

EAU CLAIRE COUNTY  
MEETING NOTICE/AGENDA  
AMENDED

**COMMITTEE:** Committee on Human Resources  
**DATE:** Friday, January 13, 2017 **TIME:** 1:30 PM  
**PLACE:** Eau Claire County Courthouse, Room 3312  
721 Oxford Avenue, Eau Claire, WI

**REASON FOR MEETING:** REGULAR

1. Call to Order and Certify Compliance with Open Meetings Law
2. Public Comment
3. Review and approve minutes of the December 9, 2016 meeting
4. Human Resources: Information/Consideration/Discussion/Action – updates to the existing Eau Claire County policies –
  - a. Policy 425 – PTO (Resolution 16-17/070)
  - b. Policy 417 – Leave of Absence
  - c. Policy 201 – Employee Conduct & Working Environment
  - d. Policy 601 – Benefits - Health Insurance, Dental Insurance & COBRA
  - e. Policy 603 – Benefits - Other
5. Human Resources: Information/Consideration/Discussion/Action - the following new Eau Claire County policy –
  - a. Policy 723 – Bullying in the Workplace
6. Administration: Information/Discussion – Update on Finance Department Transition
7. Adjourn

**Future Committee on Human Resources Meetings**

*Where:* Room 3312

*Time:* 1:30p-3:30p

*Dates:*

- February 3, 2017
- March 10, 2017
- April 14, 2017

**COPIES TO:**

County Clerk J. Loomis

County Administrator K. Schauf

Corporation Counsel K. Zehms

Committee on Human Resources: K. Clark/S. Miller/M. Beckfield/J.Gatlin/M. Conlin

Human Resources Department

DATE NOTICE POSTED AND SENT:

PREPARED BY: Jill Mangus, Human Resources Department

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**PLEASE NOTE:** Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

## **COMMITTEE ON HUMAN RESOURCES**

Friday, December 9, 2016 1:30 p.m., Room 3312

Location: Eau Claire County Courthouse  
721 Oxford Avenue, Eau Claire, WI 54703

### **MINUTES**

Members Present: Kathleen Clark, Mark Beckfield, Sue Miller, Judith Gatlin, Mike Conlin  
Staff Present: Jamie Gower, Amanda Twitchell, Ashley Newman  
Other Staff Present: Kathryn Schauf, Linda Struck  
Others Present: Sara Novotney

Chair Kathleen Clark called the meeting to order and certified compliance with Open Meetings Law at 1:31 p.m.

#### **Review and approve minutes of the November 11, 2016 meeting:**

Motion Mark Beckfield to approve minutes of the November 11, 2016 meeting as written. Motion carried 4 to 0.

#### **Human Resources: Information/Consideration/Discussion/Action - the following new Eau Claire County policies –**

- a. **Policy 823 – Telecommuting**
- b. **Policy 825 – Job Analysis and Evaluation**

Motion Mark Beckfield to approve the addition of Policy 823 Telecommuting to the Employee Policy Manual. Motion carried 4 to 0.

Motion Judith Gaitlin to approve the addition of Policy 825 Job Analysis and Evaluation to the Employee Policy Manual. Motion carried 4 to 0.

#### **Human Resources: Information/Consideration/Discussion/Action – updates to the existing Eau Claire County policies –**

- a. **Policy 411 – FMLA**
- b. **Policy 205 – Corrective Action and Disciplinary Actions**
- c. **Policy 207 – Grievance Procedure**
- d. **Policy 707 – Workplace Violence**
- e. **Policy 709 – Identification and Key Cards**
- f. **Policy 807 – Personal Appearance**

Mike Conlin arrived at 2:05 p.m.

Motion Sue Miller to approve the requested updates to Polices 411, 205, 207, 707, 709, and 807 in the Employee Policy Manual. Motion carried 5 to 0.

#### **UW Extension: Consideration/Discussion/Action of Resolution 16-17/082 to change the vacant Office Manager position to a Fiscal Associate IV.**

UW-Extension Co-Department Head, Sara Novotney was present to discuss the personnel structure and needs of the department.

Motion Mike Conlin to reallocate 1.0 FTE Office Manager to 1.0 FTE Fiscal Associate IV in the UW-Extension Office. Motion carried 5 to 0.

**Human Resources: Information/Discussion – Regional Workforce Analysis and Talent Retention & Attraction Action Plan Update**

Jamie Gower, Human Resources Director, gave an update on the regional taskforce looking at local recruitment and retention efforts. Information/Discussion only.

**Adjourn**

Motion Mike Conlin to adjourn the meeting at 2:52 p.m. Motion carried 5 to 0.

Respectfully submitted,

Amanda Twitchell  
Acting Committee Clerk

## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> January 13, 2017	<b>X</b>	Information-Discussion		
<b>Agenda Item No.</b>		Direction to Staff		
<b>Department:</b> Human Resources	<b>X</b>	Approval-Denial		
<b>Subject:</b> Update to the Eau Claire County Policy Manual: Policy 425 Paid Time Off (PTO)	<b>X</b>	Requires Recommendation to:		
	<b>x</b>	County Board		
		Other:		
		Form:		Ordinance
			<b>X</b>	Resolution 16-17/070
<b>Bargaining Unit Involved:</b> N/A				Report
<b>Prepared by:</b> J.Gower		Other Action:		
<b>Reviewed by:</b> J. Mangus				

County Board Supervisors have requested additional data regarding the proposed PTO policy changes which would allow part-time employees to be eligible for these benefits. Below is a summary of the requested information as well as a summary of the proposed changes:

#### Review of the Summary of proposed changes:

- Opens eligibility to employees working at least 20 hours per week (.50 FTE) or more.
- Part-time employees would earn prorated Paid Time Off (PTO) based on the Full-Time schedule multiplied by their Full-time Equivalency (FTE.)
  - Example: The accrual rate for a .73 FTE employee who has been with the County one-year would be: (.73FTE\*6.4 hours = 4.7 hours per pay period)
  - PT employees would be able to accrue up to 200 hours of PTO; currently Full-Time staff can accrue up to 500 hours.
- Although there is not an immediate budgetary impact, it will result in a liability due to a new accrual of a benefit not previously offered to part-time employees. The fiscal liability of that is \$70,199. Note the fiscal liability is reduced based upon the 2017 staffing changes.

#### Summary of data from regarding PTO Option for Part-Time Staff

##### *Survey Results World-At-Work 2014 Survey*

- 74% of employers offer Part Timers PTO benefits
- 81% of employers with PTO banks vs traditional paid leave benefits offer Part Timers paid time off
- 85% of employers feel it is necessary to offer PTO benefits to be competitive in the labor market

##### *Survey Results 2015/16 North Central Policies & Benefits Survey (PT Employees)*

##### *Results reported for organizations with 100-500 employees*

- 56.7% of employers offer Part Timers PTO benefits

##### *Survey Results of Local Businesses*

The following local business provide leave benefits (PTO, Vacation, or Sick time) to their Part-Time staff:

- |                         |                        |                           |
|-------------------------|------------------------|---------------------------|
| • Hutchinson Technology | • Ayers and Associates | • Westconsin Credit Union |
| • Royal Credit Union    | • Mega CO-OP           | • Phillips Medisize       |

- Mayo Clinic Health System
- Associated Bank
- Mason Companies
- Group Health Cooperative
- Sacred Heart Hospital
- Huebsch

**Wisconsin Counties**

Human Resources administered a survey to other counties in Wisconsin regarding their policies for prorating Paid Time Off for less than full-time employees. Of those surveyed the following 17 responded that they offered PTO to their part-time staff. The list of those counties can be found below:

- |              |                |                        |
|--------------|----------------|------------------------|
| 1. Calumet   | 7. Manitowoc   | 13. Chippewa           |
| 2. Wood      | 8. La Crosse   | 14. Jackson            |
| 3. Winnebago | 9. Trempealeau | 15. Marathon           |
| 4. Waupaca   | 10. Jefferson  | 16. Washburn           |
| 5. Monroe    | 11. Dane       | 17. Juneau             |
| 6. Adams     | 12. Marquette  | 18. City of Eau Claire |

**Total Eau Claire County Employee’s impacted with this PTO proposal:**

Eau Claire County currently has 32 Part-Time employees who would qualify for this benefit. Based upon recent staffing changes, the current approximate fiscal liability is \$70,199.

Number of employees	Part-time PTO Accrual Rate	PTO Liability
1	6.6	\$ 4,953
1	5.8	\$ 2,760
2	5.5	\$ 7,900
1	4.8	\$ 2,062
5	4.7	\$ 12,743
2	4.0	\$ 3,584
1	3.6	\$ 1,804
19	3.2	\$ 34,393
32	-	\$ 70,199

The Committee is asked to review and provide an update to the County Board of Supervisors at the January 17, 2017 County Board meeting.

## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> January 13, 2017		Information-Discussion	
<b>Agenda Item No.</b> 4/5		Direction to Staff	
<b>Department:</b> Human Resources	<b>X</b>	Approval-Denial	
<b>Subject:</b> Approval of amendments to policies: <ul style="list-style-type: none"> <li>• 417 Leave of Absence</li> <li>• 201 Employee Conduct &amp; Working Environment</li> <li>• 601 Benefits – Health Insurance, Dental Insurance &amp; COBRA</li> <li>• 603 Benefits – Other</li> <li>• 723 Bullying in the Workplace</li> </ul>		Requires Recommendation to:	
		County Board	
		Other:	
		Form:	Ordinance
			Resolution
<b>Bargaining Unit Involved:</b> N/A			Report
<b>Prepared by:</b> J. Mangus		Other Action:	
<b>Reviewed by:</b> J. Gower			

### Policy Updates

#### **Policy 417 Leaves – Leave of Absence**

To support the Veterans in our workforce, Human Resources is requesting to add language to Policy 417 Leaves – Leave of Absence that would allow Veterans up to 6 months of leave to receive medical treatment for an injury or illness sustained while serving on active duty. There is no fiscal impact to this change.

#### **Policy 201 Employee Conduct and Working Environment**

Add [2.2.6 Bullying as defined in Policy 723 Workplace Bullying](#) to this list of prohibited conduct to support newly created Policy 723 Workplace Bullying.

#### **Policy 601 Benefits – Health Insurance, Dental Insurance & COBRA and Policy 603 Benefits – Other**

The policy was updated to reflect clarification to the benefit carrier contract language as well as clarification on eligibility status and definitions.

### NEW Policy

#### **Policy 723 Workplace Bullying**

Eau Claire County is committed to providing a working environment where all employees are treated with dignity and respect. To help promote a respectful workplace, Human Resources is asking to add Policy 723 Workplace Bullying to the Employee Policy Manual.

The Committee is asked to approve the proposed policy changes and the addition to the Employee Policy Manual.

## POLICY 425 PAID TIME OFF (PTO)

1. **Purpose.** To provide employees with a flexible means of utilizing paid leave time. Paid Time Off (PTO) can be utilized for any purpose, subject only to necessary request and approval procedures consistent with County and department policies.
2. **Eligibility.** Regular employees working at least 20 hours per week (.50 FTE) ~~working thirty three (33) or more hours per week~~ are eligible for ~~all~~ the benefits documented herein. Part-time employees working less than 20 hours per week (.50 FTE), temporary pPart-time employees, limited term and seasonal employees as defined in Eau Claire County Policy 001 Definitions are not eligible.
3. **Definitions.**
  - 3.1 **Paid Time Off (PTO).** A benefit plan which consolidates all leave benefits into a single “account” of paid leave, for which the employee is responsible for managing.
  - 3.2 **Extended Leave Bank (ELB).** A bank which may be utilized for absences due to medical necessity for the employee or the employees immediate family, or for qualified FMLA absences, of more than three (3) consecutive days.
  - 3.3 **Family Medical Leave Act (FMLA).** Provides time off for various medical and military purposes as defined by State and Federal law.
  - 3.4 **Planned PTO.** Requested and approved prior to the date the employee is requesting leave.
  - 3.5 **Unplanned PTO.** Requested or reported on the date the employee will not be reporting to work.
  - 3.6 **Post-Employment Health Plan (PEHP)/Health Trust Account.** An employee benefit to help pre-fund the future cost of health care expenses.
  - ~~3.7~~ **Creditable Employment.** Years of service with the County working in a regular full- or part-time position beginning with the Employees anniversary date and ending with the date of separation as defined by Eau Claire County Policy 001 – Definitions. Employment in a seasonal or ~~limited term~~temporary part-time position is not considered creditable employment.

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Effective Date: ~~November 3, 2013~~January 2017

Revised Date: December 2016

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4. Accrual. Eligible Full-time non-exempt and exempt non-supervisory employees will accrue PTO according to the following accrual rates:

Length of Service	Hours Per Pay Period	Days Per Year	Maximum Accrual Hours
0 – 5 <sup>th</sup> Anniversary	6.4 hours	20.80 days	500 hours
5 – 10 <sup>th</sup> Anniversary	8.0 hours	26.00 days	500 hours
10 – 15 <sup>th</sup> Anniversary	9.5 hours	30.88 days	500 hours
After 15 <sup>th</sup> Anniversary	11 hours	35.75 days	500 hours

- 4.1 Part-time employees working at least 20 hours per week (.50 FTE) will earn PTO accruals based on the full-time non-exempt and exempt non-supervisory PTO accrual schedule at a prorated amount based on their percentage of full-time equivalency (FTE).

Example: A .73 FTE employee who has been employed for 4 years would earn 4.7 hours of PTO per pay period. (.73FTE\*6.4 hours = 4.7 hours per pay period)

- 4.2 Part-time employees may accrue up to a maximum of 250 hours PTO hours.

- 4.3 Exempt supervisory employees will accrue PTO according to the following accrual rates:

Length of Service	Hours Per Pay Period	Days Per Year	Maximum Accrual Hours
0 – 5 <sup>th</sup> Anniversary	8.0 hours	26.00 days	500 hours
5 – 10 <sup>th</sup> Anniversary	9.5 hours	30.88 days	500 hours
10 – 15 <sup>th</sup> Anniversary	11 hours	35.75 days	500 hours
After 15 <sup>th</sup> Anniversary	12.5 hours	40.63 days	500 hours

- 4.4 PTO will not accrue during unpaid leaves including worker’s compensation leave.

- 4.5 PTO cannot be taken before it has been earned and cannot be taken in excess of an employee’s normally scheduled hours.

- 4.6 Temporary part-time and seasonal employees will not accrue nor be given PTO leave.

- 4.7 Part-time employees who transfer into a full-time position or whose hours are increased to full-time will be placed on the PTO accrual schedule based on ~~a proration of the creditable Full Time Equivalent (FTE) status of the positions held~~

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~~multiplied by the years of service in those positions.~~ their length of service in regular employment with Eau Claire County.

**5. Minimum Usage Requirements.**

**5.1** Unless otherwise outlined in department work rules, employees will use PTO in increments rounded to the nearest tenth of an hour as outlined in Policy 509, Timekeeping.

**6. Planned PTO.**

**6.1** Employees must request Planned PTO as far in advance as practicable and must be approved in advance by the Department Head or designee, but not less than 24 hours in advance. Individual departments may require more advance notice for scheduled absences. Employees will follow written department procedures for requesting PTO. PTO requests may be denied based on the needs of the department and the scheduled time off of other department employees.

**6.2** Department Heads or designees may approve planned PTO requests of less than 24 hours' notice on a case by case basis.

**7. Unplanned PTO.**

**7.1** Employees must report the use of Unplanned PTO at least one (1) hour prior to the start of the employee's scheduled shift, or as soon as practicable in cases of emergency or development of illness during the employee's work shift. Individual departments may require more advance notice for unscheduled absences. Employees will follow written department procedures for requesting PTO.

**8. Medical Certification/Returning to Work After Medical Absence.**

**8.1** The employer may require verification of illness.

**8.2** After a medical absence, a physician's statement may be required to be submitted to Human Resources on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

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- 8.3** A physician’s statement will be required for unplanned absences after five consecutive days of illness and will be required prior to returning to work.
- 8.4** Any work restrictions must be stated clearly upon the employee’s return to work. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. PTO may be denied for any employee required to provide a doctor’s statement until such a statement is provided.
- 8.5** The County has the right to obtain a second medical opinion to determine the validity of an employee’s worker's compensation or illness claim, or to obtain information related to restrictions or an employee's ability to work. The County will arrange and pay for an appropriate medical evaluation when it has been required by the County.
- 8.6** If the absence qualifies as FMLA, Eau Claire County Policy 411, Leaves – Family, Medical, & Military will apply. The appropriate medical certification form(s) will be required.
- 9.** Unpaid Leave.
- 9.1** With the exception of qualified FMLA leave, unpaid leave may not be taken until such time that the PTO account has been exhausted. If an employee would be eligible to use the ELB, unpaid leave may not be taken until such time that the PTO account and the ELB have been exhausted. At no point will an employee’s PTO balance be allowed to fall below zero. Should this happen, the employee will revert to unpaid time, and if this occurs without the prior authorization of the Department Head, the employee may be subject to corrective or disciplinary action.
- 10.** FMLA.
- 10.1** State FMLA, employee may substitute accrued paid leave time or choose to take unpaid leave; Federal FMLA, employees may be required to use all accrued paid leave time before receiving leave without pay.
- 11.** Job Related Injury or Illness.
- 11.1** Employees are expected to adhere to the policies and procedures outlined in Eau Claire County Policy 715, Illness/Injuries.
- 12.** Payment Upon Separation. Regular employees who leave the employ of the county in good standing and upon giving notice or employees separated by the county for other

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than disciplinary or performance reasons will receive payment for unused PTO as outlined below.

**12.1** Regular employees hired on or before November 3, 2013 who leave their position in good standing will be eligible for PTO/ELB separation pay as follows:

- 12.1.1** Less than 10 years of employment. For an employee with less than 10 years of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB into the post-employment health plan as provided in ~~1112~~.1.5 to a maximum of 180 hours at the employee's rate of pay at separation.
- 12.1.2** 10 years of employment. For an employee with 10 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB to a maximum of 480 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~1112~~.1.5 at the employee's rate of pay at separation.
- 12.1.3** 20 years of employment. For an employee with 20 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB to a maximum of 640 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~1112~~.1.5 at the employee's rate of pay at separation.
- 12.1.4** 20 years of employment and 50 years of age or retiring. For an employee with 20 years or more of creditable employment in a regular position, and 50 years of age or retiring, the employer will pay the total accumulated amount of PTO and ELB to a maximum of 1,000 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in 12.1.5 at the employee's rate of pay at separation.
- 12.1.5** Election of Form of Benefit. Within thirty (30) days of receiving written notice of an employee's termination, the employer will elect the form in which the terminating employee will receive the Benefit. The Benefit can only be paid in one of the two forms outlined below. In making the election, the employer will consider several established factors including the terminating employee's access to other health insurance coverage, the value of the terminating employee's unused accumulated sick leave and extra retirement pay, and the ability of the terminating employee to demonstrate the need for coverage. The

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employer will notify the terminating employee in writing of the election made by the employer.

12.1.5.1 PRIME Trust, or the Medical Plan Trust.

12.1.5.2 Retirement Plan Trust and or 457 (b).

**12.2** Employees hired after November 3, 2013 who leave their position in good standing will be eligible for PTO separation pay as follows:

**12.2.1** More than three but less than 10 years of employment. For an employee with more than three but less than 10 years of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 150 hours in cash at the employee's rate of pay at separation.

**12.2.2** 10 years of employment. For an employee with 10 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 350 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~11~~12.2.4 at the employee's rate of pay at separation.

**12.2.3** 20 years of employment. For an employee with 20 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 500 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in 12.2.4 at the employee's rate of pay at separation.

**12.2.4** Election of Form of Benefit. Within thirty (30) days of receiving written notice of an employee's termination, the employer will elect the form in which the terminating employee will receive the Benefit. The Benefit can only be paid in one of the two forms outlined below. In making the election, the employer will consider several established factors including the terminating employee's access to other health insurance coverage, the value of the terminating employee's unused accumulated sick leave and extra retirement pay, and the ability of the terminating employee to demonstrate the need for coverage. The employer will notify the terminating employee in writing of the election made by the employer.

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12.2.4.1 PRIME Trust, or the Medical Plan Trust.

12.2.4.2 Retirement Plan Trust and or 457 (b).

**12.3** Employees separated for disciplinary or performance reasons or fail to provide a two-week notice (30-days for supervisory and department head positions) of intent to terminate will receive no separation benefit.

**13.** Conversion.

**13.1** Effective November 3, 2013, all accumulated vacation leave, sick leave, and floating holidays will be converted as follows:

**13.1.1** If an employee has accumulated less than 280 hours combined vacation leave, sick leave, and floating holidays, all hours will be converted hour for hour to a PTO account.

**13.1.2** If an employee has accumulated more than 280 hours combined vacation leave, sick leave, and floating holidays, 280 hours will be converted hour for hour to a PTO account and the balance will be converted hour for hour to an ELB.

**13.1.3** If an employee does not have an ELB established at the point of conversion, an ELB cannot be created in the future. In addition, employees who establish an ELB cannot convert hours from the PTO account to the ELB in the future.

**13.2** Low Sick Leave Usage Incentive. Upon conversion, employees will not receive a low usage sick leave incentive payment.

**14.** PTO Service Credit at Hire.

**14.1** A Department Head may recommend to the Human Resource Director that a new hire be given credit for length of service for employment experience directly related to the position to which the employee is being appointed or to match the current leave accrual provided by the employee's most recent employer. The recommendation must be in writing and based on the Department Head's assessment of the employee's qualifications beyond the minimum requirements, recruitment considerations, or service accrual provided by the employee's previous employer.

**14.2** The length of service credit plus the employee's subsequent actual length of service with the County will be the basis for future accrual determinations. No

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additional length of service credit shall be granted after initial appointment to the County.

**15. Extended Leave Bank.**

**15.1** An employee who is sick uses their PTO account for the missed time. Anytime a single occurrence illness/injury results in the loss of more than three days' time an employee with an ELB is eligible to use time from that bank. When that option is selected by the employee, they may choose for the deduction to revert back to the first day, so that the first three days are deducted from the ELB (not the PTO account), plus the additional missed days. This should be documented as ELB on the employee timesheet. To utilize the ELB, the employee may be asked to submit documentation from a physician to verify illness or injury.

**15.1.1** The ELB may be used for a single occurrence illness/injury results in the loss of more than three days' time to care for an immediate family member.

**15.2** The County reserves the right to have a second medical opinion at its own expense.

**16. Death While An Active Employee.**

**16.1** All accumulated unused PTO and ELB for which the employee may have otherwise been eligible will be transferred to the Post Employment Health Plan (PEHP)/Health Trust Account as defined in Eau Claire County Policy 603.

**16.1.1** If there is not a surviving qualified family member as defined in the Post Employment Health Plan policy, payment will be made to a deferred compensation plan.

**17. Restrictions.**

**17.1** PTO and the ELB are for the personal use of the employee only. Should the PTO balance fall below "0", the employee will only receive compensation for hours actually worked. Should this happen, the employee may be subject to corrective or disciplinary action.

**17.2** An employee cannot be paid for time at work and receive PTO pay at the same time.

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- 17.3** PTO cannot be used in the same payroll period in which it is earned.
- 17.4** Employees who are ill should not report to work. Department Heads or supervisors have the right to judiciously assess the health of an employee and, if the employee is deemed to be "too sick to work", the Department Head or supervisor can send the employee home.
- 17.5** Upon written request, the County may allow employees to use accrued paid time during the initial three (3) day waiting period for ~~worker's~~ worker's compensation benefits.
- 17.5.1** Following the initial three (3) day waiting period, employees may not supplement workers' compensation benefits by utilizing accrued paid time or any other means available to them through the County benefit program. Employees will receive benefits as outlined by, and in accordance with the Wisconsin Workers' Compensation Act.
- 17.5.2** PTO and the ELB may not be used to supplement income received from a county disability insurance plan.

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## **POLICY 417 LEAVES – LEAVE OF ABSENCE**

1. **Purpose.** To provide an option for employees to be off for reasons not eligible under family medical leave or due to extenuating circumstances for an extended period of time.
2. **Definitions.**
  - 2.1 **Paid Leave.** Leaves of absence where compensatory time, paid time off, and extended leave bank are utilized to continue receiving compensation when the employee is off for an extended period of time.
  - 2.2 **Unpaid Leave.** Leaves of absence where no compensatory time, paid time off, or extended leave bank are available to an employee when the employee is off for an extended period of time.
3. **Policy.**
  - 3.1 A leave may only be granted when it is reasonably expected that the employee will return to employment when the condition(s) necessitating the leave permit, subject to (with the exception of Disabled Veteran leave) the staffing needs of the department, and when granting a leave is in the best interest of the county.
  - 3.2 Leaves without pay may be requested after all compensatory time, paid time off, and extended leave bank (if applicable as defined in Policy 425) have been exhausted.
  - 3.3 Paid time off accrual and holiday benefits will be suspended during any unpaid leave and will resume upon the employee's return to their normal work schedule for one full pay period.
4. **Authorization.**
  - 4.1 **Short Term.** Leaves of 30 days or less. Any leave request for 30 days or less will be submitted in writing utilizing Appendix 417A to the department head. The department head may grant the leave and will notify the director.
  - 4.2 **Extended Leave.** Leaves of over 30 Days. Any leave request extending over 30 days will be submitted in writing to the department head. The department head will submit their recommendation to the director for review and approval or denial.

### **POLICY 417 LEAVES – LEAVES OF ABSENCE**

Effective Date: January 1, 2012

Revised Date: September 2014

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- 4.2.1 Employees who are not eligible for participation under the Family Medical Leave Act or who have exhausted their Family Medical Leave may be granted a leave of absence, supportable by medical evidence, of up to six (6) months inclusive of paid time off or extended leave bank.
- 4.2.2 Employees who have exhausted their accumulated paid time off and extended leave bank may be granted a leave of absence, supportable by medical evidence, of up to six (6) months inclusive of paid time off or extended leave bank.

4.3 Disabled Veteran leave. Employees who are a Veteran of the Armed Forces who have incurred a serious injury or illness while serving in the line of duty on active duty will be entitled to a leave of absence, of up to six (6) months inclusive of paid time off or extended leave bank to receive medical treatment for the service-connected disability. Requests must be supported by evidence of a service-connected disability and medical evidence supporting the need for leave.

4.34.4 Personal leave. Personal leave may be granted by the director for up to three (3) months for the employee's personal convenience or to relieve hardship to the employee and his or her immediate family.

4.44.5 Educational leave. The director may grant employees leave to further their education. Any expenses incurred will not be reimbursed by the county. Such leaves in aggregate will not exceed 24 months in any 5-year period.

4.54.6 Political leave. Any employee becoming a candidate for any publicly elected office will be entitled to political leave of up to six (6) months to be effective no later than the date the board of canvassers certifies that the employee has won the primary election and will expire upon said board's certification of the general election results. Any employee assuming a county elected office will be considered to have resigned from their former position.

## 5. Procedure.

- 5.1 Any employee request for leave of absence will be submitted in writing to the department head at least 30 days in advance and will state the reason for such leave and the period of time to be absent. Employees requesting leave will utilize Appendix 417 A when submitting the request. The 30-day notice may be waived under emergency circumstances by the director.
- 5.2 Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

### **POLICY 417 LEAVES – LEAVES OF ABSENCE**

Effective Date: January 1, 2012

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- 5.3 Employees will make their own arrangements in advance for payment of benefits for any full calendar month they are on unpaid leave of absence by remitting monthly premium payments to the finance department. Insurances will be cancelled if the employee fails to remit payment upon notice of delinquency

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6. Return to Active Employment.

6.1 An employee may return to work at an earlier date than scheduled if approved by the department head.

6.2 Any employee failing to return to work upon expiration of unpaid leave will be considered to have resigned, not in good standing.

6.3 The employee will be eligible for reinstatement to a vacant position or equivalent position, provided stated qualifications are met. If no vacant position is available the employee is qualified for, the employee will be terminated.

7. Leave restrictions.

7.1 Unpaid leave of absence will not be granted for periods exceeding 6 months to permit an employee to seek other employment or work at some other paid employment, except as provided in the above provision for political leave.

8. Appendices.

8.1 Unpaid Leave of Absence Request Form (Appendix 417 A)

**POLICY 417 LEAVES – LEAVES OF ABSENCE**

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## POLICY 201 EMPLOYEE CONDUCT & WORKING ENVIRONMENT

1. **Purpose.** It is Eau Claire County's policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment and violence.

To ensure orderly operations and provide the best possible work environment, Eau Claire County expects employees to follow rules of conduct that will protect the interests and safety of all employees and the County.

2. **Policy.**

2.1 Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person.

2.2 Employees have a right to conduct their work without disorderly or undue interference from other employees. The County prohibits employees from violating this right of their co-workers. This prohibition includes, but is not limited to intentional acts such as.

2.2.1 Unprovoked insolence or disrespect on the part of the employee toward fellow employees, County Board members, visitors, or other members of the public.

2.2.2 Boisterous or disruptive activity in the workplace or actions adversely and substantially affecting morale, production, or efficiency.

2.2.3 Sexual or other unlawful or unwelcome harassment.

2.2.4 Fighting with or provoking a disturbance among fellow employees, threatening violence in the workplace, or actions adversely and substantially affecting morale, production, or efficiency.

2.2.5 Discrimination against others because of race, color, creed, national origin, political preference, sexual preference, age, sex, disability or other protected classification.

~~2.2.5~~2.2.6 **Bullying as defined in Policy 723 Workplace Bullying**

~~2.2.6~~2.2.7 Making malicious, false, and harmful statements about others.

~~2.2.7~~2.2.8 Publicly disclosing another's private information.

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3. Unacceptable Conduct.

3.1 It is not possible to list all the forms of behavior that are considered unacceptable in the workplace; the following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment.

- 3.1.1 Falsification of timekeeping or other County records.
- 3.1.2 Theft or destruction of County equipment or property, or dishonesty.
- 3.1.3 Insubordination, inclusive of, but not limited to, a willful refusal to obey lawful and reasonable directives.
- 3.1.4 Negligence or improper conduct leading to damage of County-owned property.
- 3.1.5 Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- 3.1.6 Unauthorized use of County-owned or leased equipment or property including mail systems and pre-paid postage.
- 3.1.7 Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating County-owned vehicles or equipment.
- 3.1.8 Sleeping on the job.
- 3.1.9 Smoking in prohibited areas.
- 3.1.10 Unauthorized disclosure of confidential information.
- 3.1.11 Unsatisfactory performance or conduct.
- 3.1.12 Immoral or otherwise improper conduct which adversely and substantially injures or brings the County into disrepute; being charged with or convicted of a crime which is directly related to the job which the person was hired to perform; or unavailability for work due to incarceration.
- 3.1.13 Excessive absenteeism or any absence without notice.

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- 3.1.14 Habitual tardiness or abuse of paid time off privileges.
- 3.1.15 Violation of state law, administrative rules, County Code, departmental work rules, Employee Policies, or other County policies or safety rules.
- 3.1.16 Employees are responsible for assuring the security of company confidential/propriety material in their possession and similarly maintaining the security of County-provided equipment. Employees concerned for the security of their work area or equipment must inform their supervisor of such concerns.

4. Right to Search.

- 4.1 The County reserves the right to search unlocked and/or publicly used County property at any time without consent. The County may request a search of personal property at the worksite or locked County property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities resides therein. Refusal of such a request may result in disciplinary action up to and including termination.

5. Consequences of Policy Violation.

- 5.1 The above-listed examples are not all-inclusive. The County may take corrective or disciplinary action against employees whose conduct violates this or other County policies and practices. The supervisor should consult with the department head and Human Resources on such matters.



## **POLICY 601 BENEFITS - HEALTH INSURANCE, DENTAL INSURANCE & COBRA**

1. **Purpose.** To provide health and dental insurance to those employees who qualify for coverage.
2. Coverage.
  - 2.1 The design and selection of health/dental care plans is determined by the Committee on an annual basis consistent with applicable state, federal and insurance regulations. Employees will receive notification of the health/dental plan(s) as adopted by the Committee.
3. Eligibility/Health Insurance Plan.
  - 3.1 Full-time employees (as defined in Eau Claire County Policy 001 Definitions) who qualify for coverage may participate in the Health Insurance Plan(s). Eligible employees will contribute, and the County will contribute, to the costs for the Health Insurance Plan. ~~Ineligible part-time employees may participate in the health insurance plan by paying the entire cost of the premium.~~
  - 3.2 The County will make an offer of Health Insurance to any ~~part-time regular status~~ employee working 30+hours/week who becomes eligible under the Affordable Care Act. The measurement period will be defined as November through October.
4. Effective Date.

~~4.1~~ Health insurance coverage will be effective the 1<sup>st</sup> day of the month following the month of hire, provided the employee has completed an application. Employees not applying during probation may subsequently attain coverage only at open enrollment or by experiencing a qualifying event. ~~Employees not applying during probation may subsequently attain coverage only by submitting evidence of insurability acceptable to the insurance carrier.~~

4.1
5. Incentive Payment.
  - 5.1 Eligible employees electing to waive the county health insurance plan, who prove that they, their spouse, and dependents have health insurance coverage from another source, will be compensated by the county in the amount of \$50 or \$100 per month depending upon single or family coverage. Eligible employees electing to take a single health insurance plan and who prove that their spouse and dependents have health insurance coverage from another source will be compensated by the county in the amount of \$50 per month. Eligible

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employees opting to delete or reduce coverage must inform the county in writing within 30 days of the effective date of this change.

~~5.2 — Part-time employees eligible for health insurance under the Affordable Care Act who elect not to be covered by the county health insurance plan will not be eligible for the incentive payment.~~

6. Payment of Employee Share of Premium.

6.1 Any employee required to pay all or any portion of the health insurance premium will make such payment by payroll deduction, except as provided in 8.

7. Spouse also Employee.

7.1 The county will provide coverage under only 1 family plan or 2 single plans when spouses are county employees.

8. Coverage upon separation.

8.1 Employees discharged will have insurance coverage only through the month in which the discharge is effective.

8.2 Employees on unpaid leave or layoff, and retired employees or their surviving spouses may continue insurance under the county plans by remitting monthly premiums by check or money order to the insurance company. Insurance will be canceled if the employee or retiree fails to remit payment upon notice of delinquency. Employees on FMLA will continue to pay their contribution, but will be allowed a 30-day grace period to pay and the county will give a 15 day notice of intent to cancel.

8.2.1 No cost of any part of the health insurance plan, including but not limited to, deductibles, co-pays, co-insurance, etc. will be reimbursed or paid for by the County.

8.2.2 Continuing insurance means whatever plan election is chosen at the time of retirement. No changes to increase the number of dependents will be permitted after the initial election.

~~8.3 — Employees receiving worker's compensation payments will continue to be responsible for the employee portion of their benefit elections. have their premiums paid by the county for a period of up to 1 year.~~

~~9.8.3~~ Waiver of Coverage.

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~~9.18.4~~ Any employee who is eligible to be covered by group health insurance who fail to apply for coverage will be considered to have waived coverage. Affected employees will be notified of said constructive waiver and may, within 10 days of such notice, cancel the constructive waiver by submitting an application for health insurance coverage to the finance-human resources department.

~~9.28.5~~ During open enrollment or when an employee experiences a change in status ~~Any the~~ employee may elect to decline or cancel health insurance coverage by signing and returning a waiver form provided by the finance-human resources department ~~and filing it with the finance department.~~

~~9.38.6~~ A waiver will be effective upon receipt by the finance-human resources department or, in the case of cancellation, on the day of the month following receipt by the finance-human resources department. Any waiver may be withdrawn prior to its effective date.

~~10.9.~~ Group Dental Plan. The County will make available a group dental plan.

~~10.19.1~~ \_\_\_\_\_ The following applies to employees in regular full-time positions, except those mentioned in ~~109.2~~.

~~10.1.19.1.1~~ \_\_\_\_\_ Employees who participate in the dental plan will pay the entire premium.

~~10.1.29.1.2~~ \_\_\_\_\_ Open Enrollment. Employees covered by the dental plans may elect to change from one to another annually during the period of December 1-15, effective on the following January 1.

~~10.1.39.1.3~~ \_\_\_\_\_ Coverage. Coverage will only be provided under one family plan or two single plans when both spouses are County employees.

~~10.29.2~~ \_\_\_\_\_ The following applies to Jail Employees, Civilian Jail Sergeants, Detective Sergeants, Sergeants, Airport Maintenance & Airport Custodial employees.

~~10.2.19.2.1~~ \_\_\_\_\_ The employee will pay 10 percent of the dental premium.

~~10.2.29.2.2~~ \_\_\_\_\_ Open Enrollment. Employees covered by authorized plans may elect to change from one to another annually during the period of December 1-15, effective on the following January 1.

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~~10.2.39.2.3~~ 10.2.39.2.3 Coverage will only be provided under one (1) family plan or two (2) single plans when spouses are both County employees.

~~10.2.49.2.4~~ 10.2.49.2.4 Employees hired on or after January 1, 2012, will not receive the employer contribution to the provided dental plan.

#### 11.10. Insurance Continuation (“COBRA”).

~~11.110.1~~ 11.110.1 Under state law and the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") and subsequent amendments to the Act, employees covered under an employer's group health care plan are eligible for continuation of health care coverage under the group plan upon the employee's termination (except for gross misconduct) or reduction in hours. COBRA regulations also allow the employee's spouse and covered dependents to elect continuation coverage upon the employee's death, divorce or legal separation, an employee's entitlement to Medicare, a dependent's loss of dependent status under family coverage, or the employer's filing of a bankruptcy proceeding.

~~11.210.2~~ 11.210.2 All employees, as well as their qualified dependents, will receive notice of mandated insurance continuation benefits at the time of hire or whenever the plan coverage for the employee begins. If a qualifying event occurs which entitles the employee and/or qualified dependents to continuation coverage, the plan administrator will notify the qualified beneficiaries of their right to elect continuation coverage. Unless otherwise agreed, continued participation is solely at the participant's expense.

~~11.310.3~~ 11.310.3 For additional details regarding coverage and premium contributions, contact ~~the Finance Department, Payroll Division.~~ a member of the payroll team.

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## **POLICY 603 BENEFITS – OTHER**

**1. Purpose.** The Committee will determine the design and selection of benefits. The Committee retains the right to change these benefits. Employees will be notified of any such changes.

**2. Types of Insurance that may be Provided.**

**2.1 Group life insurance.**

- 2.1.1 The county will participate in the Wisconsin Group Life Insurance Program as provided in Wis. Stat. § 40.70 through 40.74. All regular employees and elected officers will be eligible to participate, except those who have elected to waive said insurance.
- 2.1.2 The maximum post retirement reduction of insurance for employees or elected officers will be 75 percent of the insurance in force at the time of retirement.
- 2.1.3 Effective January 1, 1983, the county will participate in the Spouse and Dependent Life Insurance Program pursuant to the provisions of Wis. Admin. Code Ch. ETF 60 for its eligible employees and elected officers with the total cost paid by the employee or elected officer.
- 2.1.4 The employee or elected officer share of the premium for insurance provided in this section will be paid by payroll deduction.
- 2.1.5 Effective July 1, 1984, the county will participate in the additional group life insurance program pursuant to the provisions of Wis. Stat. § 40.03(6)(b) for its eligible employees and elected officials with the total cost paid by the employee or elected official.
- 2.1.6 Effective July 1, 1995, the county will participate in the supplemental group life insurance program pursuant to the provisions of Wis. Stat. § 40.03(6)(b) for its eligible employees and elected officials with the total cost paid by the employee or elected official.
- 2.1.7 Effective February 1, 1998, the county will participate in the additional group life insurance program pursuant to the provisions of Wis. Stat. § 40.03(6)(b) for its eligible employees and elected officials with the total cost paid by the employee or elected official.

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- 2.2 Social security. The county will provide social security coverage to all employees under the Federal Old Age, Survivors, Disability and Health Insurance System pursuant to the provisions of Wis. Stat. § 40.41 (1), except for exemptions provided by law.
- 2.3 Deferred compensation. All eligible county employees and elected officers will be afforded the opportunity to voluntarily participate in the Eau Claire County employees deferred compensation plan pursuant to the rules, terms and conditions outlined in the plan.
- 2.4 Roth IRAs. The County will make deductions for Roth IRAs through a provider designated by the county for employees who wish to enroll.
- 2.5 Coverdell IRA. The County will make deductions for Roth IRAs through a provider designated by the county for employees who wish to enroll.
- 2.6 EdVest college savings program. The County will make available the EdVest Section 529 college savings program. Please visit [www.edvest.com](http://www.edvest.com) for information on how to enroll.
- 2.7 Group disability plan. The County will offer a group long-term disability plan and a group short-term disability plan. Employees will be solely responsible for making all premium payments. Employees working 20 or more hours per week are eligible to participate the first of the month following employment. Employees transferring from part-time positions to positions allocated at 20 hours or more per week will have 30 days from the date of transfer to enroll in the group disability plan. Thereafter enrollment will only be available during the annual open enrollment period (first two weeks of December).
- 2.8 Whole life insurance plan. The County will offer a whole life insurance plan. Employees will be solely responsible for making all premium payments. Employees working 20 or more hours per week are eligible to participate. Enrollment will only be available during the annual open enrollment period (first two weeks of December).
- 2.9 Flexible spending account. Pretax deductions for flexible spending accounts for dependent care expenses and unreimbursed medical expenses will be allowed if, and only if, there is enough employee participation so there is no net cost to the county. Newly hired employees may participate in the flexible spending account upon completion of six months of employment, and are eligible the first of the month following that date. This benefit is eligible for all regular status employees, who work 30+ hours a week and are also eligible for health insurance benefits.

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2.10 Health trust account.

2.10.1 Pursuant to Section 106 of the Internal Revenue Code of 1986 as amended, the County will make available a health trust account, also referred to as a post-employment health plan. Employer contributions are allowed to a designated post-employment health plan (health trust account) at no administrative cost to the Employer. The Employer's contribution on behalf of its employees will be limited to the health insurance deductible roll-over and the paid time off and/or extended leave bank payout to retiring or terminating employees. There will be no further contributions or fees paid by the Employer.

2.10.2 If the health plan design includes a deductible with an employer's share reimbursed by the employer, any portion not reimbursed will be rolled over into the eligible employee's post-employment health plan as per Policy 425-Section 11 –“Payment Upon Separation”. Employees must be enrolled in the health plan for the full calendar year to be eligible for this post-employment health plan contribution.

2.10.3 Employees terminating with ten (10) or more years of creditable employment with Eau Claire County may have a portion of their unused paid time off and/or extended leave bank paid or rolled over and deposited into the health trust account upon terminating as per Policy 425-Section 11–“Payment Upon Separation”.

2.10.4 For all employees including Correctional Officers and Civilian Jail Sergeants as well as supervisory Sergeants who receive a calendar year compensatory time payout, the employer's contribution on behalf of its employees will be deposited into the health trust account.

~~2.10.42.11~~ Vision Insurance. All eligible county employees and elected officers will be afforded the opportunity to voluntarily participate in the Eau Claire County vision plan pursuant to the rules, terms and conditions outlined in the plan.

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## **POLICY 723 WORKPLACE BULLYING**

**1. Purpose.** The County is committed to providing a workplace that is free from bullying. All employees have a right to work in an environment free from bullying, and to be treated with dignity and respect. All managers and supervisors are responsible for actively intervening to prevent and stop bullying behavior that is occurring in their workplaces, whether or not a complaint is received.

### **2. Scope**

2.1 This policy applies to all employees and applicants for employment with Eau Claire County, whether sworn, regular, reserve, or civilian, and all volunteers.

### **3. Definitions**

3.1 Bullying means repeated, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment.

3.2 Bullying includes conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests. The following list may be considered bullying behavior. This list is not intended to be exhaustive:

**3.2.1** Staring, glaring or other nonverbal demonstrations of hostility;

**3.2.2** Exclusion or social isolation in the workplace;

**3.2.3** Excessive monitoring or micro-managing;

**3.2.4** Work-related harassment (work-overload, unrealistic deadlines, meaningless tasks);

**3.2.5** Being held to a different standard than the rest of an employee's work group;

**3.2.6** Consistent ignoring or interrupting of an employee in front of co-workers;

**3.2.7** Personal attacks (angry outbursts, excessive profanity, or name-calling);

**3.2.8** Encouragement of others to turn against the targeted employee;

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- 3.2.9** Sabotage of a co-worker's work product or undermining of an employee's work performance;
  - 3.2.10** Stalking;
  - 3.2.11** Invasion of another's person's personal space or personal property;
  - 3.2.12** Unreasonable interference with an employee's ability to do his or her work;
  - 3.2.13** Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets;
- 3.3** The County does not consider the following behaviors bullying:
- 3.3.1** Reasonable management practices, including performance management and disciplinary procedures;
  - 3.3.2** A direction to carry out reasonable duties and instructions; and
  - 3.3.3** A direction to comply with Eau Claire County's policies, procedures, or department work rules.

#### **4. Reporting**

- 4.1** Employees who believe they have experienced conduct that they believe violates this policy, or who have concerns about such matters, should report their complaints verbally or in writing to his or her supervisor, department head, or their department Human Resources Partner.