

CITY OF PORTAGE



"Where the North Begins"

PERSONNEL POLICIES & PROCEDURES MANUAL

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INTRODUCTION AND SCOPE

This City of Portage Personnel Policies and Procedures Manual (the personnel manual) is designed to acquaint employees with the City of Portage (the City) and to provide employees with a summary of information about current working conditions, employee benefits and personnel policies, practices and procedures affecting employment with the City. The City has prepared this personnel manual to provide a convenient resource for supervisors and employees, to assist in orientation of employees, and to promote consistency and fairness in administration of policies, practices and procedures. Employees are responsible for reading, understanding and asking any questions they may have about the provisions in the manual, as well as any revisions to the manual. Wherever “his” appears in this Personnel Manual it shall denote both the masculine and feminine.

Nothing contained in this manual is to be construed as creating a contract of employment, express or implied, with any employee or as creating a guarantee or entitlement to any other rights, benefits or policies. The City reserves the right, in its sole discretion and at any time, to amend, revoke or alter any of the provisions of this manual. The manual supersedes any and all previous manuals, policies, procedures, practices and rules, whether verbal or written. This manual may only be modified, in writing, subject to approval by the Common Council.

The provisions of this manual are intended to apply to all City employees regardless of status, including full-time and part-time employees of the City, except to the extent they conflict with the provisions of Wis. Stats. § 43.58, specific to employees of the Library; with the provisions of Wis. Stats. § 62.13, specific to sworn employees of the police department; or with collective bargaining agreements, in which case the statutory provisions and collective bargaining agreements govern.

SECTION 1: EMPLOYMENT

100 Employment At Will

Except as modified by any applicable collective bargaining agreement, employment with the City is “at-will” and for no specified length of time. Either an employee or the City may end employment at any time, for any reason not otherwise prohibited by law. No one other than the Common Council has authority to enter into any agreement for other than at-will employment. Any such agreement must be in writing and signed by the Common Council.

101 Equal Opportunity Employment

The City does not discriminate in employment opportunities or practices on the basis of age, race, creed, color, disability, marital status, sex, sexual orientation, national origin, ancestry, arrest record, conviction record, military service, use or nonuse of lawful products off the City’s premises during non-working hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, or any other characteristic protected by applicable federal, state or local law. This policy governs all aspects of employment, including recruitment, hiring/selection, job assignment, compensation, promotions, transfers, discipline, termination, access to benefits and training and any other terms, conditions or privileges of employment.

102 Employment Classifications

Regular, Full-Time Employees: Full-time employees are those employees normally scheduled to work forty (40) hours per week.

Regular, Part-Time Employees: Part-time employees are those employees normally scheduled to work less than full-time but not less than 1040 hours per calendar year.

Seasonal/Temporary Employees: Seasonal/temporary employees are those employees hired for a specific time period or season or a specific project. Seasonal/temporary employees may be scheduled full-time, part-time or on an irregular basis. Seasonal/temporary employees do not receive the benefits provided by the City, except those required by law.

103 Hiring

Notice and Posting: Notice of vacancies and new positions the Common Council authorizes to be filled will be posted internally at the City Hall, Municipal Garage, Utilities Office, Wastewater Treatment Plant, Parks & Recreation Office and Portage Public Library and advertised externally on the City's website and in other newspapers and professional journals, as appropriate. Postings will include the position objectives, qualification requirements, and pay range, along with the deadline for submitting applications.

Selection: The City seeks to recruit and select the most qualified applicant for the position. For all Departments, the employee recruitment and selection process will be coordinated by the Department Manager under the supervision of the City Administrator. Proposed candidates for all Departments except for Fire, Police and Library shall be approved by the Common Council upon recommendation by the Human Resources Committee. Proposed candidates for Fire and Police Departments shall be appointed by the Police and Fire Commission and employment terms approved by the Common Council. Proposed candidates for Library positions shall be approved by the Library Board. Applicants for positions requiring a license or certification may be required to present proof of same as part of the hiring process, which includes a valid driver's license for those positions requiring operation of a City vehicle or equipment.

Hiring Relatives: **APPROVED COMMON COUNCIL 7/27/23 SEE LAST PAGE 40**

~~The hiring of individuals for regular employment positions who have relatives working for the City is strongly discouraged and should be considered only if the individual possesses a unique level of knowledge, skill and experience specific to the position. In no case shall an individual be hired to work in the same department as a relative who is currently employed within the department. For purposes of this section, "relatives" shall be defined as spouse, sibling, step brother/sister, parent, step parent, child, step child, grandchild, grandparent, in laws, uncle, aunt, niece or nephew.~~

Pre-Employment Drug Screening and Physical Examination

Upon a conditional offer of employment, prospective employees will be required to submit to a pre-employment drug screen provided by the City. A positive result or refusal to undergo testing will be grounds for rescinding the offer. In addition, prospective employees with a conditional job offer will be required to undergo a physical examination. Refusal to submit to the examination will be

grounds for rescinding the offer. Candidates for Police and Fire Departments shall be subject to screening requirements prescribed in the Police & Fire Commission Administrative Manual.

104 Introductory Period

Newly hired general employees will serve a six (6) month introductory period. Newly hired law enforcement sworn personnel will serve a twelve (12) month introductory period. Employees promoted or transferred to a new position with the City will serve a six (6) month introductory period in the new position.

The introductory period gives employees the opportunity to complete training and orientation to the new position and to demonstrate their ability to achieve a satisfactory level of performance and determine whether the position meets their expectations. The City uses the introductory period to evaluate employee capabilities, work habits and overall performance. Written evaluations of employees' ability to perform the duties of the position will generally be conducted at the end of 30 days and 90 days prior to the end of the introductory period. The successful completion of the introductory period does not alter the at-will employment relationship.

105 Performance Appraisals

Performance appraisals are generally conducted on an annual basis according to the employee's anniversary date of employment. At its discretion, the City may perform additional performance appraisals upon changes to job status or as situations warrant. Performance appraisals provide the City and the employee an opportunity to discuss performance strengths and weaknesses, performance goals and any concerns or suggestions for improvement or change on the part of the employee or the City.

106 Personnel Records

The City Clerk, or his/her confidential designee, maintains personnel records for each employee. Each personnel record will include, but not be limited to, the following information: employee name, date of hire, position description, department, wage, performance appraisals, and corrective actions and discipline, if any. In order to ensure the accuracy of personnel records, it is important that employees promptly notify the City Clerk of any changes in: 1) name and marital status; 2) address and telephone number; 3) eligible dependents and W-4 deductions; and 4) person(s) to contact in case of emergency.

Personnel records are secured in a locked cabinet; medical information/records are maintained in a separate confidential medical file. Except as otherwise required by applicable open record laws, no information from the personnel records will be released to third parties other than employment verification, and employment dates and title, without prior written authorization of the employee.

Library Employees

Library Director or his/her confidential designee shall maintain personnel records for all current Library employees as required in this manual. Said Library employee records shall be transferred to City Clerk upon separation of employment.

All employees may inspect information in their personnel records upon request. Inspections will generally be conducted in the presence of the City Clerk or his/her designee. Employees may submit written responses to disputed information in the file. To review the personnel file, the employee must submit a written request to the City Clerk, or Library Director as appropriate. Up to two (2) requests per calendar year will be granted in accordance with applicable law.

107 Layoffs, Furloughs, Reductions-in-Force and Recall

If the City determines to permanently or temporarily reduce the workforce, except as otherwise mandated by applicable statute or collective bargaining agreement, the determination of which position(s) shall be subject to layoff, furlough, or reduction, as well as the order of recall, will be within the sole discretion of the Common Council, upon recommendation of the City Administrator and Department Head(s), as appropriate and reviewed by Human Resources Committee.

108 Outside Employment

The City does not preclude outside employment; however, such employment may not interfere or conflict with the employee's City duties or detract from efficient performance of the employee's City work and cannot be conducted during the employee's work hours with the City. Such outside employment shall not present a conflict of interest nor interfere with the employee City duties and responsibilities. Outside employment must be reported, in advance, to the immediate supervisor and approved by the Department Head or City Administrator for Department Heads. The outside employment request, and Department Head or City Administrator action and any other applicable information will be filed in employee's personnel file.

109 City Employees Serving as Paid-On-Call Firefighters

Employees who elect to serve the citizens of the City as a paid-on-call firefighter will abide by the following guidelines:

- While on duty as a City employee and performing regularly assigned tasks, the employee may respond to fire calls upon request to and release by his/her supervisor or the supervisor's designee. If a serious hardship will be created by the employee's absence or if the employee is already working in an emergency situation, the regular City employment position shall take priority unless otherwise directed by the employee's supervisor.
- If the employee responds to a call while on duty at his regular position, the employee may keep the payment from the Firefighters Association and turn back the regular salary for the time missed from the regular shift. As an alternative, the employee may turn the Association payment for the fire response over to the City and maintain his regular salary. If the employee is at a fire call and would no longer be on shift at his regular position, only the Firefighters Association will pay the employee. Employees will not be paid overtime from their regular full-time/part-time positions while responding to a fire call.
- When the employee is not at his regular City position, he/she may respond to fire calls at his/her discretion. This will not have an effect upon his regular position.

SECTION 2: HOURS OF WORK AND COMPENSATION

200 Hours of Work

The City Administrator will determine the hours of operation. The normal work week and normal work day, as well as work schedules, will be determined by the each City Department Head, and may include weekend, night and holiday work, as deemed appropriate. There is no guarantee or limitation placed on the number of hours to be scheduled or worked per day or per week.

201 Breaks and Lunch Periods

Employees scheduled to work an eight (8) hour shift will normally be allowed to take a ten (10) minute paid break during the first half of the scheduled shift and a ten (10) minute paid break during the second half of the scheduled shift, as well as a one-half (½) hour unpaid lunch period near the middle of the scheduled shift except as provided in a collective bargaining agreement. The Detective Lieutenant and Patrol Lieutenant shall follow the terms of the collective bargaining agreement for the personnel they supervise. Scheduling of aforementioned breaks and lunch period shall be coordinated with the immediate supervisor or Department Head.

202 Compensation/Pay

Compensation/pay rates will be determined by the Common Council or by the Library Board, upon recommendation of the City Administrator or Library Director as appropriate, in accordance with applicable state statutes, the City's personnel policy, compensation schedule, compensation resolutions and Merit Adjustment Guidelines. Employees may appeal such establishment of pay rates, classifications or merit adjustments through the Human Resources Committee. Position classifications, pay plans and schedules, and pay advancement practices are set forth in the Position Classification and Pay Plan and Employee Merit Adjustment Guidelines, copies of which are available from the City Clerk for inspection, upon request.

203 Pay Day

For payroll purposes, the workweek begins at 12:01 on Sunday and ends at midnight on Saturday. Employees will be paid bi-weekly on the Friday following the end of a 14-day pay cycle. If a pay day falls on a holiday, employees will be paid on the preceding work day.

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled pay day. It is also the City's policy to comply with the salary basis requirements under the law for exempt employees and to prohibit improper deductions from the salaries of exempt employees. In the unlikely event that there is an error in the amount of pay or a possible improper deduction, the employee should promptly bring the discrepancy to the attention of the City Administrator or his designee so that corrections can be made as quickly as possible. Employees will not suffer any reprisal for reporting pay concerns or suspected errors in pay or deductions.

204 Computation & Disposition of Final Paycheck

1. Upon separation for any reason, the employee shall be paid for all hours worked up to and including his last regular day of employment.

2. Upon separation for any reason, the employee shall be paid a lump sum payment for all earned but unused compensatory, holiday and vacation leave credits.
3. The employee's final paycheck shall be available for release from the City Treasurer's office on the next regular scheduled pay day following the effective date of separation.

205 Overtime

The following definitions apply to this section.

Exempt Employees. Exempt employees are employees who fall within an exemption to overtime under applicable wage and hour laws.

Non-Exempt Employees. Non-exempt employees are employees who are eligible to be paid overtime under applicable wage and hour laws.

Position descriptions shall designate exempt and non-exempt employees.

The City may require employees to work overtime when deemed necessary. Prior authorization from a supervisor is required before any non-exempt employee works overtime. Working unauthorized overtime may result in disciplinary action, up to and including termination of employment.

Overtime will be paid to non-exempt employees for actual hours worked in excess of forty (40) hours per workweek, or for those fire and law enforcement employees who fall under a partial exemption to overtime, for hours worked per work period beyond the applicable statutory threshold. Overtime will be paid at one and one-half (1½) times the regular rate of pay. There will be no pyramiding of overtime pay. Holiday overtime work shall be paid at two (2) times the regular wage rate for work performed on the actual date of the holidays as listed in Section 401, excluding Floating Holidays. Employees responding to recall work outside of their regularly scheduled hours shall receive minimum two (2) hours of pay at overtime rate, unless the regular scheduled shift has been modified by their supervisor (Example: employee agrees to work 6am-2:30pm).

206 Compensatory Time

In lieu of overtime pay, non-exempt employees may opt to receive compensatory time off. Compensatory time will accrue at the rate of one and one-half (1½) hours compensatory time for each overtime hour worked. Except for non-exempt Police Command staff (Administrative Lieutenant, Detective Lieutenant and Patrol Lieutenant), employees may accumulate and use each year compensatory time not to exceed sixty (60) hours in a calendar year; said accumulation shall be non-replenishing. Non-exempt Police Command staff may accumulate and use each year compensatory time not to exceed eighty (80) hours in a calendar year; said accumulation shall be non-replenishing. Employees who have accrued the maximum compensatory time off shall be paid overtime compensation for any additional overtime hours worked.

The use of compensatory time shall be by mutual agreement between the employee and the City, subject to terms of applicable collective bargaining agreements. All employees with accumulated but unused compensatory time at the end of the 24th pay period in a calendar year shall elect to

utilize said unused compensatory time through one or more of the following options provided that the entire balance shall be used:

- a. Receive full or partial payout of remaining unused hours in their next payroll check;
- b. Deposit all or a portion of the unused balance into City's designated Health Reimbursement Account provider.

Accumulated, unused compensatory time shall be paid upon separation from employment on the next regularly scheduled pay day following the effective date of the separation.

207 Longevity

Non-represented employees receiving a longevity bonus as of January 1, 2016 shall continue to receive such bonus for the duration of their employment with the City. Such longevity payments for non-exempt employees shall be treated as merit adjustments to their base rate of pay for purposes of overtime incurred during the previous 12 month period. However such longevity bonus received as of January 1, 2016 shall be the maximum the employee may receive and it shall not increase for the duration of their employment. Employees not receiving longevity bonus as of January 1, 2016 or new employees hired after January 1, 2016 shall not be eligible to receive longevity bonus. Such longevity payments to eligible employees shall be made on the first paycheck in December for that current year.

208 Timekeeping

Employees are responsible for accurately recording hours worked. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay. Employees will be required to sign their time records to certify the accuracy of all time recorded. Department Heads will also review and initial the time records before submitting them to designated Payroll Clerk. Any corrections or modifications made to the time record must be verified for accuracy and initialed by both the employee and the Department Head. Failure to accurately record time worked and/or falsification of time records will result in discipline, up to and including termination.

SECTION 3: INSURANCE, RETIREMENT AND OTHER BENEFITS

301 Disclaimer

The following is a general summary of the insurance and retirement benefits currently provided by the City. It is not intended to, and does not, provide all details of the benefits or change or interpret the terms of the official plan documents. To the extent that any information in the manual is inconsistent or conflicts with the official plan documents, the terms of the plan documents govern. Additional information about any of the benefits described is available from the City Administrator or his designee. The City reserves the right to amend, modify or terminate, in whole or in part, any or all of the benefits described.

302 Eligibility

Regular, full-time employees are eligible to receive the benefits in this Section, unless otherwise stated. Regular, part-time employees are eligible to receive benefits on a pro-rated basis in relation to the number of hours regularly scheduled during a normal workweek.

303 Health Insurance

The City currently participates in the State of Wisconsin Group Health Insurance Program and eligible employees have the option to select coverage from among various plans offered. Unless specified for employee covered by collective bargaining agreements, the City currently pays an amount equal to 88% of the gross premium of the least costly plan offered in the service area toward the premium cost for employee and/or dependent coverage. Employees are responsible for payment of the remainder of the cost of the premium through payroll deduction and may utilize Flexible Benefit Plan or Health Reimbursement Accounts for premium payments.

The City will continue to pay the City's portion of the premium during an employee's approved sick leave, family medical leave, or worker's compensation leave. Coverage will continue during other leaves at the employee's own expense.

304 Dental Insurance

The City currently offers group dental insurance plans. The City contributes an amount determined by the Human Resources Committee and/or the Common Council toward the cost of the premium for dental coverage, currently \$40/month for single or family. The employee is responsible for payment of the remainder of the cost of the premium through payroll deduction. Employees may participate in the dental insurance plan at their option with payments made through payroll deduction and may utilize Flexible Benefit Plan or Health Saving Accounts for premium payments..

305 Life Insurance

The City currently offers term life insurance benefits in accordance with the terms of the Wisconsin Public Employers Group Life Insurance Program to employees eligible to participate in the Wisconsin Retirement Fund. The base amount of coverage is an amount equal to the employee's salary for the previous calendar year rounded to the nearest \$1,000. Eligible employees may choose to purchase additional life insurance coverage, in \$1,000 increments, at their own expense to be

paid by the employee through payroll deduction and may utilize Flexible Benefit Plan or Health Saving Accounts for premium payments.

306 Income Continuation Insurance

The City presently offers basic level coverage under the provisions of the Wisconsin Public Employer's Income Continuation Program. Employees may select alternative coverage levels but are responsible for payment of any premium costs in excess of the basic level coverage rate, through payroll deduction.

307 Retirement

The City is a participant in the Wisconsin Retirement System. Eligible employees may participate in the WRS with the employee paying the entire employee-required contribution and the City paying the entire employer-required contribution.

308 Worker's Compensation

The City maintains worker's compensation insurance for all employees to the extent required by law. In the event of a worker's compensation claim, the employee shall receive their regular weekly income from the City, credited against their accumulated sick leave. If the claim is approved, the City shall reimburse the employee's sick leave account pursuant to the approved claim and such payment received from worker's compensation insurance shall be turned over to the City. If no sick leave is available, employee may substitute other earned leave, if available. In cases when the injury is determined to be the direct result of an employee's failure to observe adopted safety rules, the employee shall not be entitled to receive the supplemental payments.

309 Flexible Benefit Plan

The City has established a cafeteria plan within the meaning of Section 125 of the Internal Revenue Code. Information regarding eligibility, enrollment, benefits and other pertinent information is contained in the City of Portage Cafeteria Plan document. The full plan document is available from the City Clerk.

310 Employee Assistance Program

The City has established an Employee Assistance Program (EAP) for the benefit of all full-time employees, paid-on-call firefighting personnel, and their immediate family members. Information regarding EAP services is available from the City Clerk.

311 Training and Career Development

Employee Training: Whenever an employee's attendance at training or educational sessions is required by the City all expenses including travel, lodging, meals, registration and other direct program expenses will be paid by the City. Reasonable out-of-pocket expenses for parking, tolls and purchase of training materials incurred by the employee as a direct result of attendance will be reimbursed upon submission of receipts.

Professional Conferences, Workshops and Seminar Attendance: Employees are encouraged to avail themselves of conference and seminar opportunities that serve to enhance their professional and technical skills. Attendance at in-state conferences and seminars is subject to prior authorization of the City Administrator. Out-of-state attendance is subject to prior authorization of the Finance/Administration Committee. For purposes of this policy, the technical boundaries of the state will include those areas within 50 miles of the state border in abutting states.

The City will pay registration fees, transportation costs and a meal allowance based on submission of receipts, not to exceed \$50 per day, as approved by the City Administrator. Lodging and mileage reimbursements will be based on actual out-of-pocket expenses incurred by the employee. Receipts will be required in support of all expenses submitted for reimbursement.

Tuition Reimbursement: Subject to prior approval by the Finance/Administration Committee, the City will increase the employee base hourly rate by \$0.03/hour upon completion of each three (3) credits for up to a total of forty-five (45) credits. This shall be considered a merit increase. This monthly remuneration for these credits shall apply only to those Employees who have been approved and show proof of enrollment no later than October 1st of each year and shall commence upon providing satisfactory documentation of course completion and passage. This incentive pay shall only be paid for the credits earned for courses that are applied toward the attainment of a degree related to their area of employment and recommended by the Department Head.

Employee Compensation for Work Related Travel Time: Non-exempt employees who are required to travel outside the City of Portage for work related or authorized normal work location may receive additional compensation for travel time at their regular hourly rate if such travel time occurs outside of their regular assigned working hours.

Additionally, employees are encouraged to use city vehicles for such travel, when available. If employee utilizes their personal vehicle, the City shall reimburse the employee for mileage pursuant to Section 312.

312 Mileage Reimbursement and Use of Privately-Owned Vehicles for City Business

Reimbursement for the use of a privately owned vehicle for City business outside the City will be paid at the current IRS rate. Payment of mileage allowance is subject to prior approval for use of a privately owned vehicle from the Department Head and to submission of signed mileage records to the City Clerk. Employees are responsible for maintaining appropriate insurance coverage for liability, bodily injury and property damage.

313 Use of City Vehicles

For safekeeping and required emergency or on-call response capacity, it is deemed necessary that certain staff be authorized the use of a City vehicle on a "take home" basis, provided the residence is within the City's corporate limits. Authorization for such use is extended to the following positions upon approval of City Administrator and subject to availability of vehicles: Police Chief, Fire Chief, Utilities Superintendents, Public Works Director, Manager of Parks and Recreation, Public Works Superintendent, Police K-9 Officer, Detective Lieutenant and Police Detectives. As may be required by IRS regulations, the "take home" use of a City vehicle shall be treated as a fringe benefit reportable as income. Employees who are not City residents shall require approval of

Human Resources Committee to take home City vehicles. Questions may be addressed to the City Clerk.

314 City Credit Cards

City credit cards must be used only for City business. Use should be pre-approved by the Department Head or otherwise used only when necessary. Employees using City credit cards for personal use will be subject to disciplinary action, up to and including termination.

A credit card in the possession of an employee is the employee's responsibility. Employees must promptly report if the card is lost or stolen. Charges made to the card as a result of failure to promptly report the card missing will be the responsibility of the employee.

315 Health Reimbursement Accounts

Non-represented employees may choose to deposit their accumulated, unused compensatory time into the City's designated 3rd party administrator for individual Health Reimbursement Accounts (HRA). Such employee election shall be made no later than the 24th pay period of each year pursuant to Section 206.

Example: An employee has \$400 unused compensatory time accrued as of the 24th pay period, the employee can elect to deposit \$200 into their HRA and have the remaining \$200 included on their next paycheck or they can elect to have the entire \$400 deposited into their HRA or the entire \$400 added to their next paycheck.

In addition, for eligible retired employees, the City shall by January 30, annually deposit the equivalent of 12 months of 88% of the lowest health insurance premium expense from employee's accumulated, unused sick leave balance into an employee's HRA until that employee's sick leave balance is expended pursuant to Section 403. For employees retiring prior to year end, a payment of accumulated, unused sick leave shall be made into their HRA equivalent the 88% of the lowest health insurance monthly premium for the remaining months of the calendar year in which they retired.

Example: An employee retires on 12/31/2016 and has a balance of \$20,000 in accumulated sick leave that is eligible to continue health insurance. If 12 months of health insurance premiums equals \$18,000, that amount shall be deposited into their HRA in January, 2017. In 2018, the remaining \$2000 shall be deposited into the employee's HRA.

316 Fitness/Health Club Reimbursement. Effective January 1, 2018, non-representative employees and their supervisors who join and show proof of participation for 12 months in established area Fitness/Health Clubs may seek reimbursement for membership fees up to one hundred fifty dollars (\$150) annually upon submission of paid membership invoice; employees are eligible for reimbursement in June.

SECTION 4: TIME OFF BENEFITS

400 Eligibility

Regular, full-time employees are eligible to receive the benefits in this Section, unless otherwise stated. Regular, part-time employees are eligible to receive benefits on a pro-rated basis in relation to the number of hours regularly scheduled during a normal workweek.

401 Holidays

For those employees employed at the adoption of this Personnel Manual, the City recognizes the following eleven (11) days as paid holidays.

New Year's Eve	Thanksgiving Day
New Year's Day	Friday after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Labor Day	Plus Two (2) Floating Holidays

Except as otherwise provided in this Section, if any paid holiday falls on a Saturday, the preceding Friday will be observed as the holiday. If the actual holiday falls on a Sunday, the following Monday will be observed as the holiday. In any year in which Christmas Day or New Year's Day falls on a Saturday or Sunday, the Christmas Day and New Year's Day holidays will be observed on the next succeeding Monday. Whenever Christmas Eve and New Year's Eve falls on a Sunday, the holiday will be observed on the preceding Friday.

To be eligible for holiday pay, an employee must work their regularly scheduled day preceding and the day following the holiday unless he is on authorized leave. Employees required to work on the actual holiday will be paid at the rate of 2 times the employee's hourly rate of pay plus holiday pay. This does not apply to Floating Holidays. Employees required to work on an observed holiday that is not the date of the actual holiday will be paid 1 ½ times the employee's hourly rate of pay.

In lieu of receiving pay for a holiday, Police Lieutenants may elect to take an additional day or days off to use as vacation. The extra day(s) off must be approved in advance by the Chief of Police. If the Police Detective Lieutenant is required to work on a holiday, he/she may take another day off or receive pay for the holiday.

Regular full-time Employees shall accrue Floating Holidays as of the 1st pay period and must be used by the last pay period of each year. Unused Floating Holidays shall not be paid out or carried over into the next year. Part-time employees shall accrue Floating Holidays in January in proportion to their percent of full-time equivalency. Employees hired after January shall accrue Floating Holidays in proportion to the number of months remaining in the calendar year in which they were hired.

402 Vacation

General Provisions:

- Vacation leave shall be earned and credited based on anniversary date of employment. The vacation leave year is the twelve (12) month period between anniversary dates.
- For purposes of determining vacation leave, an employee's anniversary date of employment shall be recognized as of the first day of the month of hire. However if an employee's job status changes (i.e., part-time promoted to full-time), their anniversary date for benefit accrual shall be the effective date of the job status change.

Vacation Amount: Employees are entitled to the following amount of vacation in accordance with their years of service unless otherwise authorized:

- Ten (10) work days after one (1) full year of service.
- Fifteen (15) work days after seven (7) full years of service.
- One (1) additional day will accrue for each completed year of service in years eleven (11) through fourteen (14).
- Twenty (20) work days after fifteen (15) years of service.
- Twenty-five (25) work days after twenty (20) years of service.

“Years of Service” shall mean total number of years of continuous employment. Time lost during job-related injury or illness will be considered time worked in determining years of service and vacation leave eligibility.

Vacation Use:

- Vacation leave shall not be available for the employee's use during the first twelve (12) months of employment, unless approved by City Administrator.
- Vacation shall only be used upon approval of supervisor. Requests for vacation shall be submitted to supervisor as soon as practical, Requests received less than 10 days prior to time off may be denied for insufficient notice.
- A maximum of three (3) days' vacation leave may carry over from one vacation leave year to the next. If circumstances prohibit employee from using their earned vacation, requests to carryover no more than 5 days' vacation require approval by City Administrator. All other unused vacation leave not provided for herein will be lost to the employee at the end of the vacation leave year.
- The use of vacation is subject to Department Head approval. For Department Heads, vacation leave will be authorized by the City Administrator.

Vacation at Employment Separation:

- With the exception of employees who have not successfully completed their Introductory Period, at separation of employment, employees will be paid for all unused vacation leave accrued from their most recent anniversary date to the date of separation. In the event of an employee's death, compensation for unused vacation leave will be paid to the employee's beneficiary.

403 Sick Leave

Accumulation: Regular, full-time employees shall accrue sick leave at the rate of one (1) regular work day for each month of employment. For employees hired after the effective date of this policy, they may accrue up to a maximum of 100 days. Current employees may accrue unlimited sick leave while actively employed.

Sick Leave Use: Sick leave may be used for the following reasons: (1) illness, injury, pregnancy or other short-term disability that renders the employee incapable of performing job duties; (2) illness or injury of an immediate family member requiring care by the employee; and (3) medical, dental, or optical examinations or treatment when examinations or treatment cannot be scheduled outside normal work hours. Sick leave may not be utilized in increments of less than one-half (½) hour. The use of sick leave for periods in excess of three (3) consecutive days may require a doctor's statement authorizing the employee's return to work. If required, the statement is to be provided to the Department Head prior to the employee resuming work activities. Immediate family shall mean spouse, parents, step-parents, mother or father-in-law, son, daughter, step son or daughter, grandparents and grandchildren.

Termination:

Except for Fire Department employees included in IAFF Local 2775 and Police Department employees in the Wisconsin Professional Police Association, and employees hired after January 1, 2009; employees who retire under the provisions of the Wisconsin Retirement System (WRS) will receive compensation credit for 90% of accrued sick leave up to a maximum of 150 days. Fire and Police represented employees shall receive compensation credit pursuant to their respective labor agreements. Employees hired after January 1, 2009 who retire under the provisions of the WRS will receive compensation credit for 90% of accrued sick leave up to a maximum of 100 days. Any amount so credited will be retained by the City and used for purposes of paying the premium expense of continued health insurance coverage for the employee and his/her surviving spouse for the type of coverage (single or family) in which the employee was participating at the time of his/her retirement. Such accrual shall be paid at the pay rate in effect at retirement. For employees hired after 1/1/2019; such payout of accrued sick leave upon retirement shall be paid at the pay rate in effect at retirement up to a maximum of \$27,500.

Accrued, unused sick leave is not paid out at termination for employees who are not retiring.

404 Compassionate Leave

Regular, full-time employees will be granted up to three (3) days off with pay for the purposes of attending funeral services for the following family members: spouse, parent, step parent, brother, sister, step brother, step sister, son, daughter, grandparents, grandchild, stepchild, mother and father in-law, step grandparents and grandparent in-law. Regular, part-time employees who are scheduled to work at least 1040 hours annually will be granted compassionate leave with pay equivalent to their proportion of full time employment. In no instance shall employees working less than 1040 hours be granted compassionate leave with pay.

Leave for purposes of attending funeral services other than those of family members may be granted by the employee's Department Head or designee. The grant of such leave shall be limited to one (1) day and shall be chargeable against the employee's vacation and/or compensatory time hours.

405 Jury, Witness Duty and Voting Leave

Any employee who is required to serve on jury duty or to appear as a witness in a court matter that causes the loss of regularly scheduled work days will receive full pay for the time lost. However, the employee must remit to the City Treasurer any and all compensation received for jury duty excluding mileage and meal reimbursement. The employee must present a voucher from the Clerk of Court stating the full amount of pay received from the court. Employees are expected to report to work to complete the remainder of their shift after released from jury or witness duty.

Generally employees are able to find time to vote either before or after their regularly scheduled work hours. If employees are unable to vote in an election during their nonworking hours they will be allowed to be absent from work for up to three (3) consecutive hours, without pay, while the polls are open. Employees must request such time off before the election date. The City may decide the time of the day for the absence in order to ensure that operating requirements are met.

406 Military Leave

- Employees who are members of a military reserve component of the Armed Forces of the United States shall be granted leave not to exceed ten (10) days per year to enable them to attend required training exercises. The City will compensate employees the difference between the employee's regular base pay and the pay received for military services.
- Employees who leave active employment for the purpose of long term military obligations, whether by enlistment, draft, recall, or reserve unit call-out, shall be granted leave in accordance with applicable law, without pay or benefits. Upon expiration of the military leave, reinstatement will be granted in accordance with applicable law.

407 Family Medical Leave

The City will comply with both the federal Family and Medical Leave Act (FMLA) and the Wisconsin Family and Medical Leave (WFMLA) requirements. This policy provides employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. Federal and Wisconsin FMLA leaves and, in appropriate circumstances, worker's compensation leave, will generally run concurrently. Employees with any questions regarding this policy may contact the City Administrator.

Eligibility for FMLA Leave:

Employees are eligible for federal FMLA leave if they:

1. Have been employed for at least 12 months;
2. Have worked at least 1,250 hours during the 12 calendar months immediately preceding the commencement of the leave; and
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

Employees are eligible for Wisconsin FMLA leave if they:

1. Have been employed for at least 52 consecutive weeks; and
2. Have worked or been paid for at least 1,000 hours during the preceding 52 weeks prior to the commencement of the leave.

Basic FMLA Leave:

Employees who meet the eligibility requirements for federal FMLA leave are eligible to take up to a combined total of 12 weeks of unpaid leave during any 12-month period for any one or more of the following reasons:

1. The birth of the employee's son or daughter and to care for the newborn child.
2. The placement with the employee of a son or daughter for adoption or foster care and to care for the newly placed child.
3. To care for a spouse (including legally married same-sex spouse or common law spouse), son (biological, step or foster), daughter (biological, step or foster), or parent (including biological, foster, step, or in-law) with a serious health condition.
4. Due to the employee's own serious health condition that renders the employee unable to perform one or more of the essential functions of his or her position.

In the case where a married couple is employed at City, the two spouses together may take a combined total of 12 weeks' leave during any 12-month period for reasons 1 and 2, or to care for the same parent pursuant to reason 3.

Employees who meet the eligibility requirements for Wisconsin FMLA leave are eligible to take unpaid leave during a 12-month period for the following:

1. Up to six (6) weeks for the birth or adoption of an employee's child, provided the leave begins within sixteen (16) weeks of the birth or adoption of that child.
2. Up to two (2) weeks to care for a spouse (including legally married same sex spouse), son, daughter, parent, domestic partner, domestic partner's parent or parent-in-law with a serious health condition.
3. Up to two (2) weeks for an employee's own serious health condition.

The definition of "domestic partner" includes (1) same-sex couples who register in their county of residence and (2) same-sex and opposite-sex couples who are not required to register.

For purposes of the Wisconsin FMLA, a serious health condition is defined as a condition that requires inpatient care in a hospital, nursing home or hospice or outpatient care that requires continuing treatment or supervision by a health care provider.

For purposes of the federal FMLA, a serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider. The federal FMLA covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity, resulting in a regimen of continuing treatment or a second visit within 30 days of the incapacity would be considered a

serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

12-Month Period:

The City will measure leave entitlement and the amount of leave taken based on a calendar year (January 1 – December 31) for purposes of both federal FMLA leave and Wisconsin FMLA leave.

Military Family Leave (Federal Only):

There are two types of Military Family Leave available.

1. Qualifying exigency leave. Employees meeting the eligibility requirements for federal leave may be entitled to use up to 12 weeks of their basic federal FMLA leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, parent, son, or daughter is on covered active duty or called to active duty status in the Armed Forces, including the National Guard or Reserves. Qualifying exigencies may include:
 - Short-notice deployment (up to 7 days of leave)
 - Attending certain military events
 - Arranging for alternative childcare
 - Addressing certain financial and legal arrangements
 - Periods of rest and recuperation for the service member (up to 15 days of leave)
 - Attending certain counseling sessions
 - Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active duty status)
 - Other activities arising out of the service member's active duty or call to active duty and agreed upon by the City and the employee

2. Military caregiver leave. There is also a special leave entitlement that permits employees who are the spouse, parent, child or next of kin to take up to 26 weeks of leave to care for a covered service member or veteran during a single 12-month period. (A single 12-month period for military caregiver leave begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month calendar year period established for other FMLA purposes.) A covered service member is a current member 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 temporary disability retired list, for a serious injury or illness incurred in the line of duty while on active duty. For veterans the undergoing medical treatment, recuperation, or therapy must be for a serious injury or illness that occurred any time during the five years preceding the date of treatment.

When both husband and wife work for the City, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12-month period.

Intermittent or Reduced Scheduled Leave:

An employee does not need to use leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule in increments of not less than one-half (½) hour when medically necessary for the serious health condition of the employee or family member or the injury or illness of a covered service member. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Military leave due to qualifying exigencies may also be taken on an intermittent basis. Under federal FMLA, leave may not be taken on an intermittent or reduced leave schedule basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the City and employee agree to such intermittent or reduced schedule leave.

Employees may use intermittent leave or reduced schedule leave for any type of leave taken under the Wisconsin FMLA.

Substitution of Paid Time Off for Unpaid Leave:

Under the federal FMLA, the employee must use accrued paid leave (sick, vacation, compensatory time, floating holiday) before any portion of unpaid leave under the Act. Accrued vacation, floating holiday, or compensatory time may be substituted for any federal FMLA-qualifying purpose. Accrued sick leave may be substituted for the employee's own serious health condition or the serious health condition of a family member. An employee who elects to take paid leave must follow the City's paid leave policies or collective bargaining agreement with respect to use of that leave. For leave taken for a qualifying exigency, the same rules apply as if the employee took FMLA leave to care for a family member with a serious health condition or for the birth or placement of a child. For leave to care for a seriously injured or ill family member in the military, the same rules apply as if the employee took leave for his or her own serious health condition.

Under the Wisconsin FMLA, the law requires that employees be allowed to choose to substitute paid or unpaid leave provided by the City for any type of leave under the WFMLA, at the employee's option.

Medical and Other Benefits:

During an approved FMLA leave, the City will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid FMLA leave, the City will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his or her portion of the premium. The employee should contact the City Administrator or his designee to make arrangements to make monthly premium payments.

An employee's healthcare coverage will cease if the employee's premium payment is more than 30 days late. If the payment is more than 15 days late, the City will send the employee a letter to this effect. If the City does not receive the co-payment within 15 days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 days at the end of the leave period, the employee will be required to reimburse the City for the cost of the premiums paid by the City for maintaining coverage during the unpaid leave, unless the employee

cannot return to work because of a serious health condition or certain other circumstances beyond the employee's control.

Employee Responsibilities When Requesting FMLA Leave:

If the need to use FMLA leave is foreseeable, the employee must give the City at least 30 days prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

For unforeseeable leave, employees must comply with the City's usual and customary procedural requirements for requesting leave, including a requirement that a specific person be contacted, absent unusual circumstances. Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Employer Responsibilities:

When an employee requests leave the City will inform the employee, typically within five (5) business days of a leave request, whether he or she is eligible for leave under the federal FMLA and/or Wisconsin FMLA. If eligible, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible, the City will provide the employee with a written notice indicating the reason for ineligibility.

If leave will be designated as FMLA-protected, the City will inform the employee in writing that the leave is designated as such, typically within five (5) business days of receiving sufficient information to determine whether leave is being taken for an FMLA-qualifying reason, and will provide information on the amount of leave that will be counted against employee's leave entitlement under the Wisconsin FMLA, the federal FMLA or both.

Medical Certification:

If the employee is requesting leave because of the employee's own or a covered family member's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees will be provided certification forms by the City. When the employee requests leave, the employee will be notified of the requirement for medical certification and when it is due (generally, no more than 15 calendar days after the employee requests leave). If the employee provides at least 30 days' notice of medical leave, he or she should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner, absent extenuating circumstances, may result in denial of the leave.

The City may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The City will not use the employee's direct supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification.

The City will also require certification of the qualifying exigency for military family leave and certification for the serious injury or illness of the covered service member for military caregiver leave. The employee must respond to such a request within 15 calendar days of the request, absent extenuating circumstances. Failure to provide certification may result in denial of FMLA leave.

Recertification:

The City may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the City may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. Failure to provide requested certification within 15 days, except in extraordinary circumstances, may result in the delay of further leave until the requested certification is provided.

Return to Job at End of FMLA Leave:

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from the health care provider addressing the employee's ability to perform the essential functions of the employee's job. If a fitness-for-duty certification will be required upon completion of the leave employees will be notified of that requirement at the time their leave is designated as FMLA-qualifying. Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

408 Other Leaves of Absence

Requests for extended leaves of absence for medical or other reasons will be considered on a case-by-case basis for regular, full-time employees. Leave requests should be submitted, in writing, as far in advance as possible. The City reserves the right to request documentation supporting the need for a leave of absence, including documentation from a health care provider for purposes of requests for medical leaves of absence.

Leaves of absence are unpaid and will be granted only after exhaustion of accrued paid leave (e.g., vacation, compensatory time and sick leave). Employees *will* continue to earn vacation and sick leave during a leave of absence. Employees do not receive holiday pay for any recognized holidays that fall within a leave of absence. Continuation of group insurance benefits (e.g., *health, dental, life, short term and long term disability*) is subject to the terms and conditions of the applicable insurance plan. The City will continue to make contributions toward payment of group health insurance premiums for the first 30 days of an approved leave of absence. If the employee terminates employment with the City at the end of their leave of absence, the employee shall reimburse the City contributions toward their health insurance and will not be eligible for compensation for any accrued paid leave earned during the leave of absence. Such employee reimbursements due to the City may be deducted from the employee's final payroll check.

The City will make reasonable efforts to return employees to work upon expiration of a leave of absence. However, the City cannot guarantee that an employee's position will remain available or that a comparable position will exist upon an employee's return from a leave of absence.

409 Administrative Leave Days

The City recognizes that employees occupying management positions, who do not receive overtime pay and are often required to work in excess of forty (40) hours per week, provide the professional guidance and expertise necessary for the effective operation of the City. Acknowledging this level of dedication, the City provides Department Heads and other exempt employees with seven (7) additional leave days per year to be used as vacation. Administrative days will be pro-rated during the first year of employment in a management position as follows:

<u>Start Date in Management Position</u>	<u>Number of Administrative Days</u>
January – February	Six (6) days
March – April	Five (5) days
May – June	Four (4) days
July-August	Three (3) days
September – October	Two (2) days
November – December	One (1) day

All requests for December Administrative Days must be turned into the Department Head by December 1 of each year. Unused Administrative Days will be paid out at year-end, if approved by Department Head only in the event that the employee is denied use of a scheduled day(s) that cannot be rescheduled before year-end due to a City emergency situation.

SECTION 5: GENERAL WORKPLACE POLICIES

500 Sexual and Other Workplace Harassment

Scope: The City is committed to providing a work environment free of unlawful harassment. This policy prohibits any City employee, male or female, from harassing another employee on the basis of his/her sex or other protected status. The policy applies to all employees, including supervisors and managers, and also applies to conduct toward City employees by outside vendors, consultants or customers. It applies to conduct in the workplace and while conducting business in work-related settings outside the workplace.

Prohibited Conduct: Prohibited sexual harassment includes:

- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature;
- Implicitly or explicitly making or permitting acquiescence in or submission to such conduct a term or condition of employment or making or permitting acquiescence in, submission to or rejection of such conduct a factor in employment decisions affecting the employee; and
- Permitting such conduct to have the purpose or effect of substantially interfering with an employee's work performance or of creating a hostile, intimidating or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Prohibited harassment includes those behaviors listed above in addition to sexual jokes and innuendo; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures (including through e-mail) and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. This policy prohibits verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest record, conviction record, military service or other characteristic protected by law and that: 1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; 2) has the purpose or effect of substantially interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities. This includes ethnic jokes, slurs or name-calling, denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

In addition to harassment, this policy also strictly prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of or proceeding relating to such reports.

Reporting and Investigation: The City strongly encourages and expects prompt reporting of all observed incidents of discrimination, harassment or retaliation, regardless of the alleged offender's identity or position. An employee who believes he or she has been the subject of discrimination, harassment or retaliation or who has otherwise witnessed such conduct should report the matter as soon as possible to his or her immediate supervisor or Department Head, to the City Administrator, or to the Mayor if the report involves the City Administrator. A prompt and thorough investigation will be undertaken to determine the facts. The investigation will include interviews with the parties involved and may also include interviews with individuals who may have observed the alleged conduct or who may have other relevant knowledge. The City will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Consequences: After investigation, any employee, including any supervisor or manager, found to have sexually or otherwise harassed another employee, supervisor or manager or to have engaged in discrimination or retaliation in violation of this policy will be subject to appropriate discipline and/or other corrective action. Depending upon all the circumstances, such discipline could include immediate termination of employment.

501 Disability Accommodation

In compliance with applicable disability discrimination laws, the City prohibits discrimination on the basis of disability and is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations where the City has been made aware of a disability and where the accommodations do not impose an undue hardship or present a direct threat to the health and safety of the individual or others.

In general, it is the responsibility of the applicant or employee to notify the City of the need for an accommodation. An applicant or employee who requires an accommodation should notify his/her supervisor. Upon receipt of an accommodation request, the City may ask the individual for information and input concerning the functional limitations caused by the condition to determine disability status and for information and input about the type of accommodations that are believed to be necessary or reasonable. The City may also seek the individual's authorization to obtain additional information and input from health care providers or other professionals concerning the condition, the limitations it causes, and the types of accommodations that may be available to enable the individual to perform his/her job-related responsibilities.

502 Violence Free Workplace

Scope: The City expressly prohibits any acts or threats of violence by any employee against any other employee. The City will not condone any acts or threats of violence against employees, customers, or visitors on workplace premises at any time or while they are engaged in business with or on behalf of the City, on or off the premises.

Prohibited Conduct: The following list of behaviors, while not all-inclusive, provides examples of conduct that is prohibited.

- Causing physical injury to another person;

- Making remarks threatening violence;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another person to distress;
- Intentionally damaging the property of the City or the property of any City employee, member or visitor; and
- Possession of a firearm or weapon while on City property, conducting City business (except for law enforcement employees).

Reporting: If you receive or overhear any threatening communications from an employee or outside third party or witness or experience any violent conduct, report it to your supervisor, Department Head, or the City Administrator at once. Threats or acts of violence against employees occurring outside the workplace that may carry over into the workplace should also be reported.

Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee, member or visitor to our premises contact 9-1-1 immediately.

All reports of violence or threats of violence will be kept confidential, to the extent possible, and will be investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence. Employees will not suffer retaliation for reporting violent incidents or threats or for participating in investigation of violence or threats. Any employee retaliating against another employee for reporting or participating in investigations of workplace violence will be subject to discipline, up to and including termination.

Consequences: Violations of this policy, including failure to report violence or to fully cooperate in the investigation of reports, may result in disciplinary action, up to and including immediate termination.

503 Drug and Alcohol Free Workplace

It is the policy of the City to provide a drug and alcohol free work environment for its employees. Manufacture, distribution, possession, sale or use of any illegal drugs, alcohol, or controlled substances while engaged in City business is strictly prohibited. Employees are required to report to work free from the influence of alcohol, illegal drugs, or other controlled substances. Employees are expected to become familiar with, and comply with the requirements of the City's Drug and Alcohol Free Workplace Policy. Employees who violate this policy will be subject to appropriate disciplinary action, up to and including termination.

In addition, because prescription medication may also affect an individual's ability to perform his/her job, employees should notify their supervisor, Department Head or the City Administrator prior to starting work if they are taking legal prescription drugs that they believe may impact their ability to perform their job duties. After consultation, the City will determine whether the employee may continue to work or whether any appropriate work restrictions will be imposed.

504 Drug and Alcohol Testing Program

In accordance with the requirements of the Omnibus Transportation Employee Testing Act of 1991, the City has implemented a Drug and Alcohol Testing Program covering those employees who are required to have a Commercial Drivers' License (CDL). Employees are expected to become familiar with and comply with the requirements of the program. Employees who violate the program will be subject to appropriate disciplinary action, up to and including termination.

505 Health and Safety Policy

The City is committed to providing a safe work environment for its employees. Prevention of accidents and injuries to employees and the general public is of priority concern. Each employee must work in a safe manner and observe good safety practices and procedures and safety rules, for the safety of the employee, co-workers and the public. Safety responsibilities of all City employees include:

- Exercising maximum care and good judgment at all times to prevent accidents and injuries and following all applicable safety rules.
- Reporting immediately to their Department Head or City Administrator any injury or illness sustained on the job, regardless of how minor.
- Reporting unsafe conditions, equipment, or practices to a supervisor, Department Head or the City Administrator.
- Using safety equipment and wearing protective safety clothing when the work requires it.
- Seeking further training and instruction in the event an employee is unsure of how to operate machinery or perform a task.

The City has also adopted a separate Health and Safety Policy Manual. Employees are expected to become familiar with and comply with the policies and procedures contained in the policy manual. Employees who violate health and safety rules will be subject to appropriate disciplinary action, up to and including termination.

506 First Aid or Injury

The City is required to maintain accurate and complete records concerning work-related injuries and illnesses and expects each employee to cooperate in this duty. Therefore, an employee who becomes ill or sustains an injury while at work, no matter how slight, must report it immediately to a supervisor, Department Head or the City Administrator. Employees who require medical assistance will be sent for emergency treatment. Failure to report any work-related accident or injury is a violation of City policy and may result in discipline, up to and including termination.

507 Solicitation/Distribution Policy

In order to avoid disruption and lost productivity, employees are prohibited from solicitation during their working time or during the working time of employees being solicited. Working time does not include meal periods and other break periods. Employees are also prohibited from distribution of literature of any kind during working and non-working time in working areas. Working areas do not

include lunch/break rooms or the parking lot. Non-employees are prohibited from solicitation and/or distribution for any purpose on City workplace premises except upon approval of the Department Head or City Administrator or their designee.

508 Ethical Guidelines and Conflicts of Interest

In order to preserve public confidence in the integrity of municipal officials and employees and to promote high ethical standards in local government, the Common Council has adopted the following guidelines to assist officials and employees in determining the proper course of action when faced with uncertainty.

- No City employee shall use or permit the use of City vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for use of such employee in the conduct of official business, as authorized by the Common Council.
- No City employee shall engage in any business transaction with the City or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties or will tend to impair his/her independence or judgment or action in the performance of his/her duties.
- Any City employee who has a substantial financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the City, or as part of his official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the City Administrator.
- No City employee shall represent, for compensation, private interests before the Common Council without disclosure of the private business relationship and explicit consent of the Common Council.
- No City employee, without proper authorization of the City Administrator, shall disclose confidential information concerning the property, government or affairs of the City, nor shall he/she use such information to advance the financial or other private interest of himself/herself.
- No City employee shall accept anything of value whether in the form of a gift, service loan or promise from any person who, to his/her knowledge, has a direct financial interest in any transaction or official business with the City, which may tend to impair his/her independence of judgment or action in the performance of his/her official duties. However, it is not a conflict of interest for an employee to receive a gift of gratuity that is an unsolicited item of nominal intrinsic value, such as a meal up to \$10.00 in value.
- No City employee is prohibited from exercising his/her political rights to engage in political activities, including the right to petition, make speeches, campaign, or run for public office, so long as the employee does not use his/her official position of City employment to coerce or influence others and does not engage in political activities while he is at work.

SECTION 6: WORK RULES AND STANDARDS OF CONDUCT

600 General Statement

The orderly and efficient operation of the City requires that employees adhere to workplace rules and proper standards of conduct at all times. Although not an exhaustive list, the personnel manual sets forth general rules, standards and expectations for employee conduct. In addition to the general rules set forth in the personnel manual, Department Heads may also establish written work rules for the day-to-day operation of their respective department. Such additional rules are subject to approval by the City Administrator prior to becoming effective and shall not be inconsistent with the rules, standards, and policies and procedures set forth in the personnel manual. Department rules will be made available to employees of the specific department.

The failure of an employee to comply with rules, standards and other expectations of conduct, whether general or Department-specific, may result in discipline, up to and including termination of employment.

601 Personal Appearance and Uniforms

City employees are expected to be clean and neat and to dress and act in a manner consistent with the position they hold and the degree to which they contact the public. Employees that are furnished with uniforms and/or equipment to wear during performance of their duties shall be required to do so unless directed otherwise by a supervisor or Department Head. An employee's supervisor and/or Department Head are required to discuss the subject of personal appearance with the employee if it does not meet standards. Employees who are inappropriately dressed in the supervisor's or Department Head's opinion may be sent home and required to return to work in acceptable attire. Under these circumstances the employee shall not be paid for time away from the work site.

Uniform Allowance. The following non-represented employees shall receive a uniform allowance paid annually in the 2nd pay period of January:

Fire: Chief: \$450

Police: Command Staff: \$525

Community Service Officers \$350

Secretaries: \$275

Parks & Recreation, Public Works & Utilities:

Superintendents and Managers may purchase and wear impact/compression resistant safety shoes for which the City shall reimburse employee up to \$150.00 annually upon submission of proof of purchase. Additionally, Superintendents and Managers shall annually receive one short sleeve shirt, ANSI reflective, florescent yellow with City of Portage logo for the employees to launder and one hoodie-type pullover (long-sleeve with City of Portage Logo) for the employees to launder.

602 Tobacco

Smoking is not allowed in City buildings, facilities or vehicles.

603 Handling Complaints

When handling complaints from City citizens, prompt and courteous attention is essential. City employees should not become angry or argue with a complaining citizen. Citizens should be allowed to present their complaint and employees are expected to offer to do what is necessary to resolve the problem or solicit whatever help is needed from other City employees and supervisors.

604 Attendance and Punctuality

The City expects prompt and regular attendance from all employees. This means that all employees must be at their appointed work location on time and fully ready and able to work at their starting time. Proper attendance and punctuality are important in order to maintain a good performance record. Excessive tardiness and absenteeism has a disruptive impact on City operations and may result in discipline, up to and including 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.

The following acts are violations of work rules and may result in discipline, up to and including termination of employment:

- 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;
- Unexcused or excessive tardiness, absenteeism or failure to report to work;
- Detour for personal business or pleasure while on City time or on City business;
- 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; and
- Failure to observe break time periods.

605 Communication and Computer Systems Security and Usage Policy

General Provisions:

The City's computer, telephone, and communication hardware and software systems have been installed and are used to facilitate City communications. Although each employee/elected official may have an individual password to access these systems, they belong to the City and the contents of all communications are accessible by the City for any business purpose. Throughout this policy the term "employee" shall mean City employees, elected officials or other individuals issued or using City-owned communication and computer equipment systems. The City reserves the right to monitor and may periodically monitor its systems in order to ensure compliance with this Policy. Employees should not consider any materials transmitted or stored in City systems to be private. Similarly, personal items received or stored on City property are not entitled to a guarantee of privacy. Further, to help provide for the safety and security of City employees, guests and property, the City conducts video surveillance of some City-owned properties.

The City provides electronic and telephonic communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the City. Similarly, any electronic files created on or software downloaded on, a City computer or mobile device belong to the City. Unauthorized programs and files may not be used or installed on City computers without the written permission of the City. Additionally, employees may not encrypt work or otherwise prevent access other than to insure confidentiality. Employees may not destroy or delete files from City computers or mobile devices except pursuant to the City's record retention policy.

The City reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by or stored in the City's electronic systems. The City also reserves the right to report the finding of such reviews to appropriate agencies. Due to the fact that managers, supervisors and elected officials and other employees have work and personal obligations outside of the normal business hours, it is acknowledged that periodic and infrequent personal texts, telephone calls or e-mails may occur on City-issued electronic devices. These personal communications are allowed if they do not result in any additional costs to the City. Although incidental and occasional personal use of City electronic communication equipment is permitted, any such personal use will be treated the same as all other communications under this Policy. However, employees are at all times strictly prohibited from downloading information from the Internet for personal use on City-issued devices.

It is acknowledged that employees may use personal devices to access email, voice mail or other electronic communications from City devices. Such use is permitted if it does not result in additional cost to the City or interfere with City-owned network operations.

The following uses are absolutely forbidden:

1. To access any material the City considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the City's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability or some similar distinction (access by police pursuant to investigation excepted).
2. To conduct business for outside employment or a side-business.
3. To solicit others during work periods.
4. To attempt to break into any computer, whether internal or external to the City, to copy or steal electronic files without permission or to knowingly cause or aid the spread of computer viruses.
5. To write resumes, junk mail, mass-mailings, or other documents unrelated to City business or to create and/or forward "chain letters".
6. To run computer games or other personal software during working hours.

City employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices and cellular phones) at City work sites or during work time to engage in conduct that would be prohibited if using City equipment.

Important Notice: The City has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been "deleted" and the employee cannot

retrieve it, this does not mean that the City cannot do so. It is also possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection.

Social Networks, Personal Websites and Blogs:

Social networking, personal websites, and blogs have become common methods of self-expression. The City respects the right of employees to use these media sites during their personal time. Employees may not access social media sites, other than for business use/purposes, during working hours.

Employees must understand that material posted on these media sites may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, or that are unlawful, are prohibited. Similarly, conduct that would violate City policies if done in person, e.g., threatening physical violence, also violates City policy if done through social media. Employees shall not disclose confidential information relating to the City's customers over social media or similar sites. Employees who post on media sites and who have identified themselves as a member or employee of the City on those sites must make it clear that they are expressing their own views and not those of the City.

Personal Mail: All mail that is delivered to the City is presumed to be related to City business. City postage meters and letterhead may not be used for personal correspondence.

Use of City Owned/Issued Software:

Computer software, whether purchased, developed, or modified by the City, may not be downloaded, copied, reproduced, altered, deleted, or appropriated by employees without prior City authorization. Any such computer software is the property of the City and may not be copied or appropriated by employees for personal use during employment with the City or upon separation. Employees should be aware that the illegal duplication of computer software may result in the filing of criminal copyright charges by the owners of the copyrights; copyright infringement is punishable by fines and/or imprisonment.

The City does not condone the use of "bootleg" or "pirate" software on its computer system. The use of "bootleg" or "pirated" software is a violation of copyright laws and can be harmful to the City's communications network. Any employee who becomes aware of the presence of any "bootleg" or "pirate" software on the City's communication system should notify management immediately.

The use of personal software in the City's computer system without prior authorization is strictly prohibited. Employees are further prohibited from accessing the City's systems from remote locations via modem and from connecting City systems to outside systems via modem without prior authorization.

Cell Phones and Other Handheld Electronic Devices:

It is recognized that all employees and elected officials have obligations outside of work. Therefore it is anticipated that occasional, infrequent personal use of either City-issued telephones, cell phones

and computers as well as personal cell phones (for the remainder of this section, these devices are collectively referred to as “electronic devices”) will be used during work. While this occasional personal use is permitted, excessive use of electronic devices, as determined by the City, is prohibited. Employees are encouraged to use such devices during meal or authorized break times, if possible. Excessive use of electronic devices during the workday can interfere with employee productivity and be distracting to others. Flexibility will be provided in circumstances demanding immediate attention. Excessive use of electronic devices for personal use during work hours, excluding meal or authorized break times, that result in lost productivity, additional cost to the City or otherwise interfere with the employees’ ability to perform their jobs may result in disciplinary action and/or forfeiture of their right to use electronic devices for any personal use. The City will not be liable for the loss of handheld devices brought into the workplace.

The City prohibits unauthorized photography, audio or video recording of its employees (except as may be related to workplace safety issues or other working conditions), confidential documents, or its customers. Employees may not use handheld devices in a manner that violates the City’s Policy against Harassment Policy, Equal Employment Opportunity Policy, or other City policy.

Employees must refrain from using their handheld devices while driving in connection with their job duties. Safety must come before all other concerns. Under no circumstances are employees allowed to place themselves or anyone else at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their handheld devices while driving will be solely responsible for all liabilities that result from such actions.

Penalties for Violation of the City’s Communication and Computer Systems Security and Usage Policy:

Violations of any aspect of the City’s Communication and Computer Systems Security and Usage Policy may result in discipline, up to and including termination. The City may also seek civil damages against any employee who appropriates or copies the City’s property as described in this Policy.

606 Standards of Conduct

It is not possible to list every rule and standard. The following list is not all-inclusive but sets forth some examples of rule and/or standard infractions in order to provide guidelines as to what conduct is unacceptable. An employee who fails to maintain at all times proper standards of conduct or who violates any of the partial list of rules stated below will subject himself or herself to disciplinary action, up to and including termination.

1. Theft of property belonging to other employees, the City, or City citizens.
2. Being under the influence of, or possessing, using, or distributing alcohol, illegal drugs or other controlled substances while working or engaging in City business.
3. Deliberately or negligently damaging property or equipment belonging to the City.
4. Misrepresenting, falsifying or withholding information on the employment application, time records or any other employment or City record.
5. Insubordination or refusal to follow proper directives of an authorized supervisor or to perform assigned work.
6. Poor work performance or lack of performance. Loafing or sleeping on work time.

7. Use of City vehicles, equipment, machines or tools, either inside or outside the office, without specific City authorization.
8. Failure to immediately report workplace accidents, injuries or illnesses, no matter how slight.
9. Excessive absenteeism or tardiness; absences or tardiness without notice; failure to return to work upon exhaustion of approved leave of absence.
10. Violation of workplace harassment or equal employment opportunity policies.
11. Absence without notification for three consecutive days.
12. Unauthorized disclosure of proprietary City information or confidential information relating to City citizens.
13. Violation of the conflicts of interest policy.
14. Violation of the workplace violence policy.
15. Violation of safety rules or practices.
16. Leaving before the end of the work day or not being ready to start work at the beginning of the work day without pre-approval of a supervisor.
17. Violation of any other workplace policies, procedures or rules.

SECTION 7: DISCIPLINE AND SEPARATION

701 Employment Separation

Resignation/Retirement: Resignation and/or retirement is a voluntary separation initiated by the employee. Employees are requested to provide at least ten (10) working days' written notice of resignation and thirty (30) calendar days' written notice of retirement to the Department Head and the City Administrator in order to facilitate recruitment and orientation of new employees.

Layoff or Reduction-in-Force: Layoff or reduction-in-force is termination of employment resulting from a shortage or stoppage of work or funds, functional reorganization, elimination of a position, or other similar reasons. The City will endeavor to provide at least ten (10) calendar days' written notice prior to the effective date of such action to affected employees.

Termination: Termination is an involuntary separation initiated by the City. City employees are at-will employees, and as such, may be terminated at any time, for any reason not prohibited by law. An employee absent from work for three (3) consecutive work days without adequate notice or satisfactory explanation to the Department Head shall be deemed terminated. For purposes of this section, work days are deemed to be consecutive, notwithstanding separation by scheduled days off or by approved leaves of absence.

702 Corrective Action/Progressive Discipline and Grievance Procedure

Purpose and Scope: The City of Portage has established this Procedure for an employee to utilize for matters concerning corrective action or discipline, termination and workplace safety. An employee shall use this Procedure for resolving disputes regarding corrective action or discipline, termination and workplace safety, as defined herein. Employees covered under a collective bargaining unit contract shall follow the grievance procedure as provided in the contract to the extent those procedures cover the matters as outlined in this Procedure.

This Procedure does not create a contract of employment. Employees of the City of Portage may resign with or without reason or notice. Employment with the City is at will and may be terminated at any time, with or without notice.

This policy and procedure is intended to comply with Wis. Stats. § 66.0509 and applies to all employees covered under Wis. Stats. § 66.0509, other than police and fire employees subject to Wis. Stats. § 62.13(5).

Corrective Action/Progressive Discipline:

Corrective action or 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 City of Portage. Corrective action or discipline may call for any of four steps – verbal warning, written warning, suspension or termination of employment – depending on the problem and the number of occurrences and the employee's prior work record and conduct. Progressive corrective action or discipline may be administered regardless of whether the offenses involve the same or different types of conduct. There may be circumstances when one or more

steps are bypassed. Certain types of employee problems are serious enough to justify either a suspension or termination of employment without going through progressive corrective action or discipline steps. The City of Portage reserves the right, in its sole discretion, to impose corrective action or discipline as may be appropriate to the particular circumstances.

Definitions: For purposes of this policy and procedure, the following definitions apply:

1. "Employee" shall not include employees subject to a collective bargaining agreement addressing employee corrective action or discipline, termination and workplace safety, statutorily appointed individuals identified specifically in statutes as serving at the pleasure of a governing body, elected officials or independent contractors.
2. "Employee corrective action or discipline" includes all levels of progressive corrective action or discipline, but shall not include the following items:
 - Placing an employee on paid administrative leave pending an internal investigation;
 - Counseling, meetings or other pre-disciplinary action;
 - Actions taken to address work performance, including use of a performance improvement plan or placement on probation;
 - Non-disciplinary demotion, transfer or change in job assignment; or
 - Other personnel actions taken by the City that are not a form of progressive corrective action or discipline.
3. "Employee termination" shall include action taken by the City to permanently separate an individual's employment for misconduct or performance reasons, lack of qualification or license or other inability to perform job duties, but shall not include the following personnel actions:
 - Voluntary quit or resignation;
 - Layoff or failure to be recalled from layoff at the expiration of the recall period;
 - Retirement;
 - Non-disciplinary demotion;
 - End or completion of temporary or seasonal employment or assignment;
 - Any other cessation of employment not involving an involuntary termination.
4. "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 same.

Written Grievance: 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 sought;
- A detailed explanation of the facts supporting the grievance;
- The date(s) the event(s) giving rise to the grievance 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 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 the Department Head. The employee must prepare and file a written grievance with the Department Head within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The Department Head or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his/her decision, if possible, within ten (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 City Administrator, who shall conduct the Step 1 investigation.

Step 2 - Review by City Administrator. If the grievance is not settled at Step 1, the employee may appeal the grievance to the City Administrator within five (5) business days of the receipt of the decision of the Department Head at Step 1. The City Administrator or his/her designee will review the matter and inform the employee of his/her decision by written report, within ten (10) business days of receipt of the grievance.

Step 3 - Impartial Hearing Officer. If the grievance is not settled at Step 2, the employee may request in writing, within five (5) business days following receipt of the City Administrator's decision, a request for written review by an impartial hearing officer (IHO). The Mayor shall select the IHO. The IHO shall not be a City employee; however, any costs incurred by the City to retain the services of an IHO shall be paid by the grievant. In the event the grievant prevails in his/her grievance, such costs incurred by the City and paid by the grievant shall be reimbursed to the grievant within twenty (20) days of the final decision.

In all cases, the grievant shall have the burden of proof to support the grievance. The IHO will determine whether the City 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 IHO will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents, subject to a grievant's request to have a hearing conducted. The IHO shall prepare a written decision. The IHO may only consider the matter presented in the initial grievance filed by the employee. The IHO shall have no authority to revise or otherwise modify the term of any City personnel policy, statute or work rule.

Step 4 - Review by the Governing Body If the grievance is not resolved after Step 3, the employee or the City Administrator shall request within five (5) business days of receipt of the written decision from the IHO a written review by the Governing Body. For Library employees, the request for review shall be filed with the Library Board. For all other employees, the request for review shall be filed with the City Clerk for a hearing before the Common Council. The Common Council

or Library Board shall not take testimony or evidence; it may only determine whether the IHO reached an arbitrary or incorrect result based on a review of the record before the IHO. The matter will be scheduled for the Common Council's or Library Board's next regular meeting. The Common Council or Library Board will inform the employee of its findings and decision in writing within ten (10) business days of the meeting. The Governing Body shall decide the matter by majority vote and this decision shall be final and binding.

Timelines: 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.

Appendix A

ADDITIONAL PROVISIONS SPECIFIC TO EMPLOYEES FORMERLY REPRESENTED BY TEAMSTERS LOCAL NO. 695 (Teamsters)

While the collective bargaining agreement with the Teamsters agreement is no longer enforceable, it was the intent of the City to acknowledge those provisions in the former Teamsters agreement that differs from this Personnel Manual. Therefore in addition to the aforementioned provisions of this Personnel Manual, the following provisions shall apply to the following classifications of employees unless otherwise noted herein:

- ~Crewpersons (Streets and Park & Recreation);
- ~Custodial/Building & Grounds Maintenance Personnel;
- ~Mechanics
- ~Operators (water & wastewater)
- ~Foremen
- ~Superintendents

For Purposes of this Section, these classifications of employees shall be collectively referred to as "Municipal Services Employees".

Commercial Drivers Licenses. For classifications that require a Commercial Driver's License (CDL), the City shall reimburse employees for all fees associated with only the renewal of Commercial Driver Licenses.

Fitness/Health Club Reimbursement. For 2017 only, Municipal Services Employees who join and show proof of participation in established area Fitness/Health Clubs may seek reimbursement for membership fees up to two hundred dollars (\$200) annually upon submission of paid membership invoice; employees are eligible for reimbursement in December.

Purchase/Reimbursement for Prescription Eyewear & Watches: City will provide reimbursement for replacement corrective prescription glasses that were damaged while performing City duties up to a maximum of \$200 every 2 years, upon submission of paid invoice and approval by the Superintendent. Alternately, Municipal Service Employees purchasing prescription safety glasses may receive up to \$200 reimbursement upon submission of paid invoice and approval by the Superintendent. Municipal Service Employees are only eligible for a maximum of \$200 reimbursement every 2 years. Watches broken while working will be reimbursed up to \$50 every 2 years, upon submission of a paid invoice and approval by the Superintendent. The Superintendents are eligible for these reimbursements upon approval by the Director of Public Works.

Shift Premium: Non-exempt Municipal Services Employees working straight time shall receive an additional Thirty-Five Cents (\$0.35) per hour for all such hours worked that begin before 6:30 a.m. or end after 3:30 p.m., including Saturday and Sunday. Time calculated in not less than quarter hour increments. All employees are to be notified as soon as possible, not less than five (5) hours in advance of a change in shift hours if weather-related event requires recall outside of normal shift hours.

Safety Shoes. Municipal Service Employees shall purchase and wear impact/compression resistant safety shoes for which the City shall reimburse employee up to \$150.00 annually upon submission of proof of purchase. Seasonal employees are eligible for a maximum \$75.00 annually.

Longevity. Non-Exempt Municipal Services Employees receiving a longevity bonus as of January 1, 2014 shall continue to receive such bonus for the duration of their employment with the City. However such longevity bonus received as of January 1, 2014 shall be the maximum the employee may receive and it shall not increase for the duration of their employment. Municipal Services Employees not receiving longevity bonus as of January 1, 2014 or new employees hired after January 1, 2014 shall not be eligible to receive longevity bonus.

Hours of Employment. The normal workweek for non-exempt Municipal Services Employees shall be forty (40) hours per week in a not more than six (6) day per week period. All shifts shall include one-half (1/2) hour unpaid lunch period and a fifteen (15) minute paid mid-morning break to be taken on the job site. Upon prior approval of the Superintendent of Public Works or in the case of utility employees, the Water or Wastewater Superintendent, employees may work through the one-half (1/2) hour unpaid lunch period and leave the shift one-half (1/2) hour prior to end of regular shift. Employees will be allowed ten (10) minutes within the shift for wash up time at the end of the day with pay.

Upon approval of dates specified by the Superintendent, from May through October each year, the normal workweek shall be:

Monday – Thursday: 6:30 a.m. to 3:30 p.m. (no lunch break)

Friday: 7:00 a.m. – 11:00 a.m.

On those weeks in which a Holiday is observed on Monday, the Hours shall be:

Monday: 8 hours holiday.

Tuesday – Thursday: 6:30 a.m. to 3:30 p.m. (no lunch break)

Friday: 7:00 a.m. – 12:00 noon.

Non-exempt Municipal Services Employees who elect to take sick leave, vacation and compensatory time shall be charged with the hours normally scheduled for days in which leave is taken. Employees taking Funeral Leave or Jury Duty are allowed 8 hours. If such leave is taken on days in which 9 (nine) hours are scheduled, the employee shall elect to use other accumulated leave for the additional hour. If such leave is taken on days in which less than 8 hours are scheduled, they will only be compensated for regularly scheduled hours.

Uniforms. The City shall provide the following to Municipal Services Employees:

- A. Purchase and provide to each employee in the Parks & Recreation and Streets divisions; 5 summer shirts (short sleeve, ANSI reflective, florescent yellow with City of Portage logo) for the employees to launder.
- B. Purchase and provide to each employee 3 hoodie-type pullovers (long-sleeve with City of Portage Logo) for the employees to launder.
- C. Provide an annual reimbursement up to \$175 for each Parks and Public Works employee for use in the purchase of heavy weight denim jeans. Employees shall provide paid receipt dated within 10 days of submission for eligibility to receive reimbursement.

- D. Maintain provision of uniform laundering of shirts and pants for Mechanics, Custodial and Utility employees.
- E. Employees shall not wear clothing, hats or jackets that display inappropriate, political, racist, sexist or profane language, or advertise a commercial company, product or service.

UPDATED COMMON COUNCIL 7/27/2023

Hiring Relatives:

It is the goal of the City to hire the most qualified individuals but at the same time avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist. The hiring of individuals for regular employment positions who have relatives working for the City may be considered if the individual possesses a unique level of knowledge, skill and experience specific to the position. The City may allow existing personal relationships to be maintained or employ individuals with personal relationships to current employees under the following circumstances:

- Individuals may not work under the direct supervision of a relative.
- The individuals should be scheduled on opposite shifts if feasible.
- The relationship will not create an adverse impact on work productivity or performance.
- The relationship may not create an actual or perceived conflict-of-interest.
- The employee may not audit or review the individual's work.
- The employee may not participate in any disciplinary or reward decision that directly affects a relative.

No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates an actual or perceived conflict of interest or is prohibited by any legal or regulatory mandate.

This policy must be considered when hiring, promoting, or transferring any employee. For purposes of this section, "relatives" shall be defined as spouse, sibling, stepbrother/sister, parent, stepparent, child, step child, grandchild, grandparent, in-laws, uncle, aunt, niece or nephew.

The term also includes domestic partners (a person with whom the employee's life is interdependent and who shares a common residence) and, a daughter or son of an employee's domestic partner.

ACKNOWLEDGEMENT OF RECEIPT and STATEMENT OF EMPLOYEE
UNDERSTANDING

The undersigned hereby acknowledges having received a copy of the City of Portage’s Personnel Policies and Procedures Manual as amended by the Common Council on January 10, 2019.

I understand that it is my responsibility to thoroughly review the Manual and to familiarize myself with the policies, procedures and requirements contained therein. Further, it is my understanding that the “Manual” does not constitute any employment contract or a warranty of benefits. No verbal representations may be deemed to alter or contravene the content or intent of this Manual. Only the Common Council may waive or alter the provisions of this Manual.

I acknowledge that this manual includes the City’s Equal Employment Opportunity and Workplace Harassment Policies and that I have had an opportunity to ask any questions that I have concerning these policies, including any questions concerning my rights and duties under the policies. I understand that it is my obligation to promptly report to the City all complaints or concerns of potential discrimination, harassment, or retaliation, regardless of the potential offender’s identity or position with the City.

I understand that the City is strongly committed to a work environment in which all individuals are free from unlawful discrimination, harassment and retaliation and that the City prohibits such conduct in the workplace. Therefore, I understand that employees who violate the Equal Employment Opportunity and Workplace Harassment Policies will be subject to appropriate disciplinary action, up to and including immediate termination of employment.

I also acknowledge the receipt of the Employee Health & Safety Manual as well as the Drug & Alcohol Testing Policy and that I have opportunities to ask any questions that I may have concerning these policies, including any questions concerning my rights and obligations under these policies.

Date: _____

Signature: _____

Print Name: _____