin Open Records Law**

The Wisconsin open records law protects the confidentiality of personnel files. The law is very specific about what information can be released in the event of a request and under what circumstances the employee involved must be notified.

### **Confidentiality and Privacy**

Personnel records are confidential documents. Employees have a right to view their own files. With advance notice, employees may view their own files in the Village Administrator's office during regular office hours and not while the employee is working. The privacy of employee records shall be respected and preserved to the maximum extent as provided by law and the Village.

### **Employee Record Retention and Periodic Destruction**

The Village shall keep on file all information pertaining to employment records for all Village employees. Such records include those that are paper, electronic and voicemail. Personnel files shall be kept in a locked file and retained for 7 years after termination of employment. Time sheets and payroll records shall be kept for 7 years. Insurance plans related to group plans provided by the Village can be viewed on the State Department of Employee Trust Funds website. After such time periods as noted above, such records shall be destroyed in a manner that maintains employee privacy and confidentiality.

## **IX. SEPARATION OF EMPLOYMENT**

### **Separation Policy**

The Village will meet with an employee separating employment according to a standardized procedure for the following reasons: ensure consistent and equitable treatment of employees; review the employee's benefits; reclaim Village property (including keys) and arrange for the distribution of the final paycheck, if applicable.

## **Types of Separation**

All employee separations may be designated as one of the following types.

Resignation – Separation is initiated by the employee for such reasons as other employment, retirement, return to school, leaving the area, or change in family circumstances. A minimum 2 week notice is desired for employees. All resignation notices shall be submitted to an employee's Department Head. Department Heads shall then immediately provide the original notice to the Village Administrator for the employee's personnel file. Original resignation notices shall be placed in the employee's personnel file in the Village Administrator's office.

Lay off – Involuntary separation initiated by the Village upon approval or direction of the Village Board due to a shortage of work or funds, the elimination of a position, or other material changes in the duties of the Village or for related reasons which do not reflect unfavorably upon the service of the employee. Employees shall be afforded at least a two week notice of impending lay off.

Death – Separation due to employee death is effective as of the date of the death. All compensation may be paid to the estate of the employee, except for such sums specified by law.

Termination – Involuntary separation.

Completion of Assignment – Employees hired to fill limited term positions may be separated upon completion of the duties for which the position was established. These employees are not eligible for benefit provisions of the Village.

## **Administrative Guidelines**

Employees who separate may receive payment for all earned wages, vacation, and any other pay to which the employee is entitled, subject to proper withholding and deductions. Final pay, if applicable, is normally made available on the first regular payday following the date of separation. Checks are issued through normal distribution processes in place such as direct deposit.

It is the responsibility of an employee who intends to resign to notify the Village as soon as possible to allow for the timely selection and training of a suitable replacement if applicable. Separating employees are required to return all Village-owned property such as keys, cell phones, debit cards, manuals, computers, tools, etc. prior to the date of separation.

## **Insurance Continuation Privileges (COBRA)**

Insurance conversion and continuation privileges for separating employees may be available for those enrolled in the Village sponsored group health plan. Contact the Village Administrator for more information regarding the rights (under State and Federal law) you may have to continue health insurance (COBRA provisions) should you have questions.

## **Conversion of Sick Leave at Retirement**

Employees who retire after completing ten years of service for/with the Village are eligible for a sick leave retirement benefit as follows. The Village will place into an account for each employee who retires from Village service after completing 10 years, an amount equal to a maximum of 50% of the value of accumulated sick leave available to the employee at the time of retirement (retirement value). The account shall be used to offset premiums payable by the retired employee to remain insured under

the plan of health insurance provided for full time employees. The retirement value shall be calculated by multiplying the regular hourly rate of pay the employee is earning at the time of retirement by the number of sick leave hours accumulated. This benefit is subject to the following schedule:

- Employee retires during their: 11<sup>th</sup> year of service - 5% of retirement value
- 12<sup>th</sup> year of service - 10% of retirement value
- 13<sup>th</sup> year of service - 15% of retirement value
- 14<sup>th</sup> year of service - 20% of retirement value
- 15<sup>th</sup> year of service - 25% of retirement value
- 16<sup>th</sup> year of service - 30% of retirement value
- 17<sup>th</sup> year of service - 35% of retirement value
- 18<sup>th</sup> year of service - 40% of retirement value
- 19<sup>th</sup> year of service - 45% of retirement value
- Employees retiring during or after their 20<sup>th</sup> year of service – 50% of retirement value

This benefit shall be provided by the Village only if the following conditions are met as of the date of the employee's retirement and, if applicable, at all later times until the amount placed in such an account have been completely disbursed. If any of the following conditions is not satisfied at the time of the employee's retirement or at any subsequent time, the benefit will lapse, and any amount otherwise payable into such account or on deposit in such account at the time the condition ceases to be satisfied, shall remain the property of or be repaid to the Village and the employee's interest in the benefit and the related account shall terminate.

1. The employee must be eligible to receive a Wisconsin Retirement Fund pension commencing at the time of retirement from the service of the Village.
2. The plan of surgical and medical insurance provided by the Village must allow for retired employees to remain eligible for insurance under the plan and the employee must meet all requirements for eligibility.
3. The retired employee may not be eligible for health insurance, whether or not substantially equivalent to the plan provided by the Village, provided by any employer or former employer, other than the Village, or by the state or federal government as Medicare or Medicaid.

No interest shall accrue in regard to any amount placed into such account on behalf of any employee. The funds deposited into any such account may be segregated or commingled with other Village funds at the option of the Village and any interest accrued shall remain the property of the Village. An employee who, for any reason, is not eligible to receive this benefit at the time of retirement from service with the Village, shall under no circumstances, become eligible to receive the benefit at a later time. In the event an employee begins to receive the benefit, and the employee becomes ineligible to continue to receive the benefit as provided for in this section, any amount remaining in the account shall revert to the Village and the employee shall not thereafter reacquire eligibility for the benefit.

## **X. WORKPLACE POLICIES**

The Village adopts policies as statements of the Village's position on a variety of matters. This section of the Employee Handbook provides information for employees on various policies the Village Board has adopted. The policies are listed in this section in alphabetical order so that they may be easily referenced.

**Community Activities While Employee Working (Clinton EMS/Fire Calls)**

Employees required to respond during working hours to ambulance runs and/or fire calls for the Clinton Fire Protection District shall be paid at the rate to which the employee would have been entitled had the employee continued to work during the time required for the run or call. Any additional compensation received by the employee for responding to the ambulance run and/or fire call will be reimbursed to the Village in a timely manner.

**Confidentiality**

While working with the Village of Clinton, its employees will necessarily become familiar with confidential information. Employees must respect the confidentiality of all information and must adhere to the Village's ethical responsibility to protect such information.

**Debit Card Use**

Should an employee be issued a Village debit card, it should be used sparingly and only for official business of the Village. The debit card should only be used at times when payment/purchases cannot be made in another manner. All debit card receipts should be turned into the Village Clerk to match against statements. Debit cards will only be issued to Department Heads and may only be used by that Department Head. The use of a Village debit card is a privilege and can be withdrawn at any time by the Village Administrator.

**Dress Code and Personal Appearance**

Village employees are expected to be suitably groomed and attired when they are at work or when they are representing the Village. Employees should dress in accordance with accepted social and business standards. Village employees are encouraged to look their best as they uphold the image of the Village. Employees who come to work inappropriately dressed may be sent home and directed to return to work in proper attire. Under such circumstances, employees may not be compensated for the time they are away from work.

Prohibited items of dress include, but are not limited to, inappropriate foot wear (i.e. slippers, flip flops), and t-shirts with inappropriate advertising or pictures, beach or leisure clothing (i.e. sweats, swim shorts, tank tops, hats).

Personal safety equipment and protective clothing such as safety glasses, shoes etc. must be worn where required by working conditions or hazards.

**Drug Free Workplace**

The Village has a standard of conduct which prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by employees on Village property and or client sites or as part of Village activities. The Village will impose disciplinary sanctions on employees ranging from educational and rehabilitation efforts up to and including termination from employment for violations of this policy. It is the goal of the Village to maintain a drug free workplace. Because drug use can seriously jeopardize the health and safety of an employee and the public, it is the policy of the Village that a drug free workplace must be maintained at all times.

An employee must notify the Village of any criminal drug statute conviction involving himself/herself for a violation in the workplace no later than 5 days after such conviction. Violations must be reported to the employee's Department Head and the Village Administrator.

Drug Testing – Reasonable suspicion testing may occur if an employee is suspected of being under the influence of drugs or of being impaired by alcohol at the work place. Reasonable suspicion may be determined by the employee’s Department Head or the Village Administrator. Reasonable suspicion may be based on observable actions alone or in conjunction with other factors including but not limited to: dangerous accident prone conduct; decreased job performance which is unexplained; unexplained increased absenteeism; complaints from co-employees and other problems with interpersonal relations; drug related signs such as paraphernalia; reduced short-term memory; physical symptoms such as blood shot-eyes, dilated pupils, or runny nose, anxiety, body odors or ability to concentrate.

Where active employees are concerned, the Village Administrator or Department Head must determine if there is a reason for them to question an employee’s fitness with regard to their ability to work. The Department Head or Village Administrator must observe signs of impairment first-hand and may not rely upon third party information.

An employee who tests positive as a result of a reasonable suspicion drug and/or alcohol test or refuses to be tested may be immediately removed from active duty until such time as a medical review officer is able to provide a positive final result. If the positive test is confirmed, the employee may be subject to discipline up to and including termination.

All test results will be reported to the Village Administrator. If the test result is positive, the medical review officer may contact the employee. If when the medical review officer contacts the employee, the employee can provide substantiation of legitimate use, the positive test may be reported to the Village Administrator as negative. If no legitimate reason for the positive result is found, that positive result may be provided to the Village Administrator.

Nothing in this policy prohibits the appropriate use of prescription medication legally prescribed by a licensed medical provider. It is the employee’s responsibility to discuss with his/her Department Head or the Village Administrator any effects that a medication may have on their ability to safely perform the duties required of their position. Failure to do so may result in discipline up to and including termination.

Results of all drug/alcohol tests may be kept separate from personnel files and treated as confidential information and access to such results may be limited.

### **Electronic Communications & Information Technology Resources**

The purpose of this policy is to set forth general guidelines for the efficient, ethical and appropriate use of and prohibit inappropriate use of informational technology (IT) resources. The policy is meant to ensure that the use of IT resources among employees is consistent with Village policies, all applicable laws and the individual user’s job responsibilities. The policy is intended to confirm that all information composed, sent or received is and shall remain Village property and it further enhances Village coordination and management of electronic communications and IT resources. It is hoped that this policy will create an environment where communication can flow freely with a minimum of policing and should not discourage the use of Village provided IT resources.

This policy is intended to apply to all individuals who have authority to use Village electronic communications and IT resources.

Hardware and Software – Installation and use of hardware and software must be authorized by the Village. Employees shall use only hardware and software provided or approved by the Village. Any suspected misuse of hardware or software shall be reported to the Village Administrator. All desktop, background and screen savers displays should be appropriate and comply with Village policies.

Employees shall respect and abide by the terms of software licenses including but not limited to a prohibition on reproduction of licensed software. An inventory of all software licenses shall be maintained in the Clerk's office.

Internet – Employees are encouraged to use the internet for official Village business only as internet access is a privilege, not a right. Employees are to use their judgment with respect to internet sites they choose or are requested to visit. If an employee has a question about the proper use of the internet, it is their responsibility to obtain guidance from their Department Head or the Village Administrator prior to such use.

Employees shall include the following disclaimer in all their postings to public forums: "The views, opinions and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by the Village of Clinton, WI."

Downloading files such as software, music, video, etc. is prohibited. Downloading files such as Adobe Acrobat (PDF) file is permitted and will be scanned by anti-virus software prior to being used on a Village computer. If a user finds that any damage occurred as a result of downloading software or files, the incident should be reported immediately to the Village Administrator.

#### Use of Social Networking Sites

Use of personal social networking sites while an employee is working is not allowed. Please remember that some social networking activity becomes generally available and is not private. The Village as your employer highly recommends you avoid talking about Village business on your personal social networking site, especially talk that may conflict with the Village Code of Conduct policy.

E-Mail – The e-mail system is the property of the Village and is provided to employees to assist them in conducting official Village business. The messages sent and received on the e-mail system, like memos, purchase orders, letters or other documents created by employees in the course of their workday, are the property of the Village. Therefore, the content of messages should be tailored accordingly.

Housekeeping & Etiquette – Users must manage e-mail boxes so that e-mails that do not serve a purpose are deleted. Use folders to save important information, but make it a regular habit to review all folders and delete old or outdated material but in keeping with the open records law.

Accessing, retrieving or reading e-mail messages sent to other individuals or permitting unauthorized individuals to access the Village e-mail system without prior authorization is prohibited. Should an employee receive an electric communication in error he/she shall notify the sender immediately. The communication may be confidential and confidentiality shall be respected.

Do not open e-mails when you don't know where they came from or what they may contain. Delete and empty them from your mailbox immediately.

Phone, Cell Phone, Fax, Copier & Other Equipment – Village employees should minimize accepting and placing personal calls during business hours. Personal calls should be made during lunch or before or after work except for necessary situations such as family emergencies. Long distance personal calls should be made on a personal cell phone or charged to a home phone. In the event a personal long distance call is made on a Village phone, the Village shall be reimbursed.

Employees may not use the Village fax machine for personal use to send or receive messages. If an employee sends a personal fax, the employee will reimburse the Village for that expense. Village provided cell phones should not be used for personal use, except for necessary situations such as family emergencies. Non-work related personal cell phone charges should be reported to the Village and reimbursed at the per minute rate. This reimbursement shall apply to all personal calls.

Employees may not use the Village photocopy machines for personal use. If an employee makes a personal photocopy, the employee will reimburse the Village for that expense.

Except as otherwise provided in this policy, employees will not use Village equipment for personal use.

Voice Mail – It is the goal of the Village to have someone answer the phone during the office hours of the Village. This personal contact is important. Voice mail shall not be used by an employee as a screening device.

Voice mail messages shall be retrieved as soon as is practical but not less than twice daily during the work week. If messages need to be kept, they should be transcribed into a hard copy document. Messages should be deleted from the voice mail system as soon as practical.

Resource Usage – The Village has and reserves the right to monitor, review, audit, intercept, access and disclose all information created, received or sent on Village IT resources. Information contained in the IT resources will only be disclosed to the extent permitted by law, for Village business purposes or as needed to enforce the policy. Authorized access to employee IT resources by other employees or outside individuals includes, but is not limited to, the following: access by the Village Administrator or Department Head during the course of system maintenance or administration, investigation of hardware or software problems including software license compliance, general system failure, litigation or potential litigation; access approved by the employee or the Village Administrator when there is a need to perform work or provide a service when the employee is not available; access approved by the Village Administrator or Police Chief when there is suspicion of a crime or violation of a policy; access approved by the Village Administrator in response to the receipt of a court order or request from law enforcement officials for disclosure of an employee's e-mail messages.

Personal Use – Limited, occasional, and incidental personal use of IT resources is permitted. However, the personal use of IT resources should not interfere with official Village business, nor should it cause harm or embarrassment to the Village. Any personal use of IT resources is expected to be on the employee's own time and is not to interfere with the employee's job responsibilities, and is limited to break or lunch or after hour times; and when the employee has Department Head or Village Administrator prior approval for personal use, in which approval shall only be given when consistent with the provisions of this policy.

Prohibited Uses and Activities – The creation, transmission, downloading or storage of any document, data or message which reasonably can be construed as relating to or promoting the following are prohibited. Examples of unacceptable uses include, but are not limited to: engaging in personal

business, entertainment, illegal, fraudulent or malicious activities; storing offensive, discriminatory, disruptive, obscene, threatening, abusive, profane, annoying, harassing, or defamatory material which offensively address someone's age, race, creed, color, gender, ancestry, sexual orientation, religious or political beliefs, marital status, national origin or disability; using Village resources to violate the integrity of a system, gain unauthorized access, distribute computer viruses, hacking, monitor or intercept electronic communications of other employees or their parties, or use another person's login and password information without their explicit permission is prohibited; the release of untrue, distorted, confidential information, or the use of aliases, regarding Village business is prohibited. Equipment, software, hardware or related peripherals should not be removed from Village premises without authorization from your Department Head or the Village Administrator.

Administrative Issues – Any and all documents, applications, programs, conceptualized, designed, created or applied during any period an employee received remuneration from the Village and/or created during work hours become the property of the Village.

Encryption is prohibited on any documents or e-mail created on Village IT resources.

Disciplinary action for violation of any part of the "Electronic Communication & Information Technology Resources" section of the Employee Handbook may include, but is not limited to, verbal or written reprimand, suspension or termination. The Village Administrator shall investigate reported violations to determine if any action is justified.

### **Ethics Policy**

The following are a list of guidelines that establish ethical standards for Village employees.

Employees are bound to uphold civil law and to observe the highest standards of civil law in the exercise of the duties of his/her position.

Dedicated Service – Employees should be loyal to the objectives expressed by the Village Board and the programs developed to attain these objectives. The Village Board has adopted a Strategic Plan which outlines the current objectives of the Village Board.

Fair and Equal Treatment – No employee shall request or permit unauthorized use of Village owned equipment, materials, or property for personal convenience or profit. No employee shall grant any special consideration, treatment, or advantage to any member of the public that is not generally available to all members of the public.

No employee may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could reasonably be expected to influence the employee's actions related to the performance of his/her work or judgments or be considered a reward for any action or inaction on the part of the employee.

### **Expense Reimbursement**

Reimbursement of expenses an employee incurs in the performance of his/her job duties may be reimbursed upon approval of the employee's Department Head and the filing of appropriate paperwork documenting such expense to the Village Clerk. Check with the Village Clerk for information regarding the process for obtaining reimbursement of expenses.

**Fire Prevention**

Employees should familiarize themselves with the location of fire extinguishers in their work area. Employees should assist in keeping the area around fire extinguishers and fire exits clear at all times so that both are easily accessible.

**Nepotism**

To avoid potential or perceived conflicts of interest, the Village will not employ relatives of employees without approval by the Village Board. The Village will not approve a supervisory relationship between an employee and a relative under any circumstances. When a relative of any current employee is being considered for Village employment, it is required that the current employee or the relative seeking employment make the relationship known to the hiring authority.

**Outside Employment**

No full-time Village employee shall be employed in a regular on-going outside employment without the approval of the Village Board. The purpose of this policy is not to discourage outside employment by Village employees, but is rather to make sure that adequate precautions are taken to insure that the effectiveness and safety of the worker in his/her primary capacity as a Village employee are not impaired. An employee wishing to hold an outside job shall apply in writing to the Village Administrator who will present it to the Village Board for consideration.

**Personal Use of Village Property & Use of Personal Property at Work**

Equipment, vehicles, supplies, tools and uniforms owned by the Village are not to be used for reasons other than the execution of Village duties and shall not be used for private or unauthorized purposes.

Use of personal property at work shall be allowed in limited circumstances when approved by your Department Head. Such property must be safe and in good working order.

**Political Activities**

Village of Clinton employees shall not engage in political activities to such an extent that their participation distracts from the performance of their employment duties, nor should they engage in political activities in such a way that would lead members of the electorate to conclude that village departments or employees in their official capacity were taking a position in an election. No village employees, during the hours that they are on duty (including breaks), may engage in political activities. Village employees engaged in political activities while off duty should clearly act as private individuals and not convey the impression that they are acting in their official capacity as village employees. This policy has been developed not to restrict one's constitutional rights but to dramatize and protect the neutrality of public service personnel.

**Residency**

Residency requirements are in accordance with State Law.

**Security**

It is important Village-owned buildings and property are secure. Stay alert to situations that can arise that may compromise security. Keys to Village property should be handled with great care. A master list should be kept in the Village Clerk's office at all times indicating who has keys to Village buildings and property.

**Solicitations**

The Village recognizes that the public and vendors have an expectation that they will be able to conduct their business in a pressure-free atmosphere. Further, the Village recognizes that its employees may have outside interests that from time-to-time require solicitations of funds or donations. Village employees shall not conduct these matters during the work day on Village property and/or in uniform. Employees shall not use the position with the Village for personal gain or solicitation.

### **Use of Village Vehicles and Use of Personal Vehicles While Working**

Employees required to operate a motor vehicle in order to perform the duties of their position who are convicted of a violation resulting in suspension or revocation of their driving privileges may have the duties of their position reviewed at that time. If the suspension or revocation hinders the Village in the accomplishment of the duties assigned to the position, the employee may be placed on unpaid leave of absence or layoff. Any such decision shall be made by the Village Board. The Village may terminate from employment any operator of a motor vehicle convicted of operating while under the influence of alcohol or other drugs committed while operating a motor vehicle owned by the Village or owned privately and used for Village business.

### **Weapons**

Clinton prohibits all employees who enter Village owned property from carrying a handgun, firearm, knife, or other prohibited weapon of any kind regardless of whether the person is licensed to carry the weapon or not. The only exception to this policy will be sworn police officers or other persons who are legally authorized to carry a weapon on Village owned property.

### **Whistleblower Protection**

Should any employee reasonably believe that some policy, practice or activity of the Village is in violation of the law, a written complaint must be filed by that employee with the Village Administrator or the Village Board.

It is the intent of the Village to adhere to all laws and regulations that apply to the Village and the underlying purpose of this policy is to support the Village's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Village and provides the Village with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

The Village will not retaliate against an employee who in good faith has made a protest or raised a complaint against some practice of the Village, or of another individual or entity with whom the Village has a business relationship, on the basis of a reasonable belief that the practice is in violation of laws or a clear mandate of public policy.

The Village will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy or practice of the Village that the employee reasonably believes is in violation of a clear mandate of public policy concerning the health, safety, welfare or protection of the environment.

### **Workplace Safety**

All employees are required to exercise due care during work to prevent injuries to themselves and others. Each employee shall: observe safe practices, not operate, modify, adjust or use equipment in an unauthorized manner or for an unauthorized purpose, use protective equipment as required in

designated areas and while using machinery or tools, not remove guards or other protective devices from machinery and equipment, notify supervisors or unsafe conditions, attend safety training programs as required, promptly report all job related injuries or illnesses, and cooperate with supervisors investigating any accident of which an employee has knowledge. For specific safety policies, please see Attachment B of this handbook. Safety should always come first!

### **Workplace Safety Polices Specific to Department of Public Works Employees**

See Attachment B for specific policies for public works employees.

### **Workplace Violence**

The Village of Clinton is committed to providing a safe work environment free from threats or acts of violence including acts of violence in the workplace perpetrated by non-employees. The Village will not tolerate threats or acts of violence in the workplace and will make every effort to prevent such incidents from occurring.

Please observe the following guidelines in addressing workplace violence. If at all possible, an employee should take time to evaluate a situation before reacting. Do not ignore a situation you are concerned about. If an employee believes he/she is in danger of immediate bodily harm, he/she should attempt to leave the scene if this can be done safely. When an employee is confronted with disruptive behavior, the employee should report the incident to their Department Head or the Village Administrator. When confronted with a confrontational or angry individual, the employee should explain his/her position in clear and firm language. The employee should stay calm and courteous. If an employee is becoming angry or upset, the employee should request assistance from their Department Head or the Village Administrator. Be supportive of co-workers. When any staff member becomes involved in a difficult situation, other employees must report the incident to their Department Head immediately. Quick action is especially important if the employee suspects that the person may become violent.

Drafted by: J. Sheiffer, Village Administrator

Adopted by the Village Board: Approved by Village Board December 17, 2013