

# Rusk County



# Personnel Handbook

Updated and Approved June 2023

# RUSK COUNTY PERSONNEL HANDBOOK

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## INTRODUCTION

This Rusk County Personnel Handbook (Handbook) provides guidance and information regarding your employment with the County. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities and expectations as an employee and outlines the programs developed by Rusk County to benefit employees.

This Handbook applies to all Rusk County employees not covered by a collective bargaining agreement and to employees covered by a collective bargaining agreement when the provisions of this Handbook do not contradict with the collective bargaining agreement or when this Handbook addresses an area which is not covered by a collective bargaining agreement. If a collective bargaining agreement addresses benefits provided in this Manual, the provisions of the collective bargaining agreement will control. The policies in this Handbook may be superseded by union contract, state, and federal laws, or by Resolutions and Ordinances passed by the Rusk County Board of Supervisors.

Individual Departments in Rusk County may choose to adopt specific work rules and procedures in addition to the policies and procedures set forth in this Manual. Employees are expected to follow the policies in this Handbook as well as any Departmental policies. If there is a conflict between the Handbook and Departmental policies, the Handbook will control.

All employees of the County are employed "at will," and the relationship may be terminated by either party at any time with or without cause and with or without notice, subject to existing law and any collective bargaining agreements. The policies set forth in this Handbook are not a contract, are not intended to create a contract, nor do they create a contract of employment or an obligation of any kind between Rusk County and any of its employees. Nothing contained in this Manual, or any other document provided to County employees is intended to be, nor should it be, construed as a guarantee that employment or any employment benefit will be continued for any period of time (except as mandated by State or Federal law). The provisions set forth in this Handbook supersede any and all prior personnel policies, procedures and practices, whether written or established by past conduct.

No Personnel Policy Handbook can anticipate every circumstance or question about a policy. The need may arise to change policies described within this Handbook. The County therefore reserves the right to revise, supplement, or rescind any portion of the Handbook at any time as it deems appropriate, with or without notice. Final interpretation and implementation of any of the policies or rules in this Handbook are vested solely with the County through the Personnel Committee.

Upon hire, every employee shall be provided with a copy of these policies and shall sign a statement acknowledging the employee has received a copy of the policies. The signed statement shall be placed in the employee's personnel file.

## CHAPTER 1 OBJECTIVES AND SCOPE

AUTHORITY: This policy manual is created under the authority of Wisconsin Stats. Chap. 59 and adopted by the Rusk County Board.

Section 1 Objectives: The general purpose of this manual is to establish a system of personnel administration consistent with, but not limited to, the following principles:

- A. Assuring fair treatment of applicants and employees in all aspects of personnel administration, without regard to age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, genetic testing, honesty testing, arrest record, conviction record, military service, membership in National Guard, state defense force or any other reserve component of the military forces of the United States or this state, use or nonuse of lawful products off the employer's premises during non-working hours, or any other protected classification under state or federal law .
- B. Establishing and maintaining a positive and consistent professional environment by administration of this manual and by every consideration of the rights and interests of employees consistent with the best interests of the public and the County.
- C. Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills - including open competition of qualified applicants for initial appointment.
- D. Establishing pay rates.
- E. Training employees to assure high quality performance.
- F. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and terminating employees whose inadequate job performance cannot be corrected.
- G. The Personnel Committee shall be responsible for the interpretation, administration, enforcement and amendments of this manual.
- H. Should any act, statement, or provision of this manual be declared illegal by a court of law, the balance shall remain intact.

Section 2 Employees Covered: This manual shall govern personnel administration of all employees of Rusk County except where union contracts, state statutes or federal regulations apply. Some sections may not apply to temporary, casual and seasonal employees. In addition, some departments may supplement the Personnel Handbook with policies and procedures unique to their operations.

Section 3 Persons Not Covered:

- A. Members of the Rusk County Board of Supervisors.

- B. Elected officials (i.e., Sheriff, Register of Deeds, Clerk of Courts, Treasurer, and County Clerk).
- C. Members of Boards, Commissions and Committees who are not County employees.  
~~Remove~~
- E. Employees of the City-County Library.
- F. Judges and court-appointed employees.
- G. Independent contractors hired to perform special services for the County.

Section 4 Management Rights: Certain rights and responsibilities are imposed on the County by state and federal legislation. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the County reserves any and all management rights regarding employees' employment status. These rights and responsibilities include, but are not limited to, the right to:

- A. Manage and direct the employees;
- B. Hire, promote, schedule, transfer and assign employees;
- C. Lay off employees;
- D. Discharge employees or take disciplinary action;
- E. Schedule overtime as required;
- F. Develop job descriptions;
- G. Assign work duties;
- H. Introduce new or improved methods or facilities or change existing methods or facilities;
- I. Contract out for goods and services;
- J. Discontinue certain operations; and
- K. Direct all operations of the County.

**CHAPTER 2**  
**EMPLOYMENT CATEGORIES AND PERFORMANCE EVALUATIONS**

- Section 1 Policy Statement: It is the policy of Rusk County to maintain an employee category system and corresponding financial reimbursement levels that are believed by the county to be supportive of the overall objective of recruiting and maintaining a high quality workforce.
- Section 2 Employment Categories: Defined as like jobs in a pay grade. Subject to any applicable collective bargaining agreement, when a suitable employment category does not exist, the Personnel Committee with recommendation from the appropriate oversight committee and if applicable within any confines or obligations under the collective bargaining agreements, shall establish a new employment category with appropriate pay level subject to approval of the Rusk County Board.
- Section 3 Elimination of Employment Categories: When it is determined that an employment category or categories are no longer useful or needed, the Personnel Committee may recommend abolishment to the Board.
- Section 4 Pay Rate Adjustments: Pay rate is ultimately determined by the County Board, however, the following actions may affect the pay status of any employee:
- A. New employees: New employees will be hired at wage rates as determined by the County. The County is not required to place new employees at the first step of any applicable wage schedule.
  - B. Transfer: An employee transferring from one position to another in the same pay level normally will remain at the same rate as in the former position. If this rate is less than the maximum for the pay level, the employee normally will continue to be eligible for increase on the same schedule.
  - C. Demotions: An employee demoted for any reason, voluntary or involuntary, normally will be paid at the level to which he/she is demoted.
  - D. Red Circle Policy: If it is determined that an employee is being compensated at a higher level than is appropriate for the duties performed, that employee's salary may be red circled. When this occurs, the employee receives no increase for that class and pay grade each time a salary adjustment is made for that employment category until parity is achieved. Red circling may occur when there is a re-organization within the County and/or department; when there is a transfer or elimination of job duties; or for other reasons which cause the level of responsibility of the position to decrease significantly.
  - E. Temporary Appointments: Employees temporarily appointed to positions of a higher employment category shall be paid at a rate determined by the Personnel Committee taking into consideration qualifications, duties, and duration. At the end of the temporary appointment the employee's pay rate will go back to the previous category pay rate.

- F. Board Resolution: Regular Full- or Part-time employees may be authorized by County Board resolution to receive annual or other pay rate adjustments.

**CHAPTER 4**  
**RECRUITMENT – SELECTION – AFFIRMATIVE ACTION**

- Section 1 Policy Statement: It shall be the policy of Rusk County to recruit and select the best qualified persons for positions in the County’s service. Recruitment and selection shall be conducted in an affirmative manner to ensure open competition, provide equal employment opportunity and prohibit discrimination because of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, genetic testing, honesty testing, arrest record, conviction record, military service, membership in National Guard, state defense force or any other reserve component of the military forces of the United States or this state, use or nonuse of lawful products off the employer’s premises during non-working hours, or any other protected classification under state or federal law.
- Section 2 Recruitment Process: With the approval of the Personnel Committee, the Human Resources Manager will be responsible for coordinating recruitment activities necessary to meet current and projected staffing needs of the affected department. The recruitment process shall be tailored to the number and type of positions to be filled and to meet labor market conditions.
- A. Promotional Opportunities: Promotional recruitments may be conducted in an effort to encourage upward mobility. Applicants for promotion will have satisfactorily completed their introductory employment period and possess the qualifications as set forth in the job announcement(s). All job promotions, transfers, reassignments, or lateral transfers are at the discretion of the Personnel Committee.
- B. Open Recruitment: The Personnel Committee may direct recruitment efforts to external sources if a position is not filled by an internal candidate or the Personnel Committee determines it is in the best interests of the County to consider a pool of both internal and external candidates. External sources may include, but are not limited to:
- Electronic job boards and/or social media sites
  - Local or national newspapers
  - Professional journals
  - University placement services
  - WI Job Center
- Open recruitment will run for two weeks for full-time and regular part-time vacancies, in general and one week for limited or short-term vacancies, in general.
- C. Job Postings: Internal job postings and external job ads will be developed and placed by the Human Resources Manager. If necessary, the affected department may be asked to assist the Human Resources Manager in formulating the job announcement or ad or in determining special placement sources.
- D. Applications: Applications for employment shall be submitted using the electronic County Employment Application. Applications are screened and may be used for interviewing

purposes to fill openings in employment categories for 6 months.

Section 23 Selection: ~~The selection process shall assess attributes necessary for successful job performance.~~ The Human Resources Manager and Department Administrator shall select the best qualified applicants candidates to be interviewed by reviewing applications and recognizing attributes that are necessary for successful job performance.

A. Selection Methods: ~~The Department Administrator along with the Personnel Committee Human Resources Manager shall be responsible for determining methods to be used to screen applicants for job vacancies, -Such methods or devices may include, but need not be limited to, one or more of the following~~ which may include, but are not limited to:

1. Review of education, training and experience ~~as shown on the application and other materials.~~
2. Practical, written, or oral tests, work samples or performance tests, if job related.
3. Physical tests of strength, stamina or dexterity if job related and validated, subject to any requirements of the Americans with Disabilities Act.
4. Background and reference inquiries.

B. Notification of Applicants: Each person completing an application who was not selected for interview may be given proper notice in writing of non-selection.

Section 34 Nepotism: Within this section "family member" shall include wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, aunt, uncle, nephew, niece, stepparent, stepchild, stepbrother, stepsister and for County Board members includes "immediate family" as defined in Wis. Stat. 19.42(7).

A. Family members shall not be employed in an immediate supervisor-subordinate relationship.

\*In addition, County Board supervisors must comply with ~~state statute~~ Wis. Stat. 19.41 et. seq.

B. No County Board supervisor, county elected official or employee shall hire a family member nor participate in a selection and appointment procedure if a family member is an applicant under consideration.

C. No County Board supervisor, elected official or employee shall try to influence the employment decisions on behalf of a family member.

D. An applicant shall disclose any family member described in Section 4 above who is employed by, or an elected official of, Rusk County. Should any job applicant provide false information concerning family members, that applicant, if hired, may be subject to discipline, up to and including termination.

Section 5 Testing: Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of a structured questionnaire, practical tests, written tests, or assessment center testing, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities (KSA's) for the position.

- A. The examination contents are developed or acquired by the Human Resources Manager with assistance provided by the affected department. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.
- B. The Human Resources Manager shall ensure that all testing is based on bonafide occupational qualifications.
- C. The Human Resources Manager shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities can be tested in an appropriate manner for a person with a disability. The following are ways in which the County may accommodate an applicant with a disability: replace written test with on-the-job tests or verbal testing, enlarge print in exams, magnification, amplification devices, and/or interpreters.

Section 6 Interview Process: The primary function of the interview is to obtain data or certain knowledge, skills, abilities of a candidate not available through review of resumes or other testing mechanisms. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEOC requirements.

- A. The Human Resources Manager shall coordinate the interview process, including selection of panel members, scheduling candidates, development of interview questions, etc.
- B. The Ad Hoc Interviewing Committee shall reach consensus and make the final selection for the position. The notice of selection is to be made by the Human Resources Manager.
- C. Each of the final applicants who are interviewed and not hired may be given proper notice in writing from the Human Resources Manager.

Section 7 Reference Checks, Criminal Background Checks, Pre-employment Drug Testing, Medical Exams:

- A. The Human Resources Manager will conduct reference checks on the final candidate. The reference checks may include verification of employment duties, dates of employment, work record, attendance record, strengths, weaknesses, safety record, and other pertinent information.
- B. No criminal background check will be conducted without first notifying the applicant.
- C. When a position is to be filled, the Human Resources Manager will work with the employing



department to determine whether pre-employment drug tests or medical exams are required. These exams will be coordinated and scheduled by the Human Resources Manager.

D. The final offer of employment is contingent upon the results of these exams.

Section 8 Appointment: For all positions, an employment confirmation letter is forwarded to the final accepting candidate outlining the terms of employment. The letter is prepared and sent by the Human Resources Manager in cooperation with the affected department.

~~Section 45 Hiring: The goal shall be to have qualified applicants selected for interviews in accordance with the selection process to number at least two more than the number of vacancies whenever possible.~~

~~A. Post offer Medical Exams: Whenever a position is to be filled, the Personnel Committee will work with the employing department to determine whether post offer medical exams are required. The Personnel Committee makes the determination pursuant to state and federal law and considers the nature of the work performed in the position. These exams will be coordinated and scheduled by the employing department when the Department Administrator has narrowed their selection to one candidate and has extended a conditional offer of employment to the candidate. The final offer of employment is contingent upon the results of these exams.~~

~~B. Selection: The Department Administrator, in conjunction with the Ad Hoc Interviewing Committee, shall make the final selection and placement for the position. The notice of selection is to be made by the Department Administrator, the Human Resources Manager, or the Administrative Coordinator.~~

~~C. Eligibility Lists: After the initial interview process is conducted for an open position the candidates who are eligible, in no particular order, for hiring purposes will be considered to be on the County's eligibility list for future employment for up to 6 months.~~

~~D. Notification Process of Final Interviewed Applicants: Each of the final applicants who are interviewed and not hired may be given notice of non-selection.~~

Section 59 Initial Employment Period: The first twelve (12) months of employment (18 months for employees of the Sheriff's Department) or longer for selected positions will serve as the introductory employment period. Supervisors will be observing new employees to determine performance.

Supervisors will inform employees of their progress on the job and will review County policies and practices during the initial employment period. If an employee's performance is not satisfactory during this period, his/her employment may be terminated. Employees who separate from employment for any reason (voluntary or involuntary) during the initial period of employment will not receive pay out of accrued PTO. Unless otherwise provided by state statute, all employees are employees "at will" and may be dismissed by the County at any time with no notice or reason and the employee is free to quit at any time with no notice or reason, unless contrary to the terms of an applicable collective bargaining agreement. Employees at-will employment status does not change

after completing their initial employment period.

Section ~~6~~10 Re-hire: An employee who terminates his/her employment in good standing and is subsequently re-hired by the County will be treated the same as any other new hire for purposes of determining wage rates, benefits eligibility, initial periods, etc.

Section ~~7~~11 Reduction in Force: In the event of a reduction in force, layoffs will be determined under the guidance of the Personnel Committee, by the Administrative Coordinator, **Human Resources Manager**, and Department Administrator after considering various job-related factors including, but not limited to, knowledge, skills, ability, performance, qualifications, efficiency and experience.

Section ~~8~~12 Casual Employees

- A. Definition: Casual employees are defined as persons occupying positions not established by County Board action.
  - 1. Seasonal employee shall mean a part-time or full-time employee hired for an abbreviated time span to meet seasonal program needs. Seasonal employment terminates at the end of the season or when the need no longer exists.
  - 2. Temporary employee shall mean a part-time or full-time employee hired on a limited term basis to perform a specific special assignment. In the absence of contract language to the contrary, temporary appointments shall not exceed 2,080 hours in a calendar year.
  - 3. Employment/training program employee shall mean a part-time or full-time employee hired for a fixed term to receive job training or work experience funded by the state or federal government or to work-off government transfer payments through a Work Relief program.
- ~~C.~~ B. Benefits: Casual employees are not eligible for fringe benefits unless otherwise determined by the Personnel Committee. Casual employees may be eligible for participation in the Wisconsin Retirement System (WRS) subject to applicable requirements for hours worked and years of service.
- ~~D.~~ C. Compensation: All persons employed on a seasonal or temporary basis shall be paid a wage determined by the Personnel Committee.
- ~~E.~~ D. Status Change: If a current casual employee is selected for a regular allocated position, the employee is considered a new employee from the date of status change.

Section ~~9~~13 Reference Inquiries: Rusk County reserves the right to respond to reference inquiries from prospective employers with respect to current or past County employees and, in response to such inquiries, provide information and determine the form in which the information is provided, as it deems appropriate. Inquiries beyond confirming dates of employment, wage rates, and position(s) held must be made in writing. The County shall maintain a file of written responses to all reference inquiries.

When a past or current employee has provided a written request that the County not respond to reference requests, the County's response to a potential employer's inquiry will, in general, be restricted to dates of employment, wage rates, and position(s) held. Rusk County reserves the right, however, to provide any other information that it deems appropriate.

Further, the County may advise the potential new employer that further information is being withheld at the employee's request.

## CHAPTER 5 EMPLOYMENT PROVISIONS

Section 1 ~~Hours of Work: Normal Business Hours: Our normal business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday.~~ Rusk County's office hours are generally 8:00 a.m. to 4:30 p.m., Monday through Thursday and 8:00 a.m. to 12:30 p.m. on Friday, except for established holidays. To meet the needs of the public, all County departments will be accessible during normal business hours. Certain departments may work varied hours based on 24/7 operations and the needs of the public including, but not limited to, the Sheriff's Department and the Courts. If departments are closed due to short staffing or other legitimate reasons, arrangements must be made to transfer telephone coverage and direct the public to other County personnel so that public accessibility is maintained at all times during normal business hours.

Flexible/Alternative Work Schedules: Employees are scheduled to work Monday through Friday for their established number of hours but may flex their hours by working outside of the 8:00 a.m. to 4:30 p.m. range. Start and end times must be on the hour (xx:00) and quarter hour thereafter (xx:15, xx:30, xx:45). The Department Head and/or immediate supervisor will determine employee daily work schedules. Employees are required to meet their established number of hours between the hours of 6:00 a.m. and 6:30 p.m. Monday through Friday. Any shortfall of established hours between these times needs to utilize leave balances (ie. PTO, Extended Leave Bank, Comp, or Unpaid Leave). Exceptions to this policy will be made for required County-related meetings, trainings, and conferences.

Working an alternative schedule is a privilege, not an employee right. Alternative work schedules are not appropriate for all positions, departments, or situations. The Department Head is responsible for ensuring fair and equitable administration of this policy to all employees. Alternative work schedules will not result in a change in the County's normal business hours. Each Department Head is responsible for ensuring that all services of the department are available to the public during normal business hours and that the efficiency and effectiveness of the department's operations will not be interrupted or otherwise negatively impacted.

~~One An optional 30- or 45-minute period for unpaid lunch will be provided to~~ may be taken by full-time employees, ~~which they are expected to utilize, unless otherwise approved by the Personnel Committee. (unpaid lunch required as of 4/21).~~ but is not required. One 15-minute paid break is generally provided mid-morning and midafternoon.

In the Highway Department, the normal work schedule is a 10-hour shift, four days per week, with three 15-minute paid breaks to be taken as job permits. The Highway Department may also work eight hours per day, five days per week, with a 30-minute unpaid lunch period and a ten-minute paid break normally provided mid-morning and mid-afternoon.

The Department Head and/or immediate supervisor will determine the lunch and/or break schedules. Unpaid lunch breaks will last a minimum of 30 minutes. Employees are not to perform compensable work during their lunch break. If an employee's lunch break is interrupted, the

employee should notify their immediate supervisor. Paid breaks cannot be used to extend an unpaid lunch period ~~or~~. **Paid breaks and/or unpaid lunch breaks cannot be used** to report to work late or leave early. The availability of lunch and break periods for part-time employees will be at management's discretion.

Some positions may be required to work out of normal work hours, such as evenings, weekends, and holidays. The County reserves the right to determine and assign all employee work schedules and hours.

For payroll purposes, employees will record on **their own** timesheets time worked in 15-minute increments. Start of day, end of day, and breaks will be recorded on the nearest quarter hour. **It is the responsibility of the employee and the Department Head or direct supervisor to ensure accuracy of timesheets before they are submitted for payroll processing. Failure to do so can result in disciplinary action.**

Section 2 Attendance & Call-in Policy: If you must be absent on any workday, please notify your supervisor or office as early as possible, not less than 30 minutes before the scheduled workday/shift starts. **If an employee fails to show up for a scheduled workday/shift without notice, the employee may be subject to discipline, up to and including termination.**

On-call/Call-in/Part-time employees who fail to respond to communications/requests to work, or who decline more than three times in a 60-day period will be considered to have voluntarily terminated their employment with the County.

Section 3 Tardiness: Employees are expected to arrive to work on time, return from scheduled breaks and lunch on time and fully able and ready to work and remain working until the end of the work day. An employee who anticipates being tardy should call in to report the tardiness as soon as possible.

Section 4 Pay Periods: Employees shall be paid by direct deposit, normally on the 10<sup>th</sup> and 25<sup>th</sup> of each month unless days fall on the weekend **or a holiday**, in which case the employees will be paid on the final business day prior to the payroll pay date.

Section 5 Deductions in Pa' Payroll. The required amount of each deduction is determined from information given to the Finance Department by employees on their signed withholding statements, and is subtracted from earnings to be turned over to federal and state revenue departments. Paychecks will indicate the amount of these deductions. The burden of supplying correct information and any changes in such information shall be on the employee.

Social Security deductions are also made in the amounts regulated by law. Rusk County pays the required employer amounts into your Social Security account, in addition to your required payments.

Eligible employees who participate in the County's health insurance plan will have a deduction for their portion of premium payments.

Rusk County will comply with court orders for deductions and pay those monies as those orders

direct.

Other County-approved deductions (i.e. Section 125, union dues as required by a collective bargaining agreement, deferred comp, etc.) may be made from earnings when authorized by the employee on a properly signed deduction slip.

Section 6 Notices: Notices of interest and importance will be communicated either in person, by e-mail, voice mail and/or memorandums. Rusk County requests all employees to check these forms of communication at regular intervals.

Section 7 Deductions from Exempt Employee Pay: It is the employer's policy to comply with applicable wage and hour laws and regulations. Accordingly, the employer intends that deductions be made from exempt employees' pay only in circumstances permitted by the Fair Labor Standards Act and the U.S. Department of Labor's rules governing the salary basis of pay for exempt employees. The improper pay deductions specified in Title 29 of the Code of Federal Regulations §541.602(a) may not be made from the pay of employees who are subject to the salary basis test.

If an employee has any questions or concerns about his/her salaried status or believes that any pay deduction has been made that is inconsistent with the employee's salaried status, the employee should immediately raise the matter with his/her immediate supervisor. If the employee has raised the matter with the supervisor and it is not resolved within ten (10) business days, or if, for any reason, the employee is uncomfortable discussing the matter with the supervisor, the employee must submit the question, concern or complaint, in writing, to the Finance Director.

~~Section 8 Subject to Department Administrator approval, exempt employees will be allowed to flex up to 10% of their hours in a pay period. Flex will be limited to the pay period it is created within. (Personnel change 10/5/17)~~

Section ~~9-8~~ Political Activities: Applicants for employment and employees are not required to contribute monetarily to any political fund nor render any service to a political organization.

Section ~~10 9~~ Harassment: Harassment of other employees-in any form-is unacceptable, will not be condoned, and will subject the harassing employee to disciplinary action or discharge from employment.

Under federal and state fair employment laws, members of protected classes are shielded from unlawful discrimination in employment. Such discrimination can be in the form of harassment including, but not limited to:

- A. Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of his/her protected status.
- B. Any attempt to penalize or punish a person because of his/her protected class status.

All allegations of workplace harassment will be subject to an immediate and, to the extent possible, confidential investigation by management. If an employee is responsible for the harassment, he/she will be subject to disciplinary action or termination from employment.

Retaliation against an individual for reporting harassment or for participating in an investigation is prohibited by County policy and state and federal law. Retaliation is a serious violation which can subject the offender to sanctions independent of the merits of the harassment allegation.

Acts of sexual harassment at the workplace by employees against other employees, customers or other members of the public will not be tolerated and are strictly prohibited. Accordingly, Rusk County adopts and establishes the following work rules:

- A. It is unlawful and against policy for any employee, to harass another by: making unwelcome sexual advances; making favors, soliciting favors, requesting favors or other verbal or physical conduct of a sexual nature a condition of any employee's work; using an employee's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or otherwise creating an intimidating, hostile, or offensive working environment of such conduct.
- B. The creation of any intimidating, hostile or offensive working environment may include such actions as persistent comments on an employee's sexual preference or the display of obscene or sexually oriented photographs or drawings.
- C. Rusk County will not condone any form of sexual harassment toward others. All employees who violate this policy will be subject to disciplinary action or discharge from employment.
- D. Employees who believe they are being sexually harassed should report the harassment to their immediate supervisor and/or to the Administrative Coordinator at once. If the employee's supervisor is the source of the alleged harassment, the employee should report to the Administrative Coordinator or to Corporation Counsel. All sexual harassment complaints should be made in writing and will be investigated.
- E. Supervisors who receive a sexual harassment complaint should inform the Administrative Coordinator who will direct an investigation of the matter, keeping in mind that privacy considerations should be applied in handling this type of complaint. The Administrative Coordinator, or supervisor shall include questioning of employees who may have knowledge of either the specific incident complained of or similar problems. The complaint, the investigative steps and the findings should all be documented as thoroughly as possible.
- F. Employees who are dissatisfied with the resolution of a sexual harassment complaint may file a complaint through Rusk County's Complaint Resolution Procedure. No employee will be subjected to any form of retaliation or discipline for pursuing a sexual harassment complaint.
- G. If an employee believes that he or she is being retaliated against for pursuing a claim of harassment, that employee should immediately file a written complaint.

Section ~~11~~ 10 Supervisor-Employee Relationships: While the County encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of

management's ability to perform his/her job. Any involvement of a romantic nature between an officer, director, manager, supervisor, or agent of the organization and anyone they supervise, either directly, or indirectly, is prohibited. Violation of this policy will lead to corrective action, up to and including termination.

Section ~~12~~ 11 Use of County Vehicles: Take home use of County owned vehicles is only allowed for Law Enforcement and employee contracts that include the use of County owned vehicles.

A. Personal Use Prohibited.

1. Except as specified in paragraph 2 below, no County-owned or operated vehicle may be used for personal use. "Personal use" includes any use which is: (1) for the benefit or enjoyment of the employee, (2) not in the furtherance of the business or interest of the County, or (3) in any trade or business other than the business of the County.
2. If an employee is required to use a County-owned vehicle for commuting purposes, the employee may not use the vehicle for personal purposes other than commuting except for minimal personal use (such as a stop for a personal errand on the way between a business use and the employee's home).
3. Only County employees, those associated with County work, and those with express permission are authorized to use a County vehicle.
4. All persons authorized to use county vehicles will not transport persons in County vehicles (e.g. family members, colleagues, etc.) unless such transportation is in connection with official County business, and prior authorization has been received from the Administrative Coordinator.

B. Personal Use Valuation

1. An employee who is required for valid business reasons to use a County-owned vehicle for commuting to and from work shall have included in the employee's income the value of the benefit received from the employee's use of the vehicle.
2. The value of the employee's use of the vehicle shall be computed under the allowable IRS commuting value method of valuation per 26 CFR 1.61-21 (f)(3)(i).
3. The employee shall be required to maintain a bi-weekly or monthly calendar log showing each commuting trip (each way) made by the employee in the County-owned vehicle.
4. If the County-owned vehicle is not used for commuting on what would otherwise be a regular workday, an explanation shall be noted on the calendar.
5. The calendar log shall be deposited with Payroll at the end of each month.

C. County Pooled Vehicles



1. County vehicle reservation will be made by accessing Outlook on the County Network. Out-of-county travel takes precedence over-in county travel. Conflicts or scheduling questions will be referred to the Health & Human Services Department, because keys and mileage logs to the County vehicles are maintained in that Department.
2. Personnel using County vehicles after working hours will return keys and mileage log to dispatch center in the Sheriff's Department.
3. Maintenance requests for County vehicles will be handled by completing an electronic maintenance request form.
4. Employees are to notify HHS staff (or whomever coordinates County car use) if a vehicle needs immediate attention and should be taken out of service prior to another employee's use.

Section ~~13~~ 12 Outside Employment: An employee may hold a job with another organization as long as they satisfactorily perform his or her job responsibilities with Rusk County. All employees will be judged by the same performance standards and will be subject to Rusk County's scheduling demands, regardless of any existing outside work requirements. If at any time the Personnel Committee determines that an employee's outside work interferes with job performance or the ability to meet the requirements of the County as they are modified from time to time, or if the outside work presents a conflict of interest, actual or perceived, the employee may be asked to terminate the outside employment if they wish to remain with Rusk County. Employees are required to disclose any outside employment so the County may evaluate whether it presents a conflict of interest.

Section ~~14~~ 13 ID Badge/ Security System Policy: Rusk County is committed to providing a safe and secure environment for the employees of Rusk County and for the public utilizing Rusk County services. All Rusk County employees, contracted employees, students/interns and volunteers shall display an identification badge while performing their jobs for Rusk County.

The responsibility to issue identification cards to Rusk County employees has been assigned to the ~~Department Administrator or their designee~~ Human Resources Manager and they will then forward an authorization slip to the IT Department for processing the card.

The front side of the identification badge will require a picture, name, department or position and the Rusk County logo.

There may be exceptions to the information displayed. Exceptions will be only per authorization by the Personnel Committee.

All Rusk County employees, contract employees, County Board Supervisors, temporary/limited term employees, volunteers and students working longer than four weeks' duration shall be issued an identification badge.

All Rusk County employees must wear their identification badge on the front of their person, above the waist, on their outmost garment, with photo facing out, and with an approved card holder.

There will be different types of approved holders. (Exceptions to the above may be made by department heads because of safety issues or uniform requirements.)

The identification badges shall be worn while performing duties as a Rusk County employee.

Department Administrators and supervisors will be responsible for ensuring that their employees are wearing the identification badge.

Department Administrators and supervisors of volunteers, student and temporary or contracted employees shall contact the IT Department to have identification badges issued.

Any contractor conducting business in a County facility will be issued a temporary visitor pass by the respective Department Administrators. These passes assigned on a daily basis will be distinguishable from employee badges.

New employees will be given their identification badge during employee orientation.

A Badge Identification Authorization form must be completed by the department head or supervisor of all new employees and employees transferring from another department. A list of employees and corresponding badge number will be maintained by the IT Department. Based on the information provided on the form, cards will be programmed for appropriate security access.

If an employee forgets their identification badge, a temporary department badge can be obtained and worn for that day. These should be obtained in the IT Department. However, the Sheriff's department, and the Health and Human Services department shall have temporary badges available in their departments and those departments will be responsible for issuing and collecting them.

If an employee misplaces their identification badge, the employee should immediately notify the IT Department so the security access can be disabled.

Rusk County will provide the first badge at no cost to the employee. Replacement of lost cards and or card holder will be the responsibility of the individual employee. The replacement costs are as follows:

Identification card only	\$5.00
Access Card	\$25.00
HOLDERS	Varies with type

If an employee has a name or position change, the employee must contact the ~~Finance Office~~ **Human Resources Manager** and IT Department for a new identification badge at no cost to the employee.

If an identification badge is broken, worn, or no longer works for security access, the employee will contact the IT Department for a replacement card at no cost to the employee if the damage was not the result of the employee's negligence.

Any employee who is found to have used their identification card for unauthorized purposes, or who allows another person to use their identification badge, will be subject to the discipline process, up to and including termination of employment.

Incidents of continued non-compliance of the policy will subject an employee to the discipline process, up to and including termination of employment.

The Department Administrator, **Human Resources Manager** or Administrative Coordinator is responsible for collecting the identification badge from the terminating person on the last day of employment, student internship or volunteer work, and delivering the card to the IT Department.

Employees should report to their supervisor incidents of non-employee(s) who are in unauthorized areas and who are not accompanied by Rusk County staff.

## Section ~~15~~ 14 Family and Medical Leave Policy

### ~~I. Basic Leave Entitlement~~ 1. Basic Leave Entitlement

#### A. Federal

Federal FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- 1. For incapacity due to pregnancy, prenatal medical care or child birth;
- 2. To care for the employee's child after birth, or placement for adoption or foster care;
- 3. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- 4. For a serious health condition that makes the employee unable to perform their job.

#### B. State

State FMLA requires covered employers to provide, on a calendar year basis, the following unpaid, job-protected leave to eligible employees for the following reasons:

##### 1. Family Leave

- Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than 16 weeks before estimated birth or placement and no later than 16 weeks after birth date or placement of the child.
- Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, domestic partner, parent or parent-in-law, or parent of a domestic partner who has a serious health condition.

Total maximum time for both of the above circumstances is eight (8) weeks per twelve (12) month period.

2. Medical Leave

- A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

3. Concurrent Use of State and Federal Leave

\* State and federal leave will run concurrently when a leave of absence qualifies for both. For example, if an employee misses three weeks of work for surgery and recovery, the employee's two weeks of state medical leave will run concurrent with the first two weeks of federal leave. Once the state leave has been exhausted, the remaining week of leave will be covered by federal FMLA.

~~II. Military Family Leave Entitlements~~ 2. Military Family Leave Entitlements

Under the Federal FMLA, eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Covered active duty means duty during the deployment of the servicemember to a foreign country or, in the case of the National Guard or Reserves, duty during deployment to a foreign country under a call or order to active duty in support of a contingency operation. Qualifying exigencies may include short-notice deployment, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, rest and recuperation, attending post-deployment reintegration briefings, and any other exigencies on which the employer and employee mutually agree.

Federal FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty or that was aggravated by service in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Covered servicemember also includes a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy for a serious injury or illness.

~~III. Benefits and Protections~~ 3. Benefits and Protections

During Federal and State FMLA leave, the employer must maintain the employee's health coverage

under any “group health plan” on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

**~~IV. Eligibility Requirements~~ 4. Eligibility Requirements**

A. Federal

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

B. State

Employees are eligible if they have worked for a covered employer for more than 52 consecutive weeks, for a minimum of 1,000 paid hours, and if at least 50 employees are employed by the employer on a permanent basis.

**~~V. Definition of Serious Health Condition~~ 5. Definition of Serious Health Condition**

A. Federal

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

B. State

“Serious health condition” means a disabling physical or mental illness, injury, impairment, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.

**~~VI. Use of Leave~~ 6. Use of Leave**

Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer (15 minutes) for any other type of leave.

- A. Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees.
- B. State family leave for birth/placement or care of a child, spouse, domestic partner, parent or parent-in-law, or parent of a domestic partner with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the employer's operations.
- C. Federal leave based on a serious health condition of an employee, employee's child, spouse or parent (including covered service members) may only be taken intermittently or on a reduced-leave schedule when medically necessary.
- D. State medical leave for self may be taken in non-continuous increments as medically necessary.
- E. No leaves will be granted in daily or hourly increments of less than those specified in policies or labor agreements, the smallest increment allowed is 15 minutes.
- F. Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the employer with reasonable advance notice.
- G. Leave due to qualifying exigencies may also be taken on an intermittent basis.

~~VII. Substitution of Paid Leave for Unpaid Leave~~ 7. Substitution of Paid Leave for Unpaid Leave

- A. Federal  
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies. Rusk County requires the use of paid leave while on FMLA leave.
- B. State  
An employee may substitute, for portions of family leave or medical leave, any type of paid leave provided by the employer or choose to take unpaid leave. State family leave will run concurrent with federal FMLA for the same qualifying reason.

~~VIII. Employee Responsibilities~~ 8. Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. All FMLA requests must be submitted to the employee's department head and then forwarded to the ~~Administrative Coordinator~~ Human Resources Manager.

Absent extenuating circumstances, the ~~Administrative Coordinator~~ Human Resources Manager or their designee will notify employees within five (5) business days if their requests have been approved or denied.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient

information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

If the request is denied, the ~~Administrative Coordinator~~ Human Resources Manager will set forth the reasons for the denial. If additional information, such as medical documentation is needed before a determination decision can be made, the ~~Administrative Coordinator~~ Human Resources Manager will give conditional approval, subject to receipt of the requested documentation.

If an employee is required to submit medical documentation, the employee has 15 calendar days to submit the documentation to the ~~Administrative Coordinator~~ Human Resources Manager or the employee's FMLA request may be denied.

~~The Administrative Coordinator will provide the Personnel Committee with an update in closed session at its monthly meeting regarding the FMLA requests that have been approved or denied.~~

Designation: If an employee is off work due to an FMLA qualifying event, it must be designated as FMLA. An employee's specific request for FMLA leave is not required. An employer is obligated under federal law to notify an employee of his/her eligibility for FMLA leave whenever the employer acquires knowledge that the employee's leave may be for FMLA-qualifying reasons. Designating a qualifying absence as FMLA protects both the employee and the employer.

If you have any questions regarding your rights and responsibilities under the FMLA, please contact the ~~Administrative Coordinator~~ Human Resources Manager.

#### ~~IX. Employer Responsibilities~~ 9. Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**CHAPTER 6**  
**EMPLOYEE BENEFITS**

Section 1 Overtime Compensation, Compensatory Time and Related Matters

1. Exempt Employees: If an employee meets all the requirements for a specific exemption under state and federal law, the employee may be designated as exempt from overtime. This includes, but is not limited to, an employee's designation as an executive, administrative, professional, or computer employee.
2. Non-Exempt (FLSA - Fair Labor Standards Act) Employees (Except Highway – See below): Overtime pay will be at the rate of one and one-half times the regular rate of pay for all hours actually worked if the total hours worked exceeds forty hours in a week, not including holiday, vacation, sick leave, or other paid benefit hours. For this purpose, a week shall begin at 12:00 a.m. Sunday and run through 11:59 p.m. the following Saturday. Compensatory time may not be paid out after an initial decision has been made to bank these hours, except in the case of termination.
  - A. Holiday work: All actual and observed holiday work performed shall be at the overtime rate and said pay shall be in addition to the employee's regular holiday pay.
  - B. Call-in/reporting time pay: In the event any employee reports or is called in to work and is sent home, he/she shall receive a minimum of two (2) hours pay. If an employee is called back to work on a day in which reporting time pay was already received, he/she shall again be eligible to receive a minimum of two (2) hours pay.

Non-Exempt (FLSA - Fair Labor Standards Act) Employees (Highway Non-Clerical): Overtime pay will be at the rate of one and one-half times the regular rate of pay for all hours worked outside of the employee's regular work schedule. For this purpose, a week shall begin at 12:00 a.m. Sunday and run through 11:59 p.m. the following Saturday. Compensatory time may not be paid out after an initial decision has been made to bank these hours, except in the case of termination. *(Approved and updated by Personnel Committee and County Board March, 2021)*

- A. Holiday work: All actual and observed holiday work performed shall be at the overtime rate and said pay shall be in addition to the employee's regular holiday pay.
  - B. Call-in/reporting time pay: In the event any employee reports or is called in to work and is sent home, he/she shall receive a minimum of two (2) hours pay at the rate of one and one-half times the regular rate of pay. If an employee is called back to work on a day in which reporting time pay was already received, he/she shall again be eligible to receive a minimum of two (2) hours pay at the rate of one and one-half times the regular rate.
3. On-Call/Reporting Pay: **Social Workers, Social Service Workers, Maintenance (10/18), and Highway Department (4/21) Staff**: Social workers, social service workers, and Maintenance Staff who are required to be on-call over the weekend shall rotate their on- call responsibilities



by taking three (3) consecutive days (i.e., Friday, Saturday and Sunday) on a rotating basis. Monday, Tuesday, Wednesday and Thursday on-call responsibilities shall also be rotated however, they shall be rotated on a daily basis. On-call responsibilities commence at 8:00 a.m. Friday until 8:00 a.m. Monday when on-call for three (3) consecutive days on the weekend and 8:00 a.m. through 8:00 a.m. the following day when required to be on-call on a daily basis.

Employees who are working the on-call schedule shall be paid five (5) hours of pay at straight time or compensatory time at the employee's option for weekend on-call duty (i.e., Friday, Saturday and Sunday) and employees shall be compensated one (1) hour of pay at straight time in cash or compensatory time off at the employee's option for each night of on-call responsibility (i.e. Monday, Tuesday, Wednesday or Thursday). Social Workers and Social Service Workers receiving phone calls regarding clients outside of their normal work schedule shall receive pay or compensatory time at the employee's option at their normal hourly rate for the time of the phone call; time will be measured in 15-minute increments.

Full time Social Workers/Social Service Workers/Maintenance Staff/Highway Staff who are required to be on call on a holiday shall receive two additional hours pay for each holiday which shall be paid or compensatory time off at the employee's option. This compensation shall be for the holiday in which the employee is required to be on call (the observed and actual holiday). An employee must designate on their time sheet whether they will be selecting pay in cash or compensatory time off at the time the on-call responsibilities occur.

In addition to the above listed straight time on-call compensation, the employee shall receive compensatory time as set forth below if required to report to work while on call.

Nurses who are required to report back to work after they are through with their normal work day shall receive a minimum of two hours at time and one-half (1- 1/2) if the work is not contiguous to the normal work day. If it is contiguous to the normal work day either immediately before or immediately after, the nurse shall receive time and one half (1-1/2) for the actual time worked if over 40 in the work week, otherwise it is straight time.

Nurses receiving phone calls regarding clients outside of their normal work schedule shall receive pay or compensatory time at the employee's option at one and one-half their normal hourly rate for the time of the phone call; time will be measured in 15-minute increments. *Approved by Personnel 12-5-13, Maintenance Staff Approved 9-18, Highway Staff Approved 4-21*

4. Overtime Compensation for non-exempt part-time employees: Overtime pay will be at the rate of one and one-half times the regular rate of pay for all hours actually worked if the total hours worked exceeds forty hours in a week, not including holiday, vacation, sick leave, or other paid benefit hours.
5. Prior Approval: Prior approval must be obtained for all compensatory/overtime hours worked, including work on a holiday, from the department administrator. In the case of an emergency, prior approval is not required, but the employee must notify their department administrator

on their next regularly scheduled work day. Assignment of overtime will be based on the needs of the department, as determined by management. Specific departmental policies governing the assignment of overtime will be reviewed by the Personnel Committee on an annual basis.

6. Compensatory Time Off: Shall be scheduled by the employee's immediate supervisor or department administrator in accordance with established departmental policies and County payroll procedures. Compensatory time shall be reviewed on a regular basis by the department administrator who may require scheduling of compensatory time off based upon department workload.

In lieu of overtime pay, employees shall be allowed to accrue compensatory time ("comp time"), up to a maximum of forty (40) hours on the basis of one and one-half hour of comp time for each hour of overtime worked. The scheduling of the use of comp time shall be subject to the approval of the employee's supervisor. Comp time not used during the calendar year may be carried over from year to year and cannot be cashed out unless the employee leaves employment with the County. Exceptions:

- A. Nurses. In lieu of overtime, Nurses shall be allowed to accrue compensatory time ("comp time"). Compensatory time off which is carried over into a new calendar year may only be used as time off and cannot be cashed out unless the nurse leaves the employment of the County, in which case it would be cashed out.
- B. Social Workers/**Social Service Workers**. Compensatory time off for social workers/**social service workers** shall be granted utilizing a one- to-one ratio for all authorized time worked outside the defined work schedule relating to non-emergency situations. This primarily consists of prearranged appointments with client for whom an appointment during the normal workday would be impossible, inconvenient, or would otherwise constitute a hardship. Under these circumstances, it makes no difference whether or not the additional time worked by the social worker/**social service worker** is contiguous to the normal workday. In either case, the one-to-one ration shall apply.

Time worked outside of the defined work schedule which can fairly be attributed to an emergency situation shall result in the granting of pay or compensatory time off at a 1.5 to 1 ratio. For purposes of this higher ratio, an "emergency" situation occurs when the affected social worker has no advance notice of the need to work additional hours, but is instead called back to work under circumstances necessitating immediate attention on the part of that social worker/**social service worker**. In that event, and without regard to the actual number of hours worked, the social worker/**social service worker** shall be credited with a minimum of two (2) hours work, at time and a half or pay or compensatory time off shall be granted. An employee must designate on their time sheet whether they will be selecting pay or compensatory time off at the time the emergency situation occurred  
Approved by Personnel 3-5-15.

Only at the time of termination may the social worker/**social service worker** convert any unused compensatory time off into its cash equivalent and be paid accordingly.

7. Based upon an emergency circumstance and by mutual agreement between the department administrator and the employee, an employee may exceed the 40 hour maximum accrual limit as long as the amount of compensatory time accrued that exceeds the limit is used within 60 days.
8. The Personnel Committee reserves the right, to grant additional exceptions to this policy based upon a request and sufficient rationale provided by a department administrator.

Section 2 PTO - Personal Time Off Policy

**Full-Time Employees:** Any employee working an annual average of 30 hours per week will be considered full-time. **Full-time employees working a 38.75-hour week will accrue PTO based on a 7.75-hour work day. Full-time employees working a 40-hour work week and full-time ambulance employees will accrue PTO based on an 8-hour work day.**

Full time employees will accrue Personal Time-Off (PTO) as follows:

1. During the initial year of employment, a full-time employee will receive PTO prorated based on hire date per the following schedule.
  - a. If the employee begins employment between January 1 and June 30, he or she will receive 7 days of PTO
  - b. If the employee begins employment between July 1 and December 31, he or she will receive 4 days of PTO
2. On January 1 of the following year (year 2) the employee will receive 13 days of PTO
3. On January 1 of the third year, the employee will receive 18 days of PTO
4. On January 1 of the fourth year, the employee will receive 19 days of PTO
5. On January 1 of the fifth year, the employee will receive 20 days of PTO
6. On January 1 of each subsequent year for years 6-10, the employee will receive two additional days of PTO (year 6=22 days - year 10 = 30 days of PTO).
7. Every five years after 10 years the employee will receive one additional day of PTO. (year 15 = 31 days of PTO, year 20 = 32 days, year 25 = 33 days, year 30 = 34 days, year 35 = 35 days, year 40 = 36 days, etc).

**Part-Time Employees:** **Part-time employees will accrue PTO based on a 7.75-hour work day.**

Employees working an annual average of between 20-29 hours per week will accrue Personal Time-Off (PTO) as follows:

1. During the initial year of employment, a part-time employee will receive PTO prorated based on hire date per the following schedule.
  - a. If the employee begins employment between January 1 and June 30, he or she will receive 3 days of PTO
  - b. If the employee begins employment between July 1 and December 31, he or she will receive 2 days of PTO
2. On January 1 of the following year (year 2) the employee will receive 6 days of PTO
3. On January 1 of the third year, the employee will receive 8 days of PTO

4. On January 1 of each subsequent year, the employee will receive an additional day of PTO to a maximum of 15 days.

#### Use of PTO

PTO may be used in 15 minutes increments. ~~Use of PTO must be approved in advance by the department administrator when possible and scheduled with first consideration given to the efficient operation of the department.~~ PTO shall be requested by the employee as far in advance as reasonably possible and shall be approved in advance by the Department Head or designee. PTO requests by Department Heads for five consecutive days or more off need to be approved by the Administrative Coordinator in advance. Requests for PTO may be denied based on the needs and workload of the department or if other employees are already scheduled for time off. PTO must be used if an employee wishes to attend (in person, telephonically, or by other electronic means) a Committee or County Board meeting that falls during normal business hours that does not directly pertain to that employee. The Department Head or designee may deny the PTO request if there is urgent work that needs to be completed at the time the employee seeks to attend a public meeting. Employees are not allowed to interview for jobs on paid time (this includes County jobs).

If a paid legal holiday falls within the PTO period, the paid day shall be holiday pay, not PTO.

PTO use in conjunction with the worked and holiday hours cannot exceed the standard scheduled hours for that time period.

#### County Sponsored Event Volunteer Policy

Rusk County employees who are eligible for PTO may be matched hour for hour for PTO up to four hours per calendar year for time volunteered at Rusk County sponsored events during normal work hours of the County. As defined in Chapter 5, Section 1, employees may meet their regularly scheduled hours between 6 am and 6:30 pm Monday through Friday. Time forgiven by the County will be in one-hour increments. All PTO requests must be approved in advance by an employee's department head and/or immediate supervisor. All volunteer match requests must be approved by Administrative Coordinator prior to event.

Example: An employee gains permission to take PTO to volunteer at the County Fair. They work 6.25 hours on Friday at the ticket gate. They would take 3.25 hours of PTO and would be granted 3 hours of PTO by the County. This would be reflected on their time sheet as "Fair Volunteer". Another example is an employee volunteers 4.25 hours on Thursday and 6.5 hours on Friday. They would take 6.75 hours of PTO and be granted 4 hours by the County.

#### Employee Options for unused PTO

All unused PTO shall carry over and be used through March 31, prior to any current year PTO. Employees also have the option to convert all or a portion of unused PTO to their Extended Leave bank at year-end. In which case it would not be available for use through March 31. This is a once-per year opportunity and employees shall notify the Finance office prior to January 1. (Personnel

approved March 2021)

As of April 1, any unused, prior year PTO that hasn't already been converted to the Extended Leave bank- will be converted to extended leave.

Employees may accumulate a maximum of 680 hours (85 days @ 8 hours per day) of extended leave. Any unused PTO at the end of the year shall be forfeited if the employee has accumulated their maximum amount of extended leave.

Extended Leave Bank time will be used, instead of PTO, if an employee has 5 days or more consecutive days of sick time. An employee may request in writing to the Personnel Committee to use the extended leave bank for FMLA.

- A. Use of PTO for Illnesses: At the department administrator's or Personnel Committee's discretion, a doctor's statement may be required at any time. PTO benefits shall begin on the first day of absence and continue until the employee returns to work or has used all extended leave. (Also see any acceptable FMLA language in Chapter 5) An employee, who wants to use PTO, shall notify the department at least 30 minutes prior to the regular starting time if at all possible PTO must be used in minimum increments of at least 15 minutes.
- B. Extended Leave Bank Conversion to Post Employment HRA: When an employee retires under the Wisconsin Retirement System after age 55 or is forced to retire due to medical disability, a maximum of seventy-five percent (75%) of the PTO remaining in the employee's accumulated extended leave account shall be converted to its monetary value at the time of separation (employee's hourly rate, exclusive of shift differential) and be contributed to an HRA on behalf of the employee.

The employee's retirement may also constitute a qualifying event under COBRA. Any period of time for which an employee's premiums are paid through extended leave conversion shall be credited towards satisfying the COBRA period.

Section 3 Worker's Compensation: Employees eligible for worker's compensation benefits may be allowed to exercise one of the following options, subject to state statutes:

1. Receive worker's compensation benefit with no deduction from PTO
2. Receive the worker's compensation benefit and be paid the difference between their regular pay based upon a normal work week and the worker's compensation benefit with the County charging the employee's PTO account with the number of hours that equal the cash differential between the worker's compensation and regular pay.
3. Receive a temporary assignment of alternative productive work.
  - Primary Responsibility: Personnel Committee and all Department Heads.
  - Special Note: This procedure does not in any way constitute an employment contract and Rusk County reserves the right to amend this procedure at any time.

- Purpose: Rusk County desires that employees who are unable to perform the functions of the regular job because of a work-related injury or illness that prevents their return to regular assigned duty, where possible, be temporarily assigned alternative productive work subject to necessary medical certification. Rusk County does not assign employees to non-productive work. It does however, desire to obtain the benefits of a temporary assignment of alternative productive work which maintains a level of activity, which is productive and which quickens the employee's return to their regular assignment. Alternative productive work is reserved for employees who are temporarily disabled because of a work-related injury or illness. Alternative productive work may be assigned within or outside an employee's regular department. THE WORK ASSIGNED UNDER THIS POLICY IS NOT PERMANENT IN NATURE AND THE COUNTY RETAINS THE ABSOLUTE DISCRETION TO MODIFY WORK ASSIGNED HEREUNDER AT ANY TIME.

~~A.~~ Procedure: Procedure:

1. An employee injured or suffering an illness at work will provide to their supervisor as soon as possible, written certification of any restrictions imposed upon them by a licensed medical provider. This will include the projected duration of the restriction(s).
2. The department head will evaluate the restriction(s) and determine if temporary assignment of alternative productive work is available. The department head may recommend assignment of restricted employee to such available work for the hours that such work is available.
3. It is expressly understood that:
  - A. No obligation exists for the County to provide, convert a regular job, or create a temporary assignment of alternative productive work.
  - B. Temporary assignment of alternative productive work does not create a regular employment opportunity, and is made as a temporary assignment only, which will terminate at the conclusion of a specified time period. The specific end date of the assignment will be communicated clearly in writing to the employee upon temporary assignment of alternative productive work. PTO and paid Holidays may be excluded in calculating the period.
  - C. PTO may be used in lieu of a temporary assignment to alternative productive work.
  - D. The department head, based on the number of employees assigned such duty status will determine the amount of temporary assignment of alternative productive work available in any department.
  - E. Temporary assignment of alternative productive work is separate and distinct from

the duties of the employee's regular job; however, the employee may be assigned to perform those duties of the regular job that the employee may perform without restriction or limitation.

- F. If eligible, an employee is entitled to remain on unpaid FMLA leave until the FMLA leave entitlement is exhausted. Nothing in this policy shall be construed as limiting an employee's state and federal FMLA rights.
- G. Temporary assignment of alternative productive work may be considered only when an employee is certified as unable to perform the functions of their regular job.
- H. An employee's regular work schedule may change during the temporary assignment of alternative productive work to accommodate the department's needs.
- I. If alternative productive work is unavailable within an employee's regular department, the County may assign alternative productive work to the employee outside the employee's regular department.
- J. The Personnel Committee will be contacted immediately by a Department Head prior to their making a recommendation of assignment of a restricted employee to temporary assignment of alternative productive work status.
- K. All temporary assignment of alternative productive work will be reviewed every 30 days by the respective department head and the Personnel Committee.

#### Section 4 Holidays

1. Full-time employees working an annual average of 30 hours per week will normally receive the following holidays off with pay:
  - New Year's Day
  - Good Friday (except for Highway Dept. employees)
  - Memorial Day
  - July 4th
  - Labor Day
  - Thanksgiving Day
  - Day after Thanksgiving (except for Highway Dept. employees)
  - Christmas Eve Day
  - Christmas Day
  - New Year's Eve Day
2. Part-Time Employees: Part-time employees working 20-29 hours a week will receive four hours pay per holiday.

3. ~~If a holiday falls on a Saturday it shall be observed on Friday. If the holiday falls on a Sunday, it will be observed on Monday. Employees must work the day before and the day after each holiday to be eligible for holiday pay, with the exception of normal days off, or be on a paid absence, (ie. PTO, Comp, Extended Leave bank) for both days. Holidays Falling on a Weekend or a Friday: Whenever any of the observed holidays falls on a Saturday, the preceding Friday shall be observed as the holiday, and when falling on a Sunday, the succeeding Monday shall be observed as the holiday. When December 24<sup>th</sup> falls on Friday and December 25<sup>th</sup> on Saturday, the preceding Thursday and Friday shall be observed as the holidays. When December 24<sup>th</sup> falls on Sunday and December 25<sup>th</sup> on Monday, the succeeding Monday and Tuesday shall be observed as the holidays. Whenever any observed holiday falls on a Friday, the preceding working day shall be a half day. The Courthouse will close to the public at 12:30 p.m., with the exception of the Courts, but employees are still expected to have worked their established number of hours for the week. If the employee chooses to work the preceding day as a regular full work day, the employee will be paid straight time and not holiday pay.~~
  
4. ~~Holiday Pay: Employees must work the day before and the day after each holiday to be eligible for holiday pay, with the exception of normal days off, or be on a paid absence (i.e. PTO, Comp, Extended Leave Bank) for both days. Employees required to work on a holiday due to job requirements will be paid at time and a half. Employees choosing to work on a holiday (subject to department head discretion) will be paid straight time. Holiday pay shall be computed at the employee's regular rate of pay at the regularly scheduled number of hours (i.e. 7.75 hours for employees that work a 38.75-hour work week, 10 hours for Highway employees, and 8 hours for all 40-hour work week employees and Ambulance employees).~~

Section 5 Leaves of Absence-- Non-FMLA

1. General Leaves of Absence: An employee giving two weeks prior notice, may, at the sole and absolute discretion of the department administrator, be granted an unpaid leave of absence not to exceed five calendar days upon presenting a written request to the department administrator. For Department Administrators, or for employees requesting a leave of absence for longer periods of time, a leave or an extension of leave may be granted upon the approval of the Personnel Committee. In no case shall a leave of absence be granted for the purpose of accepting employment with another employer. During the period of unpaid leave of absence, no benefits or hours of service shall be earned or accrued. Participation in the health insurance groups will be permitted if the employee pays the proportionate costs of such participation.

In order to be eligible for a general unpaid leave of absence, the employee must first exhaust all available paid leave, including their Extended Leave Bank.

2. Employees may be eligible for additional leave for the following reasons regardless of whether they have exhausted all forms of paid leave:
  - A. Educational Leave of Absence: Educational leave of absence may be granted at the discretion of the Personnel Committee.



- B. Jury Duty: Employees who serve on a jury or are subpoenaed relating to their County job to appear as a witness before a court or administrative tribunal shall turn their jury or witness pay back to the County and will be compensated their regular scheduled hours for up to a maximum of two (2) weeks per calendar year. Employees when released from jury or witness duties shall immediately return to their job and complete the scheduled workday. Employees shall not be entitled to overtime or shift differential under this provision.

Section 6 Separation, Benefit for PTO and Compensatory Time

A. ~~Resignation~~: An employee deciding to leave Rusk County employment shall submit a resignation in writing stating the last working day for the County. This notice shall be given to the employee's department head. The notice shall be given to both the Administrative Coordinator and Human Resources Manager if a department head is resigning. It is expected that employees will give as much notice as possible to facilitate the hiring and orientation of new staff members. The County reserves the right to determine the last day of employment once notice is given. The final pay check shall include payment of hours actually worked since the last pay check.

~~A. B.~~ At time of voluntary separation (retirement or resignation) employees with at least 12 months of service who subsequently leave the employ of the County in good standing, ~~shall give 10 working days written notice and~~ may receive cash payment for all remaining accrued PTO time, less normal withholding ~~if employees provide 10 working days written notice and department heads provide 20 working days written notice~~. Employees failing to provide at least 10 working days' notice ~~and department heads failing to provide at least 20 working days' notice~~ will not receive the PTO payout.

~~Employees failing to give the required advance notification of voluntary separation shall not be considered for reemployment except for unusual reasons and with the consent of the Human Resources Manager and/or Administrative Coordinator.~~

At the time of an involuntary separation due to lack of work (layoff), employees with at least 12 months of service shall receive payment for all remaining PTO, less normal withholdings. At the time of any other involuntary termination, NO cash payment for remaining PTO shall occur.

~~B. C.~~ The employee's last day of employment will, in most cases, be the last day worked. ~~The County reserves the right to determine the last day of employment.~~ The County may extend the last day of employment in order to pay-out any accrued compensatory time.

D. ~~Employees shall return all County property to their immediate supervisor on their last day of work.~~

Section 7 Mileage Allowance: Mileage when traveling by personal automobile on official County business shall be reimbursed at the rate of the current County Board resolution. Individuals shall maintain a personal insurance policy of not less than combined \$100,000 single limits of bodily injury and property damage, and shall provide the County Clerk's Office with a photocopy of their policy by

January 31st or at time of renewal. Reimbursement for all expenses incurred on official travel shall be subject to review by a higher level of authority. All requests for reimbursement shall be reported on such forms as determined appropriate by the Finance Committee.

#### Section 8 Health Insurance and COBRA

- a. Cost to Employees: The County pays a percentage of the single, single +1, or family medical and hospitalization insurance premiums for full-time employees.
- b. Enrollment: Subject to the carrier's eligibility requirements, employees are eligible to participate in the County's group health insurance plan starting the first of the month after the start date. If an employee starts on the 1<sup>st</sup> of the month, the insurance coverage will start on the first (that day). The County's percentage of premium payments will commence immediately upon enrollment. To obtain medical coverage under this program, employees must meet insurance carrier requirements and requirements under applicable union contract. Employees who apply for medical coverage after 10 days of employment or who have discontinued their medical coverage and desire to rejoin the plan must make application and qualify per insurance carrier enrollment requirements.

No employee shall make any claim against the employer for additional compensation in lieu of or in addition to the County's contribution.

- c. Change of Coverage: When an employee finds it necessary to add or delete dependents to his/her health insurance plan due to marriage, divorce, birth, adoption, etc., they must be added within 30 days of the qualifying event or as subject to insurance carrier enrollment requirements and coverage. To make any changes contact the Finance Office for appropriate forms.
- d. Section 125 Cafeteria Plan: The County shall provide a Section 125 Cafeteria Plan for pre-tax premium deductions.
- e. Health Savings Account (HSA): The County may utilize a Health Savings Account (HSA) in conjunction with a high-deductible health insurance plan. It is the employee's responsibility to verify that they meet Federal eligibility rules to have an HSA. Employees enrolled in Medicare may not be allowed to contribute to an HSA.
- f. Insurance Continuation under COBRA: Following a qualifying event, eligible employees will receive notice of COBRA eligibility pursuant to state and federal law.

#### Section 9 Retirement

Rules governing participation in the Wisconsin Retirement System are established by the Department of Employee Trust Funds. Eligibility can be determined by referring to current rules.

County's Contribution: Unless provided otherwise by an applicable collective bargaining agreement, the County will contribute a percentage toward WRS, as determined by the Employee Trust Funds Board.

Section 10 Unemployment

As provided by State Statutes and rules for eligibility.

Section 11 Emergency Closing of Government Center

Policy: Administrative Coordinator will contact the Chair, or the Vice Chair if Chair is not available; or the Chair or Vice Chair will contact the Administrative Coordinator to close the Government Center. In the absence of the Administrative Coordinator, the Sheriff, or in his absence the Chief Deputy, will contact the Chair or the Vice Chair; or the Chair or Vice Chair will contact the Sheriff or Chief Deputy to close the Government Center.

1. Time lost for inclement weather or other emergencies when the Government Center is closed need not be made up and employees shall be paid for their regularly scheduled hours if they are not able to continue to work due to the Government Center closure. Employees who continue to work will receive their normal compensation.
2. Time lost to inclement weather or other emergencies when the Government Center is not closed must be made-up in following manner or a combination thereof:
  - A. Lost hours may be made-up **within the same week** subject to department administrator approval **within the Flexible/Alternative Work Schedules policy**.
  - B. PTO may be used **in lieu of lost hours make up**.
  - C. **If lost hours are not made up and PTO is unavailable, time lost ~~Time lost, if not made up or substituted with PTO,~~ will not be paid.**
3. Time lost for emergencies necessitating the closure of an individual department need not be made up and employees shall be paid for their regularly scheduled hours of work.

Section 12 Highway Department

A. Life Insurance

1. Cost to Employee: Employer pays 100% of premiums for all employees hired prior to January 1, 2012. For employees hired after January 1, 2012, coverage is available at the employee's expense.
2. Enrollment: Each employee will receive an application for life insurance from the Highway Department Office. This application must be completed and returned to the Highway Office within 30 days of receipt.

If the employee enrolls, coverage shall become effective upon the successful completion of the employee's introductory period.

- B. Employees shall be responsible for maintaining the licenses required for their positions. An employee who fails to obtain the necessary license or who subsequently has his/her license

suspended or revoked may, at the County's discretion, be temporarily reassigned to a position in the department for which he/she is qualified, if such a vacancy exists. The employee's pay during the period of reassignment will normally be the regular pay for the position to which he/she has been reassigned.

- C. The County will pay the cost of electricity used in the operation of employee bolt heaters during working hours.
- D. The County will pay for the prescription cost of safety lenses and frames for all positions requiring safety glasses. The employee shall pay for the full cost of the eye examination. Normally, the County will pay the total cost of replacement of glasses damaged in work related accidents. These costs will be included in the total safety allowance given per employee.
- E. All Highway employees excluding office personnel shall wear protective shoes while on duty. All employees shall wear hard hats, safety glasses, and other required PPE in areas where they are needed. Infractions of these provisions may subject the employee to disciplinary action, up to and including termination. The County will furnish the required PPE per OSHA 3151-12R 2004. The County will reimburse each employee an allowance up to \$300 towards the purchase of personalized PPE such as safety shoes, safety jackets, and other qualifying PPE as outlined in OSHA 3151-12R 2004. Items not covered in this document shall be subject to approval by the Highway Safety Committee prior to reimbursement.

### Section 13 Maintenance Department

- A. The County will pay up to forty dollars (\$40.00) per employee, annually, for the prescription cost of safety lenses for all positions requiring safety glasses. The employee shall pay for the full cost of the eye examination and the frames. Normally, the County will pay the total cost of replacement of glasses damaged in work related accidents.
- B. All employees shall wear protective shoes while on duty. All employees shall wear hard hats, ear protection, and safety glasses in areas/for activities where they are needed. Infractions of these provisions may subject the employee to disciplinary action, up to and including termination. The County will furnish hard hats and ear protection and will pay up to One hundred dollars (\$100.00) per employee, once per year, towards the employee's purchase of protective shoes, with a receipt.

## CHAPTER 7

### EMPLOYEE **CORRECTIVE ACTION AND DISCIPLINE** POLICY

Section 1 Objective: The purpose of the Employee Corrective Action and Discipline Policy is to establish a clear, uniform, and consistent approach to situations requiring employee corrective or disciplinary actions. Corrective and disciplinary steps are intended to correct employee behavior or performance issues.

Section 2 Policy: Rusk County may utilize corrective and progressive disciplinary principles when confronted with employee behaviors or performances requiring interventions. Corrective and disciplinary interventions will typically begin at the first level and progress through each level if performance expectation(s) and/or corrective action requirements have not been met. However, dependent upon the seriousness of employee conduct being reviewed, corrective and/or disciplinary intervention may be initiated at any level. This policy is not intended to displace the day-to-day interactions between management and staff relating to job performance. Rusk County encourages its **managers management staff** to be proactive in identifying problem areas and addressing those areas as issues arise.

Section 3 Procedure for Progressive Corrective and Discipline Levels:

**Level I:**

Level I is an informal meeting between the employee and his/her supervisor. The supervisor clearly specifies the nature of the concern for the employee's performance/conduct and why the supervisor feels expectations have not been met and/or why corrective action by the employee is necessary. The supervisor also clearly states the specific expectation(s)/corrective action(s) required and the time frames in which the expectation(s)/corrective action(s) must occur. The supervisor documents the meeting in writing, identifying the specific employee conduct/performance issues and the specifically required expectation and/or corrective action plan. The supervisor maintains the documentation in his/her office and a copy is given to the employee.

**Level II:**

Level II is a verbal warning. In consult with the Human Resources Manager, the supervisor clearly informs the employee that he/she is being verbally warned. Verbally, the supervisor informs the employee of specifically what has been done wrong and the corrective action or expectation(s) required. The employee is also verbally informed that if corrective action is not taken or expectations are not met, further corrective and/or disciplinary steps up to and including suspension and/or termination may occur. The verbal warning is documented by the supervisor in writing which the employee must sign, acknowledging receipt of the written verbal warning.

**Level III:**

Level III is a written warning. In conjunction with the Human Resources Manager, a written warning can be provided to an employee for whom there is a performance deficiency or conduct issue that

needs to be corrected. The written warning must state specifically the conduct or performance deficiency that must be corrected. If applicable, a specific corrective action plan shall be outlined and a time frame at the end of which the corrective action plan must be completed. The employee is informed that if the corrective action plan is not completed or adhered to, expectations are not met, or additional violations occur, further corrective and/or disciplinary steps may be taken up to and including suspension and/or termination. The employee must sign the written warning, acknowledging receipt.

**Level IV:**

Level IV is a suspension with or without pay. A suspension is a serious step since the next step may be dismissal if corrective action does not occur, expectations are not met or additional violations occur. The supervisor, in conjunction with the Human Resources Manager, will issue the notice of suspension. The suspension notice will specifically identify the date the suspension begins and ends and the conduct or performance deficiency for which the suspension is being given. If applicable, the notice will also specifically describe the corrective action that is required of the employee to perform and the time frames for doing so. The employee must also be informed that if corrective action does not occur, or expectations are not met, further corrective and/or disciplinary action may be taken up to and including suspension and/or termination. The employee will sign the notice of suspension acknowledging receipt of the notice.

**Level V:**

Recommendations for discipline or termination will be referred to the Personnel Committee through the Human Resources Manager for disposition.

Whether disciplinary actions against employees are taken or not taken by County management, it shall in no way abrogate the right of Rusk County to discharge an employee from employment at any time, for any reason or no reason, with or without prior notice. It is impossible to categorically state when or if disciplinary measures or termination of the employment relationship will be the appropriate action. The degree of discipline administered will depend on the nature and severity of the infraction, and the employee's prior record and shall be in accordance with County policies and procedures as well as local, state, or federal laws and regulations.

At the sole discretion of the County, various types of employee discipline may be imposed which include but are not limited to the following: verbal warning, written warning, and/or suspension. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. Employees who violate policies and procedures, whether expressed or implied or who have unsatisfactory work performance are subject to disciplinary action, up to and including discharge from employment. It is the responsibility of each Supervisor and/or Department Head with the assistance of the Human Resources Manager to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The employer may repeat disciplinary action.

**Documentation:** All steps taken under this procedure, including informal meetings, shall be documented with a copy provided to the employee and a copy placed in the employee's personnel file. The employee must sign written warnings and notices of suspension acknowledging receipt of the notice.

## CHAPTER 8 EMPLOYEE SAFETY & HEALTH

- Section 1 Policy Statement: This policy is designed to promote a safe work environment for employees and visitors, and to require safe work practices of all employees. Any incidents, hazards, or potentially unsafe conditions are to be corrected or reported to your supervisor for action.
- Section 2 Reporting On-the-Job Incidents/Injuries/Accidents: Employees are required to report incidents/injuries/accidents as soon as possible **to the Department Head and the Human Resources Manager**, not to exceed 24 hours after the event. All events need to have the proper forms filled out. Forms and directions for completing forms may be obtained from the **Finance-Office Human Resources Manager**.
- Section 3 Rusk County Safety Committee: (Property/Insurance Committee)
- A. Purpose and Responsibility: It shall be the purpose and responsibility of this Committee to:
    - 1. Create and maintain an interest in safety.
    - 2. Make recommendations to other committees/departments on accident prevention programs.
    - 3. Assist in the implementation of accident prevention programs.
    - 4. Conduct and review research on special safety problems and projects.
    - 5. Review hazard identification surveys conducted by subcommittees, regulatory agencies and/or insurance companies at and on County property projects.
    - 6. Review new developments in the field of safety for possible incorporation.
    - 7. Review losses to determine preventability and implement controls to prevent future reoccurrences.
    - 8. Assist with the development, distribution and ongoing review of a comprehensive safety procedure manual for each department and on a county wide basis, including the provision of personal protective equipment.
    - 9. Conduct safety awareness campaigns, make recommendations for safety awards and administer the safety suggestion program.
  - B. Membership: The Risk Management Division of the Finance Department shall serve as coordinator of this Committee.
  - C. Department Administrative Sub-committee: At regularly-scheduled meetings of Department Administrators, insurance issues are reviewed and discussed for recommendation to Property/Insurance Committee and/or other committees as necessary.
- Section 4 Prevention of the Spread of Communicable Disease through Body Fluids: The proper handling of all body fluids at all times will prevent the accidental spread of communicable disease. When it is necessary to clean an area following an accident or injury involving body fluids (urine, blood, mucous, saliva, vomit, etc.), do not attempt to clean up the area unless you have been designated



to do so under the County Bloodborne Pathogens program and properly trained. If not, just secure and contain the area (i.e., close the door, redirect pedestrian traffic if possible) and contact Maintenance.

More detailed, specific guidelines are available from the Public Health Department.

Section 5 Hearing Conservation Program:

Purpose: To prevent noise-induced hearing loss all County departments with employees at risk will have a hearing conservation program that complies with OSHA, and/or DILHR regulations.

- A. Monitoring work environments: Department Administrators are responsible for addressing concerns regarding noise levels and the potential impact on their employees. Signs by the County must be posted indicating where hearing protection is required (above 85 dBA).
- B. When information indicates that any employee may be exposed to noise levels equal to or greater than an 8-hour time-weighted average of 85 dBA, the Department Administrator shall develop and implement a hearing conservation program to include:
  - 1. Monitoring Program
  - 2. Training and educating employees
  - 3. Audiometric testing of employees
  - 4. Providing and requiring hearing protection devices
  - 5. Recordkeeping

Section 6 Smoking Control Policy: All Rusk County government buildings shall be considered to be non-smoking areas, in compliance with state statutes. "Smoking" means carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment or electronic smoking device (vape).

All public bathrooms, elevators, corridors, lunchrooms, and pooled-use county vehicles shall be considered non-smoking areas.

State Statute 101.123 allows for a forfeiture of not less than \$100 nor more than \$250 for violation of this policy and empowers the District Attorney to initiate injunction actions against chronic violators.

Section 7 Drug-Free Workplace Policy:

- 1. Employees of Rusk County are expected and required to report to work on time and in appropriate mental and physical condition for work.
- 2. It is the policy of the County of Rusk that employees have the right to work in an environment that is free from the non-medical use of alcohol, drugs and mood-altering substances. These substances interfere with the work environment and the performance of employees.

3. In order to protect the health, welfare, and safety of employees, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol on County premises or while conducting County business off County premises is prohibited. Violations of this policy may result in disciplinary action up to and including termination and may have legal consequences.

If an employee is convicted of a criminal drug statute for violations occurring on County premises or off County premises while conducting County business, he/she must report in writing the conviction to the Rusk County Personnel Committee Chair within 5 days after the convictions. The Personnel Committee Chair will notify any applicable federal agencies within 10 days of such notice. Within 30 days of the conviction, the employee's department administrator in consultation with the Administrative Coordinator and Personnel Committee will review the facts of the conviction and take disciplinary action if indicated or require such employee to participate satisfactorily in a drug assessment or rehabilitation program approved for such purposes by a federal, state, or local health law enforcement facility or other approved agency.

The County recognizes drug and alcohol dependency as a major health problem. The County also recognizes drug and alcohol abuse as a potential health, safety, and security problem. If an employee needs help in dealing with such problems he/she should contact the Administrative Coordinator. Pursuant to state law, Rusk County does not discriminate on the basis of off premises use of legal substances.

Rusk County's health insurance does provide coverage for such help, within certain guidelines. Conscientious efforts to seek help will not jeopardize an employee's job. Use of help, however, is not a substitute for job performance problems and normal disciplinary procedures regarding consequences for misconduct will apply.

4. A copy of this policy shall be distributed to all employees of the county, and be posted in each affected county building. In addition, the Administrative Coordinator shall inform employees about: (a) dangers of alcohol and other drug abuse in the workplace, (b) the County's drug-free workplace policy, (c) any available drug counseling, rehabilitation, and employee assessment programs and (d) penalties that may be imposed upon employees for alcohol or other drug abuse violations occurring in the workplace. The information may be disseminated at staff meeting, through staff mailboxes or a display in appropriate areas (e.g., break areas). If a department receives federal money, employees of that department are to attend any required drug-free workplace training provided.

Section 8 Employee Assistance Program (EAP): An employee's chemical dependency or other behavior-related medical problems becomes an employer matter when it results in a deterioration of job performance or unsafe working condition. The County recognizes that such illnesses, including those of an

employee's immediate family member, often create stress which affects an employee's job performance. Employees are encouraged in such situations to utilize treatment procedures for themselves and/or members of the immediate family.

Section 9 Seat Belt Policy: State law mandates use of seatbelts in motor vehicles unless dispensation has been granted by a doctor. Seat belts shall be worn by all occupants of County-owned, leased or rented vehicles or any other motor vehicles when conducting County business.

Section 10 Workplace Violence Policy: The safety and security of employees is of vital importance. Therefore, acts or threats of physical violence, including intimidation, harassment and/or coercion which involve or affect the County, or which occur on County property, are considered misconduct and will not be tolerated.

The prohibition against threats and acts of violence as described above applies to all persons involved in the operation of the County, including (but not limited to) County personnel, contract and temporary workers, and non-employees on County property. Any confirmed act or threat will be grounds for disciplinary action, up to and including termination of employment even on the first offense.

No provision of this policy statement or any other provision in this plan alters the at-will nature of employment at Rusk County. Management makes the sole determination of whether, and to what extent, threats or acts of violence are acted upon by the County. In making this determination the County may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred.

Any employee who has been a recipient of a threat of violence or a victim of an act of violence is to make a report to the Administrative Coordinator or Personnel Committee. Such reports will be kept confidential to the maximum extent possible and may be used in the County's investigation. Because the threat may come from a source external to the County, the County will assess the need for special safeguards and will cooperate with local authorities.

Section 11 Government Center Emergency Procedures Policy: All County employees are responsible for knowing and following the safety guidelines, areas, and codes as defined in this manual. They include but are not limited to the following:

- \*Automated Phone Tree
- \*Chemical Spills
- \*Civil Disorder
- \*Elevator Emergency
- \*Emergency Shelter Area
- \*Employee Evacuation Procedures
- \*Explosions
- \*Fire
- \*Flood & Water Damage
- \*Lockdowns
- \*Mail Threat
- \*Phone Threat
- \*Power Outage
- \*Public Announcement System Codes
- \*Suspicious Objects
- \*Threat to Personal Safety

Section 12 Policy Prohibiting Weapons in the Workplace

Policy: Employees may not, at any time, **while performing County-related job functions or** while on any property owned, leased or controlled by Rusk County (County), including anywhere that County business is conducted, possess, carry, or use a “weapon” in the course of the employee’s employment. This policy does not prohibit employees from storing a weapon in the employee’s own motor vehicle driven or parked on property owned by the County. Unless otherwise provided by State law, it is a direct violation of County policy to possess weapons on County property, in County vehicles, or in the course of employment. Unless otherwise provided by State law, possessing weapons on County property, in County vehicles, or during the course of employment is reason for disciplinary action, including termination.

Regardless of whether an employee possesses a concealed weapons’ permit or is allowed by law to possess a “weapon,” weapons are prohibited in the workplace and during the course of employment.

Purpose: To help ensure a safe workplace for all employees.

Guidelines:

1. A “weapon” is defined to include firearms, electric weapons (a.k.a. tasers), billy clubs, knives or any other object created or intended for causing injury. Utility knives, Leatherman, tranquilizer guns and similar tools provided or approved by the County for the employee to use to perform job duties do not fall within the definition of “weapon.”
2. “County property” is defined as all County-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the County’s ownership or control. This policy also applies to all County-owned or leased vehicles.
3. The County reserves the right to post signs on County-owned or leased building entrances banning weapons on its premises.
4. The County reserves the right to conduct unannounced searches of County property, vehicles and facilities at any time. The County reserves the right to inspect employees’ workstations, purses, backpacks, briefcases, and other personal items on County premises at any time.
5. Those Sheriff Department employees specifically authorized by the County Sheriff in writing are exempt from this policy. Other employees may seek approval from the Personnel Committee, or Circuit Court Judge as applicable, for a waiver of this prohibition based on unique circumstances. Such requests shall be made in writing and indicate the basis for the exception.

6. Any employee who is uncertain whether an instrument or device is prohibited under this policy is obligated to request clarification to ensure he or she is not in violation of this policy.
7. Any employee who knows or suspects that a co-worker or other individual is carrying a weapon in violation of this policy or posted notice must immediately notify their supervisor, department head, or the Sheriff's department. Such report will be kept confidential to the maximum extent possible and may be used in the County's investigation.
8. A violation of this policy is a serious infraction of the County's work rules and may result in discipline up to and including termination of employment.

## CHAPTER 9 TRAINING AND DEVELOPMENT

- Section 1 Training: The County shall provide for the necessary training of its employees on a planned and continuous basis. Each Department Administrator shall be responsible for the professional training needs of employees under his/her jurisdiction.
- Section 2 Responsibility: Department Administrators shall provide leadership in training and development of employees under their supervision.
- Section 3 In-service Training: Some departments of the County require special in-service training and such training will be supervised by individuals assigned that responsibility within the department.
- Section 4 New Employee Orientation: The County administers a program to orient new employees to the County workforce.
- A. County Orientation: New employees will meet with the ~~Finance Designee~~ **Human Resources Manager**/Administrative Coordinator and Supervisor who shall advise them of all general conditions of employment such as: employee benefits, pay and pay periods, County work rules and policies, privileges and responsibilities, and Lighthouse reporting portal. All employment documentation shall be fully completed and signed prior to any work being performed for Rusk County.
  - B. Department Orientation: The supervisor shall orient each new employee to the conditions related to the job and worksite. Such orientation shall include introductions to fellow workers, County work rules and policies, work standards, safety regulations including review of the Government Center Emergency Procedures Manual, hours of work, break periods, supplies, etc.

**CHAPTER 10**  
**COMPLAINT RESOLUTION AND GRIEVANCE PROCEDURES**

Section 1 Complaint Resolution Procedure

The County recognizes an employee's right to receive fair and impartial treatment. Accordingly, the County has established the following complaint procedure for use by all employees. The County regards the use of this problem-solving procedure not as a nuisance, but as an opportunity to correct dissatisfaction in job-related practices and policies.

In order to make a suggestion or register a complaint or a problem related to his/her job, or to a County policy, an employee should:

Step 1:

Discuss the matter completely with his/her immediate supervisor. Most issues can be satisfactorily resolved in this manner. If the employee and his/her supervisor cannot reach an agreement solution within 10 working days the employee should:

Step 2:

Make a written request for a personal interview with the Department Administrator who will discuss the problem with the employee and investigate the basis for concern. The Department Administrator will provide a written decision to the employee within 10 working days unless he/she determines that additional time is required under the circumstances.

Step 3:

Make a written request to meet with the Administrative Coordinator. The Administrative Coordinator will meet with the employee and supervisor and/or Department Administrator. If the matter cannot be resolved, Administrative Coordinator will refer to Personnel Committee.

Step 4:

Make a written request to meet with the Personnel Committee. The Personnel Committee will schedule a meeting with the employee to discuss the complaint. The Personnel Committee may conduct whatever additional investigation it deems necessary and/or consult with Corporation Counsel or the County's labor counsel. The Personnel Committee will provide either a verbal or written decision to the employee within 15 working days of this meeting unless the Personnel Committee determines that additional time is required under the circumstances. The decision at this step shall be final and conclusive for all parties.

Step 5:

Should a department head display an inability to deal with managing employees he/she will be subject to corrective action or discipline. It is the County's intention to be fair and impartial in order to establish the smoothest working relationship possible. Employees will not be discriminated or

retaliated against, or in any way penalized, for using this procedure.

*This Complaint Resolution Procedure does not apply to any applicable collective bargaining agreements or any matter covered by the County's grievance procedure regarding discipline, termination or workplace safety matters.*

## Section 2 Grievance Procedure

### Purpose and Applicability

This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer and to appeal to the County Board, where appropriate as required by Wis. Stat. §66.0509. The County expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the Grievance Procedure.

If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable. This procedure does not replace or supersede any statutory provision which may be applicable to an employee's employment with the County. This Grievance Procedure does not create a legally binding contract or a contract of employment.

## Section 3 Definitions

Definition of "Discipline": For purposes of this procedure, "discipline" means an employment action that results in disciplinary suspension or disciplinary demotion/reduction in rank. "Discipline" does not include any written or verbal notices, warnings, or reminders; verbal discipline will be documented, but not subject to the grievance procedure. The purpose of written and verbal notices, warnings, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, termination, or disciplinary demotion/reduction in rank. "Discipline" does not include paid administrative leave pending an investigation.

Definition of "Termination": For purposes of this procedure, "termination" means a separation from employment by the employer for disciplinary or performance reasons. "Termination" does not include layoff, furlough or reduction in workforce, reduction in hours, job transfer or reassignment, or retirement.

Definition of "Employee" for Purposes of Discipline and Termination Grievances: For purposes of the Procedure for Grievances Concerning Employee Terminations and Employee Discipline, "employee" includes all regular full-time and regular part-time employees. The term "employee" excludes elected officials; individuals hired on a limited term, temporary, casual or seasonal basis; independent contractors; and employees within their introductory period.

Definition of "Workplace Safety": For purposes of this procedure, "workplace safety" includes any conditions of employment related to the physical health and safety of employees, including the



safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, workplace violence and accident risks. "Workplace Safety" does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, and work schedules.

Definition of "Employee" for Purposes of Workplace Safety Grievances: For purposes of the Procedure for Grievances Concerning Workplace Safety, "employee" shall include all regular full-time and part-time employees, elected officials; and, individuals hired on a limited term, casual, or seasonal basis. The term "employee" excludes independent contractors.

Note: If an independent contractor identifies or is given information about a workplace safety issue within the control of Rusk County, the independent contractor is to report the incident to their employer and/or Rusk County Administrative Coordinator.

#### Section 4 General Provisions

Role and Appointment of "Impartial Hearing Officer": For purposes of this policy, the role of the "Impartial Hearing Officer" will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties' respective arguments.

The Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The Hearing Officer shall apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

The Impartial Hearing Officer shall be selected by the County Board Chair in conjunction with Corporation Counsel based upon the nature of the grievance involved.

Costs: Each party shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees, in investigating, preparing, presenting or defending a grievance. The fees of the Hearing Officer will be split between the grievant and the County.

Time Limits: The term "days" as used in this provision means calendar days. The employer and grievant may mutually agree to waive time limits, in writing. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday or day in which the Government Center is closed, the time limit is the next day which is not a Saturday, Sunday or day on which the Government Center is closed.

A grievance or decision or appeal is considered timely if received by the employer during normal business hours or if postmarked by 11:59pm on the due date.

The employer and grievant may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

If the grievance is not answered within the time limits, the grievant may proceed to the next

available step within seven days.

Any issues of timeliness shall be addressed by the Impartial Hearing Officer, or County Board, as applicable.

Scheduling: Grievance meetings and hearings will typically be held during normal business hours. Time spent in grievance meetings and hearings outside the Grievant's regularly scheduled work hours shall not be considered as compensable work time.

Representation: The grievant shall have the right to representation during the Grievance Procedure at the Grievant's expense.

## Section 5 Procedure for Grievances Concerning Employee Terminations and Employee Discipline

### Step 1:

An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee's Department Head. If the grievance is not resolved informally, it shall be reduced to writing by the employee who shall submit it to the employee's Department Head, with a copy to the Administrative Coordinator.

The written grievance shall give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.

Time Limit: If the employee does not submit a written grievance within 14 days after the facts upon which the grievance is based first became known, or should have been known to the employee, the grievance will be deemed waived. The Department Head will reply in writing to the employee within 14 days after receipt of the grievance.

### Step 2:

If the Grievance is not settled at Step 1, and the employee wishes to appeal the decision, the employee shall submit the grievance to the Administrative Coordinator to request a meeting with the Personnel Committee.

Time Limit: If the employee does not submit a written request within 14 days after receipt of the Department Head's reply, the grievance shall be deemed waived. If timely requested, a Personnel Committee meeting will normally be scheduled within 14 days of receipt of the request for the Department Head, employee and Personnel Committee to meet and discuss the grievance. Any member of the Personnel Committee that has participated on an Ad Hoc Discipline Committee to determine discipline for the involved employee for the current circumstances, will not participate on the Personnel Committee when the Grievance is considered. In their place the County Board Chair will join the Personnel Committee for the grievance process. If the County Board Chair is already part of the Personnel Committee or the Ad Hoc Discipline Committee, the Vice-Chair of the Board will join the Personnel Committee for the grievance process.

At the conclusion of the meeting, the Personnel Committee shall render a verbal or written decision indicating one of four decisions:

- 1) Sustaining the discipline/termination,
- 2) Modifying the discipline/termination,
- 3) Denying the discipline/termination, or
- 4) Recommending additional investigation prior to final determination.

In cases where the Personnel Committee recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up meeting shall be scheduled.

Step 3:

If the grievance is not settled in Step 2, and the employee wishes to appeal the decision, the employee shall submit the written grievance to the Administrative Coordinator and County Clerk to request a hearing before an Impartial Hearing Officer.

Time Limit: If the employee does not submit a written grievance to the Administrative Coordinator and County Clerk requesting a hearing before an Impartial Hearing Officer within 14 days after receipt of the Personnel Committee's decision, the grievance will be deemed waived. If timely requested, the hearing will normally be scheduled within 30 days of receipt of the request for hearing.

Unless specifically required by another statute or code, the Employee bears the burden of proof to persuade the Impartial Hearing Officer by clear, convincing, and satisfactory evidence that the County's decision to Discipline/Terminate the Employee did not have a rational basis. If the Employee does not meet his or her burden of proof, the Impartial Hearing Officer shall deny the grievance.

At the conclusion of the hearing, the Hearing Officer shall render a written decision indicating the reasons for one of three decisions:

- 1) Sustaining the discipline/termination,
- 2) Modifying the discipline/termination,
- 3) Denying the discipline/termination

The Hearing Officer shall render a written decision to the employer and employee within 10 calendar days from the date of the hearing.

Step 4: The employer or employee may appeal the decision of the Hearing Officer to the County Board. The decision of the governing body shall be final and binding upon the parties.

Time Limit: The employee or employer may request a hearing before the County Board by filing a request with the Administrative Coordinator and the County Clerk within 14 days of receipt of the written decision of the Hearing Officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 days to submit a reply to the detailed request. Once the request for hearing and reply are received, a hearing will be scheduled at the Board's next

regularly scheduled meeting, or at a special meeting at the discretion of the County Board Chair. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

Level of Review: If the County Board finds that the request for review was timely, the County Board shall review the written decision of the Hearing Officer as set forth below. If the County Board finds that the request for review was untimely, the Hearing Officer's written decision will be affirmed by the County Board without further review.

To review the written decision of the Hearing Officer, the County Board shall review the written decision of the Hearing Officer, the reasons for the appeal and the reply. The County Board may receive additional evidence or conduct a hearing only if an issue is raised under paragraph 2 below. The role of the County Board, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer fail to follow a fair and impartial process such that the award should be rendered invalid?
2. Is there evidence of corruption, fraud or misconduct by the Impartial Hearing Officer such that the award should be rendered invalid?
3. Did the Impartial Hearing Officer make an error of fact and/or law which renders his/her award invalid?

The employee bears the burden of proving the elements above by clear and convincing evidence. If the answer to each of the above questions is, "No," the County Board will uphold the decision of the Impartial Hearing Officer. If the answer to any of the questions above is, "Yes," the County Board shall reverse the decision of the Impartial Hearing Officer.

## Section 6 Procedure for Grievances Concerning Employee Workplace Safety

### Step 1:

Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her supervisor of the issue or incident as soon as reasonably practicable. All safety issues, no matter how insignificant the situation may appear to be, must be reported.

Time Limit: Any workplace safety incident or issue must be reported by an employee within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

A written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be signed by all concerned parties and submitted to the Administrative Coordinator and the County Clerk within 7 days of the incident or issue for review and consideration by the Personnel Committee.

Step 2:

After receipt of the written report, the Personnel Committee will conduct additional investigation, if required, and normally issue a final report on its findings and conclusions within 7 days of receipt of the written report. Copies of the Personnel Committee's final report will be given to the persons who signed the written report.

Step 3:

The employee may appeal the findings and conclusions of the Personnel Committee and request a hearing before an Impartial Hearing Officer.

Time Limit: If the employee does not submit a written grievance to the Administrative Coordinator and the County Clerk requesting a hearing before an impartial hearing officer within seven days after receipt of the Personnel Committee's final report, the grievance can no longer be addressed in the grievance procedure. If timely requested, the hearing will normally be scheduled within 14 days of receipt of the request for hearing.

If the Impartial Hearing Officer determines that the request for review was untimely, the Hearing Officer's written decision will affirm the decision by the Personnel Committee.

If the Impartial Hearing Officer finds that the request for review was timely, the Impartial Hearing Officer shall proceed to hear evidence to determine whether the employee can show by a preponderance of the evidence that an unsafe workplace condition exists and that remedial action, or additional remedial action, is necessary.

At the conclusion of the hearing, the Hearing Officer shall record one of three outcomes:

1. Sustaining the conclusions of the Personnel Committee,
2. Denying the conclusions of the Personnel Committee and/or recommending additional or alternative remedial measures.
3. **Recommending additional investigation prior to final determination. In cases where the Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing shall be scheduled.**

The Hearing Officer shall render a written decision to the employer and employee within 10 calendar days from the date of the hearing.

Step 4:

The employer or employee may appeal the decision of the Hearing Officer to the County Board. The decision of the governing body shall be final and binding upon the parties.

The employee or employer may request a hearing before the County Board by filing a request with the Administrative Coordinator and the County Clerk within 14 days of receipt of the written

decision of the Hearing Officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 days to submit a reply to the detailed request. Once the request for hearing and reply are received, a hearing will be scheduled at the Board's next regularly scheduled meeting, or at a special meeting at the discretion of the County Board Chair. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

Level of Review: If the County Board finds that the request for review was timely, the County Board shall review the written decision of the Hearing Officer as set forth below. If the County Board finds that the request for review was untimely, the Hearing Officer's written decision will be affirmed by the County Board without further review.

The County Board shall review the written decision of the Hearing Officer, the reasons for the appeal and the reply. The County Board may receive additional evidence or conduct a hearing only if an issue is raised under paragraph 2 below. The role of the County Board, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer fail to follow a fair and impartial process such that the award should be rendered invalid?
2. Is there evidence of corruption, fraud or misconduct by the Impartial Hearing Officer such that the award should be rendered invalid?
3. Did the Impartial Hearing Officer make an error of fact and/or law which renders his/her award invalid?

The employee bears the burden of proving the elements above by clear and convincing evidence. If the answer to each of the above questions is, "No," the County Board will uphold the decision of the Impartial hearing Officer. If the answer to any of the questions above is, "Yes," the County Board shall reverse the decision of the Impartial Hearing Officer.

## CHAPTER 11

### RULES OF CONDUCT – CODE OF ETHICS

Section 1 Political Activity:

- A. No employee is prohibited from engaging in political activity provided that such activity does not interfere with normal work performance, is not conducted during working hours, does not involve the use of County equipment or property, does not involve the use of a County position for the purpose of influencing an election and does not violate State or Federal law.
- B. Under provisions of the Federal Hatch Act, employees who are principally employed in an activity which is financed in whole or in part by Federal funds cannot become political candidates in partisan elections and are subject to other prohibitions in the Federal Hatch Act.

Section 2 Dress: Employees will be expected to dress in a manner which is appropriate to the nature of their position and should practice good personal hygiene. Jewelry, perfume and other accessories should not interfere with an employee's or co-workers' ability to perform their jobs and should not pose a safety or health hazard. Employees should not wear clothing that advertises a company or product, particularly if the employee deals or could deal with the company in the normal course of the employee's work for the County.

Section 3 Personal Telephone Calls: Employees shall make and receive personal calls only of an emergency nature during working hours. Other calls shall be made during breaks or lunch periods and from personal phones if possible.

Section 4 Parking: Our main goal is to be responsive to the citizens of Rusk County. Special parking areas will be designated by the Property Committee.

- A. Public Parking Areas: These areas are signed for 15 or 30 minute parking and are reserved for public parking. No employee is to park in any of these spaces during regular business hours.
- B. Handicapped Parking Areas: Employees should note all parking spaces designated with disabled insignia. These spaces are to be reserved at all times for those who are disabled as defined by law.

Section 5 Rusk County Property: No County property is to be removed from the premises of Rusk County unless authorized by the appropriate immediate supervisor and supervising committee.

Section 6 Recycling: Rusk County employees will recycle paper, aluminum, and other materials, following requirements set forth by the Rusk County Recycling Department and Wisconsin State Statutes. Rusk County will follow State regulations in regard to use of recycled supplies.

Section 7 Purchasing: Rusk County employees shall follow purchasing policies as set forth in the Financial Procedures Manual and interpreted by the Property Committee.

Section 8 Discipline: Disciplinary action against employees may be taken for violations of any personnel policies and procedures, conduct detrimental to the County or for unsatisfactory work performance. At the County's sole discretion, various types of employee discipline may be imposed which include, but are not limited to the following: verbal warning, written warning, or suspension. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. Employees who violate County policies and procedures, engage in conduct detrimental to the County or who have unsatisfactory work performance are subject to disciplinary action, up to and including discharge from employment, as set forth in Chapter 7.

Employees are expected to work in a competent and conscientious manner which reflects favorably upon the employee and the County. Instances may occur when an employee has exhibited questionable behavior and corrective action is necessary. The following is a list of examples of behavior which would normally justify corrective action:

- A. Theft
- B. Dishonesty in any form or degree
- C. Fraud in securing employment
- D. Falsification or unauthorized alteration of records, employment applications, time sheets, time cards, and other documents.
- E. Fighting, gambling, or horseplay
- F. Using profane, obscene or abusive language
- G. Threatening, intimidating or coercing others
- H. Sexual or other unlawful harassment
- I. Carrying unauthorized weapons
- J. Misuse or destruction of County or other public property, including computer data
- K. Disregard of commonly accepted practices of operation of County property which may result in unnecessary and above average repair bills
- L. Incompetence
- M. Inefficiency
- N. Neglect of duty
- O. Unauthorized absences
- P. Failure to report absence within thirty (30) minutes of scheduled shift
- Q. Repeated absences or tardiness
- R. Leaving the job without permission during regularly assigned working hours
- S. Sleeping on duty
- T. Insubordination or willful misconduct
- U. Refusal to carry out reasonable instructions of a supervisor
- V. Assuming duties while under the influence of controlled substances or intoxicants; or



- possession or use of intoxicants or controlled substances during working hours.
- W. Conviction of a felony or misdemeanor, the circumstances of which are substantially related to the duties performed
- X. Negligence or willful damage to property
- Y. Discourteous treatment of the public or fellow employees
- Z. Loss of driver's license if required for the job
- AA. Disregard or violations of safety rules and regulations
- BB. Violation of any other lawful order, directive, policy or work rule

The offenses listed above are not intended to be all-inclusive, and discipline or discharge may occur for any other reason depending upon the seriousness of the offense and the particular circumstances involved.

Section 9 Computer Use Policy: All data, communications, and information transmitted or stored on Rusk County computer equipment is County property, except otherwise provided by law. Because of the threat of security breaches, the Rusk County Property Committee may conduct security monitoring of the network to prevent or detect such breaches. The County will intercept, monitor or view the contents of documents, the contents of e-mail messages, or of websites visited by employees, to investigate and remedy security breaches. Investigation would be deemed necessary if it involved allegations of harassment in the manner provided by the Rusk County Harassment Policy or as otherwise stated herein. Using computer equipment to annoy, abuse, threaten, or harass any person is prohibited, including but not limited to, the creation, transmittal or storage of offensive electronic materials such as racial or sexual slurs.

Employees shall employ the following computer security precautions: (1) Use proper passwords. (2) Notify your supervisor and/or IT Department immediately if you feel your password has been compromised. (3) Do not share your password with unauthorized personnel. (4) Use characters and numbers that are not easily known i.e.: Do not use your child's, pet's or spouse's name. (5) Do not write your password down where someone could find it.

User must understand that it is possible that they may be exposed to unsolicited obscene or objectionable material while using e-mail or the Internet. It is impossible for the County to guarantee privacy on the Internet. Therefore, you are advised not to reveal personal information about yourself or other employees. You must handle confidential and proprietary materials according to the rules of your department and applicable laws and regulations. The Internet and/or e-mail are not to be used as a medium of expression that is unrelated to the programs or operations of the County. Solicitations for outside business ventures and political, religious, or charitable causes are prohibited.

On all Rusk County-owned computers, all installation, removal or disabling of software or hardware must be performed or authorized by IT unless it is specifically required as part of a pre-designated software agreement with a known software vendor. A list of approved and authorized downloadable software can be obtained from IT. All other downloading including, but not limited

to, utility programs, screen savers and games is prohibited. By request, IT will download additional application programs into a safe environment. These programs will be evaluated for compatibility with the County network. If no conflict exists, the programs will be added to the authorized download list. The copying of software for any reason is prohibited unless authorized by IT.

Employees may make limited personal use of IT resources as may be permitted by department policy, or direct supervisor. However, no employee shall have the expectation of privacy concerning any information or data on or transmitted through County computer equipment. Department heads and supervisors are responsible for ensuring that personal use of IT resources is consistent with all department policies and work rules.

Rusk County reserves the right to limit or deny access to the Internet and/or e-mail to any employee. Inappropriate use of computer equipment by an employee that violates Department or Rusk County policy may be investigated and may result in disciplinary action, under the disciplinary procedures required by Rusk County, up to and including termination of employment. Further, such inappropriate use may result in revocation of computer privileges and criminal sanctions under sec. 947.0125 Wis. Stats. (for threatening, intimidating, abusive or harassing messages sent to another person through e-mail or other computerized communications system). Further, criminal charges or civil liability under any and all other applicable laws including, but not limited to, defamation, libel, slander, copyright laws and applicable confidentiality laws may result.

It shall be the responsibility of IT to ensure that this policy is provided to and fully explained to each department head, elected official and employee and to ensure that this policy is applied in a substantially uniform manner.

Section 10 Email Acceptable Use Policy: Email is a critical mechanism for business communications at Rusk County. However, use of Rusk County's electronic mail system and services are a privilege, not a right, and therefore must be used with respect and in accordance with the goals of Rusk County.

The objectives of this policy are to outline appropriate and inappropriate use of Rusk County's Email systems and services in order to minimize disruptions to services and activities, as well as comply with applicable policies and laws.

This policy applies to all Email systems and services owned by Rusk County, and Email account users/holders at Rusk County (both temporary and permanent), and all county Email records.

Account Activating/Termination: Email access at Rusk County is controlled through individual accounts and passwords. Each user of Rusk County's Email system is required to read and sign a copy of this Email Acceptable Use Policy prior to receiving an Email access account and password. It is the responsibility of the individual person to protect the confidentiality of his or her account and password information.

Applications for temporary Email accounts must be submitted to Rusk County Information Technology Department. All terms, conditions, and restrictions governing Email use are included in this Email Use Policy and must be signed, prior to setup and activation of such Email accounts.

Email access will be terminated when the employee terminates their association with Rusk County, unless other arrangements are made. Rusk County is under no obligation to store or forward the contents of an individual's Email inbox/outbox after the term of his or her employment or service has ceased. For this reason, employees should not use their County email account for personal reasons.

General Expectations of End Users: The county often delivers official communications via Email. As a result, individual users of Rusk County Email accounts are expected to check his or her Email in a consistent and timely manner so that he or she is aware of important County announcements and updates, as well as for fulfilling business and role-oriented tasks.

If a user subscribes to a mailing list, he or she must be aware of how to unsubscribe from the list, and is responsible for doing so in the event that their current email address changes.

Email users are expected to remember that Email accounts reflect on the County. Please comply with normal standards of professional and personal courtesy and conduct.

Appropriate Use: Individuals at Rusk County are encouraged to use Email to further the goals and objectives of Rusk County. The types of activities that are encouraged include;

- Communicating with fellow employees, business partners of Rusk County, and clients within the content of an individual's assigned responsibilities.
- Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
- Participating in educational or professional development activities.

Inappropriate Use: Rusk County Email systems and services are not to be used for purposes that could be reasonably expected to strain storage or bandwidth (e.g. emailing large attachments instead of pointing to a location on a shared drive). Individual Email use will not interfere with others' use and enjoyment of Rusk County's Email system and services. Email use at Rusk County will comply with all applicable laws, all Rusk County policies, and all Rusk County contracts.

The following activities are deemed inappropriate uses of Rusk County system and services and are prohibited:

- Use of Email for illegal or unlawful purposes, including copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, marketing, soliciting for illegal pyramid schemes, and computer tampering (e.g. spreading of computer viruses).

- Viewing, copying, altering, or deletion of Email accounts or files belonging to Rusk County or another individual without authorized permission.
- Use of personal web mail accounts to perform County business- related communications and transactions.
- Sending of unreasonably large Email attachments. The total size of an individual Email message sent (including attachment) should be 10 MB (megabytes) or less. Larger files will need to go through the IT Department.
- Opening Email attachments from unknown or unsigned sources. Attachments are the primary source of computer viruses and should be treated with utmost caution.
- Sharing Email account passwords with another or attempting to obtain another person's Email account password. Email accounts are only to be used by the registered user.
- Rusk County allows only limited personal use for communication with family and friends, independent learning, and public service so long as it does not interfere with staff productivity, pre-empt any business activity, or consume allocated resources for Rusk County's Email system. Rusk County prohibits personal use of its Email systems and services for unsolicited mass mailings, non- Rusk County commercial activity, religion, political campaigning, dissemination of chain letters or jokes, and use by non-registered employees.

Monitoring and Confidentiality: The Email systems and services used at Rusk County are owned by the county, and are therefore its property. This gives Rusk County the right to monitor any and all Email traffic passing through its Email system. This monitoring may include, but is not limited to, inadvertent reading by IT staff during the normal course of managing the Email system, review by the legal or security team during the Email discovery phase of litigation, observation by management in cases of suspected abuse or to monitor employee efficiency. IT Staff will read any and all e-mails sent and received when assisting County record custodians in completing requests for public records under Wisconsin Public Records Law.

In addition, archival and backup copies of Email message shall exist, despite end-user deletion, in compliance with Rusk County's records retention policy. The goals of these backup and archiving procedures are to ensure system reliability, prevent business data loss, meet regulatory and litigation needs, and to provide business intelligence.

Backup copies exist primarily to restore service in case of failure. Archival copies are designed for quick and accurate access by County delegates for a variety of management and legal needs. Both backups and archives are governed by the County's document retention policies and/or ordinances.

Use extreme caution when communicating confidential or sensitive information via Email. Keep in mind that all Email message sent outside of Rusk County become the property of the receiver. A good rule is not to communicate anything that you wouldn't feel comfortable being made public. Demonstrate particular care when using the "Reply" command during Email correspondence to ensure the resulting message is not delivered to unintended recipients.

Reporting Misuse: Any allegations of misuse should be promptly reported to your department supervisor or department head. If allegations of misuse involve a County Supervisor, department supervisor, or department head, you shall report the actions to the Information Technology Director for proper handling and documentation. Finally, if allegations of misuse involve a non-county employee, it shall be reported to the Rusk County Board Chairman for action.

If legal action is warranted, the Information Technology Director will request services from Corporation Counsel. Allegations of misuse will be adjudicated according to established procedures. If you receive an offensive Email, do not forward, delete, or reply to the message. Instead, report it directly to the individuals named above.

Disclaimer: Rusk County assumes no liability for direct and/or indirect damages arising from the user's use of Rusk County's Email system and services. Users are solely responsible for the content they disseminate. Rusk County is not responsible for any third-party claim, demand, or damage arising out of the use of Rusk County's Email system and services.

Failure to Comply: Employees who violate this policy may be subject to discipline up to and including termination.

**Section 11 Unauthorized Recording by County Employees in the Workplace: The purposes of this policy are to prevent workplace harassment, maintain individual privacy, promote organizational productivity, encourage open and honest communication, and protect confidential and/or proprietary information including, but not limited to, all non-public information concerning the County's employees and business partners.**

Prohibited Use: Accordingly, the County prohibits the unauthorized and/or secret use of the recording function (where "recording function" means the use of any recording device to capture audio recordings, video recordings, photos/pictures/still images by any means, whether in person, by telephone, by videoconferencing, screenshots, click-to-chat, or otherwise) associated with recording devices (including, but not limited to, cameras, PDAs, Cellular/Mobile Telephones, other wireless communication devices, etc.) in the workplace.

Permitted Use: Utilizing a recording device's recording function in the workplace is permitted when all of the following are present:

1. A legitimate purpose for utilizing the recording function has been identified and accepted by the County in advance of the recording process;

2. The recording device is/remains in plain view of the person(s) being recorded from the beginning to the end of the recording process; and
3. The person(s) doing the recording has/have received prior written authorization from the Human Resources manager and/or the Administrative Coordinator to utilize the recording function in the workplace.

*Authorized recordings under this policy shall be repositied in the County Z: drive, as they are subject to open records laws.*

Disclaimers: Nothing in this policy shall be construed to prevent the use of cameras, camera phones, video recording devices or audio recording devices by law enforcement agencies or other investigative agencies, during the lawful collection of evidence in an investigation, nor does it prohibit the County from maintaining electronic surveillance devices on/within County property or vehicles, as the County deems necessary from time to time, to ensure safety, security and welfare of all personnel and equipment.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the Municipal Employment Relations Act. To the extent that conduct is protected under the Municipal Employment Relations Act, this policy does not prohibit or dissuade it.

Section ~~11~~ 12 Rusk County Code of Ethics: Rusk County has established a Code of Ethics by Ordinance in Chapter 2, Article XI. Ethics. This applies to all employees.

**CHAPTER 12**  
**ELECTRONIC COMMUNICATION DEVICES**  
**(CELL PHONES, SMART PHONES, ETC.)**  
**POLICY & PROCEDURES**

Section 1 Purpose:

To establish a method for purchasing all electronic communication devices and define the limits of use in County issued devices. To determine if devices are necessary to assist departments in their daily work, and conclude if an employee is eligible to receive a monthly reimbursement stipend. Use of electronic communication devices are an effort to perform business activities more efficiently, to improve productivity and to have access to information that is necessary to carry out responsibilities for approved employees of Rusk County.

Section 2 Procedure:

1. A Department Head must submit an electronic communication device request form to his/her oversight committee if requesting to purchase any electronic communication device to assist with County business. The request must include the employee's name, justification for the device, plan design if a monthly reimbursement stipend is being requested and a place for committee approval or denial. If committee approval is recommended, the request must be submitted to the Property Committee for final approval.
2. The Property Committee shall review the request and grant or deny final approval of the electronic communication device and monthly reimbursement stipend if requested.
3. If the request is approved for a County issued electronic communication device by the Property Committee, the Department Head and IT Department will work together through the County's account representative, if applicable, to obtain the best plan design for the department.
4. If the Property Committee should deny the request, a written reason for the denial will be documented on the request and sent back to the Department Head, with a copy to go on file with the IT Department.
5. The IT Department shall maintain all records of electronic communication device requests, approvals/denials, and any previously County-issued devices that have been lost, stolen or destroyed.
6. Each County-issued electronic communication device invoice will be billed to the department with the Department Head being responsible for their account.

7. Each personal electronic communication device invoice will be billed personally to the individual with the individual being responsible for the account.
8. The following restriction shall apply to all electronic communication devices and their use if they are County-issued.

Section 3 County-Issued Electronic Devices: The following procedures and restrictions shall apply to all County-issued electronic communication devices and their use when conducting County business. (Sheriff's Dept employees are exempt and will follow their department policies and procedures. These are available for review upon request).

- a. County-issued electronic communication devices are to be used only for County business.
- b. If personal calls must be made or received on your County device in an emergency situation, all personal calls must be identified to the County within 10 days of the receipt of the bill by County to determine any applicable charges to the employee.
- c. Inappropriate use, including any violation of these conditions or policies, may result in cancellation of these privileges, as well as disciplinary action as specified in the employee handbook.
- d. All County issued electronic communication devices must be traceable to an authorized employee.
- e. Any new equipment purchased to assist, upgrade, or add on to your communication device must receive prior approval by the Property Committee, i.e. boosters.
- f. All employees are encouraged to pull over to the side of the road to make calls. The vehicle needs to be pulled over to a safe area away from traffic and come to a complete stop. Employees are expected to follow all applicable traffic laws.
- g. If an electronic communication device is to be used in a vehicle while moving, it must be mounted in a hands-free unit and used as directed for hands-free operations.
- h. Prior to separation from the County or transfer to another department, the employee shall surrender the electronic communication device and accessories to the IT Department.
- i. All Employee Acknowledgements shall be signed and filed with the IT Department before the electronic communication device is assigned to the employee/department.
- j. All monthly statements that are submitted must include a detailed billing invoice. The only exception to this policy is the Sheriff's Department when confidential informant's numbers are on the bill. These billing statements will be available for review on a monthly basis by the Finance Office when deemed necessary. Invoices will be pre-approved to avoid late fees being charged to the account.
- k. If late fees are charged to an account the Property Committee may cancel that department's electronic communication device.
- l. The Department Head, governing committee of the department, Finance Office and Property Committee may review all detailed billings on a monthly basis to make sure that employees are not misusing or abusing the privileges, and to make sure that employees pay for any charges that are not directly attributable to County business.
- m. The electronic communication device shall be used only for business activities allowed by the



Property Committee. Use of any County-issued electronic communication device shall follow the standard policies and practices of Rusk County per the Rusk County Personnel Handbook.

- n. Any individual or department who violates the above procedures may have his/her/its electronic communication device privileges terminated by the Property Committee.
- o. Any assistance required for electronic communication devices regarding maintenance and learning operational functions not available through device's company service will be the responsibility of the Rusk County IT Dept.
- p. Any electronic communication device that funding has been provided for by grants or donations to conduct County business will become the property of Rusk County.

Section 4 Subsidizing Personal Electronic Devices: The following procedures and restrictions shall apply to all personal electronic communication devices approved for use to conduct County business.

- a. The employee will be solely responsible for any late fees/activation charges/ or termination of contract charges.
- b. The employee will be solely responsible for payment of monthly bills.
- c. The employee will only be reimbursed a base rate of \$30.00 per month for an electronic communication device with remote internet access used for approved County business, after the monthly bill has been paid. A copy of the monthly statement summary page must be attached to a payroll sheet in order to receive the base rate stipend. All stipends for reimbursement shall be submitted within 60 days of the date of billing through the payroll process.
- d. The County is not responsible for damages, excess charges, or theft of personal electronic communication devices; this is the sole responsibility of the employee.
- e. Inappropriate use, including any violation of County policy, may result in cancellation of monthly reimbursement privileges, as well as disciplinary action as specified in the Rusk County Personnel Handbook.
- f. All employees are encouraged to pull over to the side of the road when using electronic communication devices. The vehicle should be pulled over to a safe area away from traffic and come to a complete stop. Employees are expected to follow all applicable traffic laws.

Section 5 EMPLOYEE ACKNOWLEDGEMENT  
Electronic Communication Device:

- I understand that I will be conducting business on behalf of Rusk County and will strive to attain the best standards for the County.
- I understand that Rusk County is liable for all charges made on County-issued electronic communication devices. However, I will be responsible for all charges that do not pertain to County business.
- I agree to use the County-issued electronic communication device for approved County business only and agree not to make personal calls unless it's an emergency. I understand that I will be responsible for all personal calls, and that the Department Head, governing committee, Property Committee and Finance Office will audit the use of the device via monthly statements.

I also understand that corrective action can be taken under Chapter 11 “Rules of Conduct” in the Personnel Handbook for any inappropriate conduct on my County-issued device while conducting County business.

- I will follow the established procedures and responsibilities for the electronic communication device and understand that failure to do so may result in revocation of use of County issued devices or my personal monthly reimbursement stipend and/or other disciplinary actions.
- I agree to return any County-issued electronic communication device or stop submitting requests for personal monthly reimbursement stipends immediately upon request, termination of employment (including retirement), or upon transfer to another department.
- If the County-issued electronic communication device is lost or stolen, I agree to notify the IT Department immediately and cooperate with any investigation and/or insurance issue relating to the device.
- I agree that I will not make any plan changes or upgrades to the County-issued electronic communication device plan and/or equipment unless prior approval is authorized by the Property Committee and I’ve consulted with the IT Department.
- I understand that I am solely liable for all charges made on my personal electronic communication device. However, I will be reimbursed a base rate each month after the monthly bill has been paid through the payroll process and submitted within 60 days of the date of billing.
- I understand that the Department Head, governing committee or Property Committee can take corrective action under Chapter 11 “Rules of Conduct” in the Personnel Handbook for any inappropriate conduct while conducting County business on my personal electronic communication device.
- I have been given a copy of the Rusk County Electronic Communication Device Policy and Procedures and understand the requirements under the proper device used.

(Mark with an (X) indicating the device you are using)

County-Issued Device

Personal Device

Employee Signature of Acknowledgement: \_\_\_\_\_

Date: \_\_\_\_\_

**CHAPTER 13**  
**VOLUNTARY LEAVE DONATION POLICY**

Section 1 PURPOSE: This policy allows eligible County employees to voluntarily donate earned vacation (law enforcement bargaining unit employees) or earned paid time off (PTO for all other employees) to another County employee who has a qualifying medical emergency.

DEFINITIONS: “Medical emergency” means an employee’s extended personal illness or other extended personal medical condition that meets the definition of “serious health condition” under the Family and Medical Leave Act.

Section 2 PROCEDURE

RECIPIENT ELIGIBILITY: In order to be eligible to receive donated PTO/vacation leave:

1. The employee must be employed as a regular full-time or regular part-time employee and must have worked at the County for at least 12 consecutive calendar months. Temporary, casual and seasonal employees are not eligible.
2. The leave time requested must be for a medical emergency.
3. The employee must have exhausted all state and federal FMLA along with accumulated paid leave time.
4. The PTO/vacation donated must be used to preserve in-pay status for the employee during the period of medical emergency.
5. The employee must submit a completed “Authorization to transfer PTO/vacation” form with each time card that contains donated leave.
6. The employee may only use donated PTO/vacation for medical emergency leave requests that meet the definition of “serious health condition” under the Family and Medical Leave Act.
7. The employee may not receive other paid leave or income continuation benefits, including but not limited to worker’s compensation, short term disability, or long-term disability, during the period of the medical emergency for which they are using the donated PTO/vacation.
8. Leave donations are in hourly increments and are not adjusted for pay rates. Recipient employees using donated leave will be paid at their regular wage rate regardless of the wage rate of the employee donating the leave hours.
9. If the employee earns additional leave time while using PTO/vacation donations, the employee will be required to use this additional leave time as it is earned.
10. If the employee is able to return to work on an intermittent basis during the period of medical emergency, the employee may use the donated PTO/vacation for intermittent absences associated with the medical emergency.

11. Employees must return to active work status for at least 12 calendar months before they may make another request for additional donated leave time.
12. In the event the County has reason to believe a recipient employee is abusing the voluntary leave donation program, the County reserves the right to exclude the employee from the program and take disciplinary action, as appropriate.

DONOR ELIGIBILITY: In order to be eligible to donate PTO/vacation leave:

1. The employee must be employed as a regular full-time or regular part-time employee and must be in-pay status.
2. The employee must have a minimum of 5 days of earned and accrued vacation (law enforcement bargaining unit employees) or 5 days of earned and accrued PTO (all other employees). Donated time has to come from current PTO/vacation. Donating time from the Extended Leave Bank is not allowed.
3. Leave may only be donated in hourly increments of the recipient employee. Employees may donate a maximum of up to 40 hours to the same individual per calendar year.

DONATED LEAVE: Rules for utilizing this benefit:

1. Donated leave will be in hourly increments of the recipient.
2. Donated leave will be subject to all tax liability associated with regular pay and shall be the responsibility of the recipient.
3. When an employee determines that they are or will be out of leave time and will need to acquire permission to be off on unpaid leave, they may then request that their department head send out an email to all County employees that the employee could use donated time assistance. The email should instruct employees interested in donating time to contact the recipient employee on their own. The recipient employee will be responsible for completing an "Authorization to transfer PTO/vacation" form and is to include that form with the time card on which the donated days are used. The donating employee will submit a duplicate of the "Authorization to Transfer PTO/vacation" form with their own time sheet.

RECORDKEEPING / CONFIDENTIALITY:

1. When a potential recipient employee requests that their department head send out a County-wide email for assistance, the employee is authorizing the communication of his/her need for donated leave on a County-wide basis.
2. The County will keep all transfer of leave information confidential, including the names of employees involved and the amount of any time donated.
3. In that the costs principles of the Federal Government do not allow for the donating of vacation

benefits under the Uniform Guidance, all donated time would be a cost to the County Tax Levy. In addition, any costs will be excluded from the Department(s) claimable Federal/State grant allocations.

4. An employee may not directly or indirectly make any attempt to intimidate, threaten or coerce any other employee for the purpose of soliciting leave donations. Such action is considered misconduct and will subject the employee to disciplinary action, including dismissal.
5. Any decisions made or actions taken by the County with respect to the voluntary leave donation program, including but not limited to, determination of eligibility, documentation required, and modification or termination of the program's benefits, are non-precedential, are final and binding on all parties, and shall not be grievable or arbitrable under any labor contract or County policy.
6. The County reserves the right to modify, discontinue or terminate this policy at any time.

## CHAPTER 14

### ACCESS TO PERSONNEL RECORDS

- Section 1 Purpose: To set forth guidelines for employee access to personnel files and access to personnel records by third parties.
- Section 2 Location: All official employee personnel files shall be maintained in the ~~Finance Department (payroll)~~ Human Resource Manager's office in a locked cabinet and the ~~Administrative Coordinator~~ Human Resources Manager shall be designated as the primary record custodian, and ~~Finance Department staff~~ Administrative Coordinator as secondary record custodian. Department Heads may maintain and secure duplicate copies of personnel documents in their offices for their own use. All employee medical records shall be maintained in a separate file and shall not be maintained with the file with other personnel records.
- Section 3 Employee Access:
1. Employees are permitted to inspect any personnel documents which are used or which have been used in determining the employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. This right may be delegated to a union representative or other third-party agent.
  2. Employees are limited by statute to two (2) requests per calendar year.
  3. An opportunity to inspect the employee's personnel records must be granted within seven (7) working days of the request for inspection. The place and time of the inspection should be negotiated between the employer and the employee.
  4. An employee has a statutory right to attach a statement to any disputed portion of a personnel record. The employee's statement must be included whenever that disputed portion of the personnel record is released to a third party.
  5. An employee, or the employee's representative, has a statutory right to receive a copy of the employee's personnel records. The employer may charge a reasonable fee for providing copies of the records, which may not exceed the actual cost of reproduction.

## CHAPTER 15 SOCIAL MEDIA POLICY

### Section 1 Social Media

Rusk County recognizes that emerging online collaboration platforms are fundamentally changing the way citizens, government entities, and businesses interact with each other. The County has determined that online discourse through social computing may facilitate the efficient delivery of County services and foster positive public perception and a sense of community.

### Section 2 Purpose: This policy is intended to provide a framework for use of social media when authorized by the County as part of an employee's job duties. This policy also provides general guidelines for the personal use of social media by all employees.

The forms of social media or technology referred to in this policy include, but are not limited to Facebook, LinkedIn, Twitter, YouTube, video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the County.

County-owned technology resources are the property of the County, as is all data created, entered, received, stored, or transmitted via County-owned equipment. All use of social media or similar technology is subject to all County policies, including but not limited to the Information Technology Use policy, as well as any existing internet, email, and harassment policies. Employees may be subject to discipline, up to and including discharge for conduct that violates County policies or rules and regulations, whether such conduct occurs on- duty or off-duty. Please refer to each of these policies for additional information.

### Section 3 Changes to Policy:

Rusk County may, from time to time, modify this Social Media Policy to reflect legal, technological and other developments.

### Section 4 Changes in This Revision:

The following changes have been made to this revision of the policy:

1. Additions to Comment Policy
2. Additions to Personal Use of Social Media

### Section 5 Definitions:

The following definitions relate to terms as used within the context of this policy:

**Social Media** - a means of interactions among people in which they may create, share, and exchange information and ideas in virtual communities and networks.

**Blog** - discussion or informational forum published on the internet and consisting of discrete entries ("posts") typically displayed in reverse chronological order.

**Facebook** – social media network found at Facebook.com

**Twitter** – social media network found at Twitter.com

**Spam** - unsolicited bulk messages, especially advertising, indiscriminately sent to any number of recipients

**Social Media Site** – Any platform on which to build social networks or social relations for the sharing of information of common interest

## Section 6 Work Related Social Media Guidelines:

The work-related use of social media can range from passive review of social media profiles for informational or investigative purposes, to the authoring of content through a department sponsored social media account. Any such work-related use must be approved by an employee's supervisor. The following conditions also apply to such use:

1) 1. Employees authorized to publish content to a department sponsored social media site shall be designated as social media representatives and such designation shall be made by the employee's Department Administrator/Manager/Supervisor with notice to the Information Technology Department/IT Director.

2) 2. Employees are expected to recognize the confidentiality of certain County information, and the privacy rights of employees and residents, and are prohibited from disclosing confidential, personal employee and non-employee information and any other proprietary and/or nonpublic information to which employees have access. Questions regarding whether information has been released publicly or doubts regarding the propriety of any release, shall be directed to the employee's Supervisor/Manager/Department or designated public information officer (if applicable), if any, before releasing the information.

3) 3. When communicating electronically, employees are expected to speak respectfully about the County and County-related matters, and limited to items to which the employee is authorized to speak and identify themselves and their role with the County.

4) 4. Use of all social media platforms shall adhere to applicable state, federal and local laws and regulations. Employees are expected to follow copyright, fair use and financial disclosure laws when using on-line communications. Note that the unauthorized use of copyrighted materials, unfounded or derogatory statements, or misrepresentation, can result in disciplinary action up to and including termination.

5) 5. Employees acting on behalf of the County may not publish content to any website or social



media application that is unrelated to subjects associated with their position with the County. When writing about County matters, try to add value and provide worthwhile information and perspective.

~~7~~ 6. Honor the privacy rights of our current employees by seeking their permission and the permission of their Department Administrator/Supervisor/Manager before writing about or displaying internal happenings that involve the employee.

~~8~~ 7. Employees should not cite or reference County contractors or suppliers without their approval. Care should be taken to not promote one contractor over another or provide preferential treatment of any kind.

~~9~~ 8. When creating content on behalf of the County, social media sites are not to be used to express a political viewpoint or endorse a political candidate.

~~10~~ 9. Be aware of your association with the County and that at all times you serve as an ambassador of the County.

#### **Section 7** General Social Media Site Guidelines for Authorized Sites:

Employees must be attentive to the fact that inappropriate and/or unauthorized postings to official Rusk County social media sites or employee personal social media/social networking sites may have a negative impact on Rusk County's relationship with the general public.

All County social media sites must be sponsored by a department. The department must include a link to this site from their departmental home page on the County's official website.

The sponsoring department will be responsible for all management of an authorized social media site and it is the Department Director/Supervisor/Manager's responsibility to maintain compliance with this policy and all other applicable policies or laws in the management of their social media site(s).

The accuracy, quality and timeliness of all content on an authorized social media site is the responsibility of the sponsoring department. Likewise, the authorization of the appropriate staff to maintain such a site is also the responsibility of the sponsoring department.

When creating a County social media site, page, etc., all departments and employees should adhere to the following Guidelines:

~~1~~ 1. Appropriate use: All communications carried out on County equipment or County-sponsored electronic media must adhere to the appropriate use guidelines set forth in the Information Technology Use policy.

~~2~~ 2. Encourage one-way communication when possible. Use of two-way communication is permitted in cases where limiting the application to one-way communication would reduce or negate the value of the social media application.

3. All official Rusk County social media sites will include a disclaimer similar to the following: *“The information provided herein is provided as a courtesy and for informational purposes only. Please contact the listed contact for this (site, page, etc.) to confirm the accuracy of the information found here. Content on this site is not to be construed as a legal notice”*

4. Comment Policy: Any County-authorized social media site which allows comments to be posted must display the following comment policy:

*The purpose of this site is to present matters of public interest in the County of Rusk, including information regarding its many residents, businesses and visitors. We encourage you to submit comments, but be advised this is not an open public forum. Once posted, the County reserves the right, but assumes no obligation, to delete submissions that are illegal, obscene, defamatory, threatening, invade privacy, or which are considered to be offensive to anyone or may infringe upon the intellectual property or copyrights of others. The County does not necessarily review all posted comments on a regular basis. Furthermore, the County reserves the right to delete any comment for any reason and will immediately delete any comments that include: spam or links to other sites; are clearly off topic; advocate illegal or illicit activity; promote particular products, services or vendors; infringe on copyrights or trademarks; or advocate for a particular political party, candidate or point of view. Comments expressed on this site do not necessarily reflect the opinions of Rusk County or its employees. The County takes no responsibility nor assumes any liability for any content posted on this site. Please contact the site administrator for assistance with a comment you believe violates the above policy.*

If the particular social media technology does not provide space for the above, a link from the social media application or user profile to the Social Media Policy page on the County website is to be provided.

Departments are required to enforce this policy and verify that all posts comply with these guidelines:

- a. No spam
- b. No off topic posts
- c. Promotion of illegal activity prohibited
- d. Copyrighted or licensed material prohibited
- e. Promotion of political organization prohibited
- f. Promotion of products or services prohibited
- g. Personal attacks prohibited
- h. Personal protected information prohibited
- i. Violent, obscene, **graphic, explicit** or racist comments prohibited
- j. Repetitive posts prohibited

k. False statements or false information prohibited

5)5. Administrative Structure: any County authorized social media site will require the following:

- a. Assigned administrator: this person will be responsible to see to it that the use of the social media site adheres to this policy and all related County policies. The name of the site administrator must be filed with a request for an authorized social media site.
- b. Backup administrator: to prevent issues related to site administration during the absence of the site administrator, all authorized sites must have a named backup administrator also to be filed as part of the request for an authorized site. It is the responsibility of the sponsoring Department Administrator/Supervisor/Manager to update this information should the authorized personnel change.
- c. Approved content authors: sponsoring departments must authorize all employee content authors for their departmental social media site.

6)6. Notification to Administration and IT: The Administrative Coordinator and Information Technology offices are to be made aware of any and all Department-sponsored social media sites, to include the following information:

- a. Site Address
- b. Purpose of Site
- c. Administrator of site and Backup Administrator
- d. Type of communication, one-way, two-way moderated, open two-way

7)7. Required elements of a County-authorized social media page: technology permitting, all County-sanctioned social media sites should contain the following information in a prominent place on the site:

- a. County Department clearly identified
- b. Comment policy
- c. Stated purpose of page
- d. Notification that violations of comment policy will result in blocking user
- e. Disclaimer – See Section IV, 3) above
- f. Official contact for page

8)8. Prohibited content: The following types of content are prohibited on County-sponsored social media sites:

- a. Political opinions or endorsements, campaign ads or links to any such content
- b. Content that may be considered offensive
- c. Content not related to the stated purpose of the particular social media site

## Section 8 Open Records:

Open Records requirements are mandated by the State of Wisconsin. Each department utilizing a social media presence is responsible to ensure compliance with all applicable open records laws. The following guidelines are intended to assist departments in maintaining such compliance:

- 1)1. It is recommended that County social media authors use only existing material from existing County web pages or previously published documents.
- 2)2. If reasonably possible all content exclusive to a department's social media site should be captured and saved in an archival copy.
- 3)3. Removal of content should be only if absolutely necessary and copies of all content removed from the site are to be retained.
- 4)4. Do not use social media as medium for conducting business transactions or official government business.
- 5)5. Technology permitting, it is recommended that a backup of the entire site be captured and retained on a regular basis.

If you have questions as to applicability of open records law to specific content, or a particular use case, it is recommended that you contact the Corporation Counsel prior to posting the information or utilizing social media.

## Section 9 Personal Use of Social Media:

Rusk County respects the rights of employees to use social media and does not discourage employees from self-publishing, self-expression and public conversation and does not discriminate against employees who use these mediums for personal interests and affiliations or other lawful purposes. Employees who have personal social media/social networking sites should ensure these sites are personal in nature and be used to share personal opinions or non-work-related information. The employee must maintain a distinction between sharing personal and official government views. In addition, employees should never use their Rusk County e-mail password or e-mail account in conjunction with personal social media/social networking sites unless authorized to do so by the Department Administrator for official Rusk County business. Employees are expected to follow the guidelines and policies set forth in the Rusk County Personnel Handbook to provide a clear line between you as the individual and you as the employee of Rusk County. **If an employee identifies himself/herself as a Rusk County employee during their personal use of social media, the employee shall clearly indicate that he/she is speaking on his/her own behalf and not on behalf of Rusk**

County.

1)1. Employees are personally responsible for their commentary on all social media sites and can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any party.

2)2. Employees can be disciplined for any use of social media in a manner that violates County policies. Information posted on social media sites can be used by the County as evidence in disciplinary actions.

3)3. Employees are encouraged to be careful in their use of social media to avoid the appearance of using that media in an official capacity.

4)4. Employees cannot post the name, trademark or logo of the County, county-privileged information, including copyrighted information or county-issued documents, or photographs of other employees, residents, vendors or suppliers taken in their capacity as County employees.

5)5. Personal use of Social Media during the workday should be limited to breaks or incidental use as part of work activities. Personal social media accounts and applications should not be housed on County technology unless necessary for the employee's work-related activities.

6)6. Personal social media platforms may be subject to legal discovery or record requests.

7)7. Employees are advised of Rusk County's Employee Free Speech Policy and its applicability to Social Media use.

**Section 10** Employee Monitoring: Employees have no expectation of privacy while using the County's technology resources for any purpose, including authorized social media. The County monitors all such use and may withdraw content deemed to be inappropriate, outside the scope of an employee's authority, or in violation of County policy as determined by the Department Administrator/Manager/Supervisor and/or the Administrative Coordinator.

**Section 11** Reporting Violations: The County requests and strongly urges employees to report any violations or possible violations of this policy to their Department Administrator/Supervisor/Manager and/or the Administrative Coordinator.

**Section 12** Discipline for Violations: The County will investigate and respond to all reports of violations of this policy. Violations may result in disciplinary action, up to and including termination.

**Section 13** Acknowledgement: By signing, employees acknowledge that they received, read, understand, and agree to comply with the ~~company's~~ County's social media policy and guidelines. Any questions regarding this policy should be directed to the Information Technology Department and/or Administrative Coordinator.

**Section 14** Rusk County – Employee Free Speech Policy: Rusk County employees, as public employees, have protection from retaliation for exercising certain First Amendment rights.

County employees may be protected by the First Amendment only when the employee is speaking as a private citizen on a matter of public concern and the employee's interest in speaking freely outweighs the County's interest, as an employer, in efficiently fulfilling its public services. If a County employee engages in speech as part of their official job duties, then that employee may not have First Amendment protections for that speech.

Speech is considered to regard a matter of public concern if it relates to a social, political, or community issue. Internal workplace conflicts are generally not considered to be matters of public concern, even if the workplace is a public entity. Consequently, most workplace complaints and grievances generally are not protected by the First Amendment. Whether any particular speech is protected by the First Amendment is a fact specific analysis.

Any questions regarding whether speech is protected may be directed to Corporation Counsel.

Social Media: The analysis outlined above also applies to a County employee's use of social media. As with other communications, whether an employee's use of social media is protected by the First Amendment depends on the capacity of the employee and the content of the posts. If an employee makes social media posts in the course of his or her employment, then the County has the right to control the message of those posts.

If a County employee posts on social media as a private citizen, the First Amendment may protect the employee from County discipline if the posts are on a matter of public concern and the employee's interest in speaking on the matter outweighs the County's interest in efficiently fulfilling its public services. If a County employee, acting as a private citizen, posts on social media regarding a County matter that is not of public concern, then the County may be able to discipline the employee if the County has a rational basis for imposing the discipline.

## ACKNOWLEDGEMENT AND AGREEMENT

I ACKNOWLEDGE RECEIPT OF THE RUSK COUNTY PERSONNEL HANDBOOK which outlines my benefits and responsibilities as an employee of Rusk County.

I UNDERSTAND that this handbook IS NOT a contract, nor does it guarantee employment. I ACKNOWLEDGE that my relationship with Rusk County is that of an employee-at-will and unless otherwise provided by state statute or an applicable collective bargaining agreement, all employees are employees "at-will" and may be dismissed by the County at any time with no notice or reason and the employee is free to quit at any time with no notice or reason.

I HAVE READ AND UNDERSTAND fully the contents, policies, procedures, and agreements, pertained therein, including: purchasing cards, computer use, email use, electronic device use, etc., and agree to abide by the provisions during the term of my employment with Rusk County. I FURTHER UNDERSTAND that Rusk County has the right to add to, modify, or eliminate any of the above provisions at any time.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYMENT DATE: \_\_\_\_\_

TERMINATION DATE: \_\_\_\_\_

EMPLOYEE COPY