

RESOLUTION NO. 2022-54

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
TO APPROVE EMPLOYEE HANDBOOK DATED 05/16/2022**

WHEREAS, the Village of Caledonia has historically and currently uses personnel policies, compiled together as “Employee Handbook” to guide employee conduct, benefits and protections; and

WHEREAS, the last Employee Handbook was adopted in 2013; and

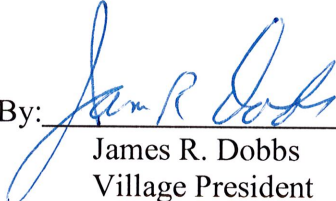
WHEREAS, the Village Board, since 2013, has approved various additions, changes, and deletions to employee policies contained that need to be incorporated into the Employee Handbook; and

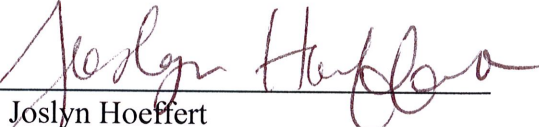
WHEREAS, the Employee Handbook should be updated to reflect, include or update sections that address best practice and legal changes and requirements;

NOW, THEREFORE, BE IT RESOLVED that the Caledonia Village Board approves the Employee Handbook as presented on 05/16/2022 and understands that any future policy changes shall be approved by the Village Board or designated committee and further understands that the Employee Handbook shall be updated at least annually to include these policy changes.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 16 day of May 2022.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs
Village President

Attest: 
Joslyn Hoeffert
Village Clerk

VILLAGE OF CALEDONIA
EMPLOYEE HANDBOOK



DRAFT

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We are pleased that you have decided to join us at the Village of Caledonia. We hope that your association with the Village will be a long and mutually beneficial one. Our top priority is quality service to the community, and the efforts of each employee are critical to providing the service our residents deserve.

We value our employees and want to make your employment as satisfying as possible. Our wage policies and benefits programs are designed for this purpose and are subject to change.

This Personnel Manual (“Manual”) has been prepared to provide you with necessary information for you to function as an effective member of our team. Please take time to read it carefully. It should answer many of the questions you may have. If you have any questions not answered by the Manual, please contact Human Resources. We hope that your employment with the Village is both enjoyable and rewarding.

VILLAGE BOARD

VILLAGE OF CALEDONIA

PERSONNEL MANUAL

Employee accomplishments and cooperation are the most important factors in the continued growth and success of the Village of Caledonia. It is the Village's objective to provide a relationship of mutual trust and respect which allows employees to attain personal satisfaction from their work and contribute to the Village's growth. The Village is dedicated to providing safe and efficient service to our residents. Our employees are our most valuable resource in ensuring the quality of this service. The goal of the Village is, therefore, to provide our employees with a workplace environment that promotes health and safety.

Accordingly, for these reasons, it is the Village's policy:

- a) To select and hire the best qualified individuals without regard to race, creed, color, age, sex, national origin, handicap, marital status or sexual orientation, or any other category protected by applicable employment laws.
- b) To consider promotions from within by providing opportunities for qualified employees to fill open positions whenever appropriate at the discretion of the Village Board.
- c) To provide safe working conditions by maintaining an orderly operation and developing and adhering to policies and practices that ensure the safety and health of employees.
- d) To encourage individual self-development through job-required educational opportunities, training and other opportunities for skill development and advancement.
- e) To keep employees informed by communicating about developments of interest within the Village.
- f) To encourage open discussion of all ideas, suggestions, problems and matters of concern among Village employees, supervisors, and managers.

SCOPE OF POLICIES

Except where otherwise stated, the policies in this Manual shall apply to all Village employees, except safety employees who are subject to one of the following collective bargaining agreements, but only to the extent that the subject matter is addressed in the collective bargaining agreement:

- (1) Agreement with the Village of Caledonia Firefighters Local 2740 of the International Association of Firefighters;
- (2) Agreement with the Caledonia Professional Police Association Local No. 403, and

Where a benefit or right is the general subject of a union contract, the union employee is not entitled to supplement, enhance, or otherwise change such benefit or right with terms in this

Manual.

The Manual does not apply to elected officials except as to their supervision of Village employees covered by this Manual.

The provisions of this Manual apply to the Fire Department's Battalion Chiefs and Police Department Command Staff, except where indicated to the contrary.

Pursuant to 2011 Wisconsin Act 32, non-represented law enforcement and firefighting managerial employees employed as of July 1, 2011, are treated the same as represented public safety employees employed by the Village with respect to the employee portion of the Wisconsin Retirement System contribution.

The language set forth in this Manual supersedes all previous Village and Town of Caledonia personnel policy manuals and all previous sanitary district and utility district manuals. When there is a conflict regarding the present personnel policy manual and any other past practices related to personnel matters, this Manual will prevail. If any issues that are not covered by this Manual arise, they shall be resolved by the Village Board and its Personnel Committee on a case-by-case basis.

PART I: PRE-HIRING AND HIRING

AMERICANS WITH DISABILITIES ACT- ACCOMMODATIONS

In accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, the ADA Amendments Act of 2008 and the Wisconsin Fair Employment Act, the Village of Caledonia prohibits discrimination against qualified individuals with disabilities in all employment practices, including: job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. The Village of Caledonia is committed to making reasonable accommodation in job duties, the work environment, and the application process to enable a person with a permanent or chronic medical restriction to enjoy equal employment opportunities, as long as such accommodations do not constitute an undue hardship on the Village. In addition to this policy, we have an ADA Accommodations Policy and Procedures document with more information.

A. Application Process

In accordance with the law, all applicants for Village positions must have accessibility to all steps in the selection process and are protected from disability related questions that could potentially screen them out of the application process. Applicants may not be asked questions that are likely to elicit information about a disability, including whether an applicant has a particular disability. Inquiries regarding an applicant's medical or worker's compensation history may also not be asked. However, applicants may be asked questions concerning their ability to perform the essential functions of a job. An applicant may not be asked to describe or demonstrate how they would perform the job functions unless all applicants are asked to do this or if the disability is obvious or the applicant discloses a hidden

disability.

Reasonable accommodation will be provided to qualified applicants during the selection process to ensure that all applicants have accessibility to all phases of the process. Accommodations may include making an interview room accessible or supplying an interpreter or reader.

B. Pre-Employment

Pre-offer physicals are prohibited by the Village, as are inquiries regarding the existence of an applicant's disability or the nature and severity of the disability. After an offer of employment has been extended, it may be conditioned on the results of a medical examination, as long as all individuals in the same job category have to undergo a medical exam. The information received during medical examinations will remain confidential. However, a supervisor may be told of a candidate's necessary restrictions and/or accommodations.

If the existence of a disability is revealed during the medical exam, the offer of employment may not be withdrawn unless: (1) the reason is job related and consistent with business necessity and no reasonable accommodation can be made; (2) the disability poses a direct threat to the health and safety of the applicant, other employees or the general public, and which cannot be eliminated by reasonable accommodation.

C. Reasonable Accommodation

The Village is committed to making reasonable accommodation in job duties, the work environment, and the application process to enable a qualified individual with a disability to enjoy equal employment opportunities, as long as such accommodations do not constitute an undue hardship on the Village.

D. Complaint Procedure

If an employee believes they have been discriminated against in employment on the basis of disability, an internal complaint may be filed through the Village's harassment complaint procedure, or a formal complaint may be filed with the Wisconsin Equal Rights Division of the Department of Workforce Development and/or the federal Equal Employment Opportunity Commission.

CHAIN OF COMMAND

Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy in the Village resides by law with the Board under the leadership of the Administrator and Village Board President. The Administrator, as the chief administrative officer of the Village, is the primary professional advisor to the Board and head of the management team. Department Directors of the Village are part of the management team, and the Directors report to the Administrator. Supervisors subordinate to the Directors are also members of the management team. This management team concept is the process by which a recommendation for Board action is developed and the decision implemented. This system represents a means of establishing orderly lines of

organization and communication as management personnel unite with the Board to promote effective services for the community. For the Police and Fire Departments, chain of command is defined by Wisconsin Statutes 62.13 and corresponding department policy

The Administrator is responsible for the development, supervision, and operation of the Village and its personnel and facilities. Employees have the obligation to further the professional advisement of the Board through the chain of command. The Administrator is given the latitude to determine the best method of implementing the policy decisions of the Board.

All staff members and supervisors shall be responsible to the Village Board and the Board President through the Village Administrator. Each shall refer matters requiring administrative attention to his or her supervisor, who shall refer such matters to the next higher authority, when necessary, and through the Administrator to the Board or Board President. Each employee is to keep the person that the employee reports to informed of the employee's activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this manual or about any other aspect of his or her job, then those questions, opinions or suggestions must be directed through the chain of command.

The Administrator and those department leaders, supervisors, and employees directed by the Administrator shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation only and will not be part of deliberation, debate, and voting conducted by Board members.

It is the employee's supervisor's responsibility to assign duties to their employees. If an employee has a problem with an individual, then the employee is encouraged to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, then the employee must address the problem through the employee's immediate supervisor and onward through the chain of command. In some cases, the employee's supervisor may decide to refer the problem through the chain of command where it can be addressed by another supervisor or the Village Administrator. If an employee feels harassed by another person, then the employee is directed to follow the harassment reporting policy in this manual. At any time, an employee may bring concerns or complaints to Human Resources.

EQUAL EMPLOYMENT OPPORTUNITY

The Village of Caledonia is an Equal Employment Opportunity employer. Employment decisions are based on merit and business needs. The Village carefully selects its employees and employs people who are concerned with the success of the Village, who care first about the highest quality public service and the interests of the public, who can carry on their work with skill and ability, and who can work well with our team.

It is the Village's policy to seek and employ the best quality and qualified personnel in all positions, to provide equal opportunity for advancement to all employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against or give preference to any person because of race, color, religion, age, sex, national origin, handicap, genetic information, ancestry, sexual orientation, marital status, arrest or conviction record, or any other basis protected by state or federal law. All employees are required to provide proof of identity and authorization to work in the United States. It is the policy of the Village to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and other laws. The Village will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the Village.

The Village of Caledonia is further committed to providing a work environment in which employees are treated with courtesy, respect, and dignity. As part of this commitment, the Village will not tolerate any form of harassment, verbal or physical, with regard to an individual's race, sex, national origin, or any other protected characteristics. Therefore, all employees are encouraged to bring any concern or complaints in this regard to the attention of management through the chain of command or through the reporting procedures in specific policies; employees may also report issues to Human Resources. All complaints of sexual harassment, or harassment of any kind, will be investigated promptly and, where necessary, immediate, and appropriate action will be taken to stop and remedy any such conduct.

All employees share in the responsibility for assuring that the policies are effective and apply uniformly to everyone. Any employees, including managers, involved in discriminatory practices will be subject to corrective actions up to and including termination.

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

EMPLOYEE PERSONNEL FILES

All Village employees have a permanent personnel file. Each employee must complete all forms required by the Village, state, and federal governments, which will become part of the employee's permanent personnel file.

Each employee must notify Human Resources of any changes in address, telephone number, or name as soon as possible. This information is used to contact the employee, when and if necessary. It is Village policy to protect the privacy of each employee.

Employees may inspect information kept in their personnel file up to two (2) times per calendar year by submitting a written request to the Human Resources; Police Department employees should submit their requests to the Police Chief. Employee inspections of personnel files will occur within seven (7) business days of receipt of the request and must be done with Human Resources or their designee. If an employee disagrees with any information contained in the employee's file, the employee may submit a written request to Human Resources stating that he or she wants a change made to the file. The Village Administrator will review the request and make the determination on whether the change will be made. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position, which statement shall be attached to the disputed record along with the Village Administrator's decision. Personnel files may not be removed from the Administration area of the Village Hall.

Public Inspection: Most documents contained in employee personnel files are considered public records. Therefore, when receiving a request for such records, the custodian will disclose the information unless there is an appropriate basis for denying access to the requester. While there are specific statutory exemptions for certain types of documents, in most instances a balancing test will be applied and only if the reasons for nondisclosure outweigh the public policy in favor of disclosure will the custodian refuse access to the records. Before releasing any records that may affect an individual's reputation or privacy, the custodian will notify the individual affected by the release of the records and allow him/her the opportunity to obtain judicial review of the decision to release the records.

GENERAL HIRING PROCESS FOR NON-REPRESENTED POSITIONS

This General Hiring Process for Non-Represented and Represented Public Works Positions applies as a guideline for the hiring of those employees of the Village of Caledonia. The processes outlined herein are subject to modification or temporary discontinuance at the discretion of the Village Administrator or the Village Board or applicable Committee. While the Police Department and Fire Department may utilize some or all these procedures, their hiring process and guidelines are governed by separate policy documents or processes subject to approval by the governing authority of the Village Board or the Police and Fire Commission. All applicants must be given an equal opportunity for employment. All qualified candidates for Village positions must be treated in the same manner and given the same consideration without regard to their traits that are protected by law.

The 1978 Uniform Guidelines on Employee Selection Procedures (see Appendix A), adopted by the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs (OFCCP), govern the requirements of selection procedures to assist in prohibiting discrimination and apply to every selection procedure (subjective or objective) utilized. Detailed procedures for hiring can be found in the General Hiring Procedures document which also includes the process and procedures for conducting pre-employment background checks.

Background investigations of applicants for employment with the Village are utilized to ascertain an applicant's suitability for employment. This investigation may include, but is not limited to, the review of personnel and employment references, criminal history concerning pending charges and conviction record, credit check, fingerprint records, psychological evaluation, drug screening and medical examination. Hiring procedures and background investigation information for public safety personnel can be found in applicable union contracts.

PART II PAY PRACTICES

ATTENDANCE

Regular attendance, reporting for work on time, and working to the end of a scheduled work period, is expected of each and every employee. Any employee who is absent for three (3) consecutive days without notifying his/her department manager or the Village Administrator is considered to have resigned. Employees will not be paid for time missed due to tardiness. Unsatisfactory attendance, including reporting late, or quitting early, may be cause for disciplinary action up to, and including discharge. While it is recognized that there may be extenuating circumstances for unauthorized absence, due consideration shall be given each on a case-by-case basis. However, an employee who is absent from duty without approval shall receive no pay for the duration of the absence, and shall be subject to disciplinary action, up to and including termination.

All Village employees are required to record and submit for approval their time on the designated platform within established deadlines, including requests for time-off.

CLASSIFICATION OF EMPLOYEES

Probationary: A probationary employee is an individual whose performance is being evaluated to determine whether further employment with the Village is appropriate. All new employees (i.e., employees hired after the effective date of this Manual) are regarded as probationary until completing one year of continued service. Completion of the probationary period does not guarantee continued employment for any specified period, nor does it modify or change the employee's at-will status or require an employee be discharged only for cause. During this time-period, employees may not utilize the Discipline and Grievance Procedure set forth below in this manual. Employees who satisfactorily complete the period will be notified of their new employment classification, and their starting date for length of service purposes will be the first day of employment with the Village.

Regular Full-Time: A regular full-time employee is a person who is normally scheduled for 40 hours or more per week and paid for at least 2,080 hours per calendar year.

Regular Part-Time: A regular part-time employee is one who is normally scheduled for at least 20 hours per week but less than 40 hours per week and paid for at least 1040 hours but fewer than

2,080 hours per calendar year. The Village Board may grant exceptions, on a case-by-case basis, to the definition of "regular part-time" to accommodate unique situations, or to grandfather in employees working for the Village as of December 31, 2011.

Temporary Part-Time: A temporary employee usually works an irregular schedule depending upon the Village's needs. The employee is hired for a limited period of time, such as for the summer or the duration of a particular project or reports for work on an "as needed" basis. Students hired for seasonal or part-time work are classified as temporary employees. Part-time temporary employees cannot exceed 1,200 hours of work per year without prior approval from the Village Board and compliance with this limit shall be the responsibility of both the employee and his or her manager.

Non-Exempt (Hourly): Employees who must be paid according to the minimum wage and overtime provisions of the Fair Labor Standards Act or under Wisconsin law are described as non-exempt employees. These employees are normally paid on an hourly basis and receive overtime-premium pay when working over 40 hours in a workweek.

Exempt (Salaried): Employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act and under Wisconsin law are described as exempt employees. These may include management, executive, administrative and professional employees who are paid on a salary basis.

EMERGENCY ATTENDANCE POLICY

During emergency conditions, the Village Administrator may declare an emergency and may close Village facilities or portions of facilities for specified shifts or for longer periods of time. The Village Administrator may also allow employees to be dismissed early and may excuse tardiness during a declared emergency. Only the Village Administrator, designee or Village Board President may declare that an emergency condition exists.

Notification of a Declared Emergency

If an emergency is declared during working hours, employees will be notified by their department head or designee.

Attendance and Compensation of Non-Emergency Employees

The Village Administrator may close Village facilities or portions of facilities and completely excuse employees from work due to the declared emergency. Certain Positions, including all highway, police and fire department positions, and others as designated by the Village Administrator, are deemed critical and must report to work, regardless of weather conditions. Employees excused from work will be compensated at their regular rates of pay. Employees working on days in which an emergency is declared will not be eligible for compensation other than their normal pay.

Employees have the responsibility of reporting to work on time whenever Village facilities are open. However, under certain circumstances which require the declaration of emergency, but which are not severe enough to close Village facilities, the Village Administrator may allow non-emergency employees additional time to report to work.

The Village Administrator may dismiss employees early during a declared emergency. The Village Administrator will notify department heads of the extent of the declared emergency and the department head will utilize his/her discretion as to which employees may be dismissed and which employees must remain so that required services are maintained. Employees dismissed early will be paid their normal rate of pay until the end of their work shift.

When an employee has previously scheduled a period of absence from work and an emergency is declared during that absence, the employee will be charged with the use of vacation, compensatory, sick, or other form of leave that had previously been scheduled.

Extended Declared Emergencies

Under extended declared emergency conditions (beyond one [1] twenty-four [24] hour time period), departments may be required to place employees on unpaid leave of absence as determined by the Village Administrator, designee or Village Board President.

FAIR LABOR STANDARDS ACT POLICY

It is the policy of the Village to comply fully with the provisions of the Fair Labor Standards Act of 1938, as amended, as well as applicable state laws and Village Collective Bargaining Agreements. Improper pay deductions are prohibited. Failure to comply with this policy will result in discipline, up to and including termination.

A. Covered Employees

The Fair Labor Standards Act (FLSA) identifies two types of covered employees: exempt and non-exempt. Whether an employee is considered exempt or non-exempt under the FLSA depends on his or her duties, responsibilities and salary.

1. Designation of exempt or non-exempt status is the responsibility of the Human Resources Department. Positions will be reviewed based on the actual work responsibilities and salary assigned to each position.
2. Employees who are covered by the Wage and Hour provisions of the FLSA and are eligible for overtime after 40 hours worked (except Police and Fire Department non-exempt employees) in a workweek are considered **non-exempt employees**.
3. Employees exempted by the Wage and Hour provisions of the FLSA must meet certain category criteria as stated in the regulations. These employees are not eligible for overtime and are considered FLSA **exempt employees** if their work assignments fall into one of the following

categories: Executive, Professional, Outside Sales, Computer, or Administrative. Also, certain seasonal recreational employees can be considered exempt from specific provisions. Exempt employees are expected to put in those hours necessary to complete their job and are not eligible for overtime.

A. Non-Covered Employees

Non-covered employees include elected officials and their personal staffs, policy-making appointees, legal advisors, legislative employees, bona fide volunteers, independent contractors, prisoners, and certain trainees.

B. Work Period

1. The standard FLSA work period is a fixed period of seven (7) consecutive calendar days. Police and Fire Department employees may have a fixed work period of up to 28 calendar days.

2. The work period defines the time of day and day of the week when the employee's work period begins and ends.

3. An established work period may only be changed if the change is intended to be permanent and not for the purpose of avoiding the accrual of FLSA overtime.

C. Time Worked

1. Time worked includes all time non-exempt employees are required to be on duty at their prescribed workplaces and all time during which they are permitted to work.

a) Non-exempt employees will be compensated for all time they are required or asked to work which supervisors know or have reason to know they are working.

b) Non-exempt employees who work without authorization are subject to disciplinary action, up to and including termination.

c) Non-exempt employees are required to report all time worked and are required to accurately reflect this on their timecard or in the Village's time system. Failure to correctly record actual work time is subject to disciplinary action, up to and including termination.

d) Supervisors are not to ignore work that non-exempt employees do on their own time. This is a violation of policy and prohibited by the FLSA.

e) The supervisor who signs an employee's timecard or approves his/her time record must have personal knowledge of the hours worked by the employee and must not "adjust the books" or ask an employee to record more or fewer hours than were actually worked. Such an action is not only a violation of policy but is also illegal under the FLSA and may subject the employee and or supervisor to disciplinary action, up to and including termination. Any illegal act may also result in legal action.

2. Exempt employees are paid on a salary basis and are not eligible for overtime. Time records for exempt employees should still reflect an accurate accounting of time worked and paid time off.

D. Meetings/Training

1. Time spent by non-exempt employees attending meetings, training and similar activities must be counted as time worked unless all of the following criteria are met:

a) The attendance is outside of the non-exempt employees' regular working hours;

- b) The attendance is voluntary;
 - c) The meeting, training or similar activity is not directly related to the non-exempt employees' positions; and
 - d) The non-exempt employee performs no work related to his/her position while in attendance.
2. Lunch breaks at training are not considered time worked for non-exempt employees, provided the employee is free to leave and there is no formal instruction during the lunch period.

E. Travel

1. Normal travel, for a non-exempt employee, from home to work and return to home is not considered work time. This is true whether the non-exempt employee has a fixed workplace or works at different locations.
2. Travel to work assignments at sites within reasonable commuting distance of the non-exempt employee's primary work site is considered in the "home to work" category and is not work time. If, however, a non-exempt employee is required to stop by the primary work site for instructions or to pick up materials, the travel from the primary work site to the work assignment will be counted as time worked.
3. Travel between a non-exempt employee's normal work site and another place of assignment, or travel between one assignment and another during the workday, is considered time worked.
4. Travel associated with a one-day assignment at a different location will be considered time worked to the extent that the travel exceeds the time spent in the non-exempt employee's normal travel between home and work.
5. FLSA exempt employees are not entitled to any FLSA compensation for travel time, either outside of, or in addition to, their normal hours of work.

F. Wage Deductions for Exempt Employees

The FLSA allows for the following wage deductions from exempt employee's pay, without destroying the exempt status of the employee:

1. Full workweek or full day increments – for violations of the Village's workplace conduct rules [i.e. sexual harassment, workplace violence].
2. Full day increments – for personal reasons or sickness/disability.
3. Partial day increments – for unpaid leave or a budget required reason.
4. Hourly increments – for FMLA absences, taken as intermittent or reduced leave.
5. Any increment – for violations of safety rules of major significance.

G. Complaint Procedure

An employee who feels they have had an improper pay deduction or have not been paid appropriately should file a complaint with the Human Resources Department immediately. The Human Resources Department will review the situation and determine if an improper deduction has been made and if so, work with the employee to resolve the situation and if applicable, ensure proper reimbursement is made.

LENGTH OF SERVICE

An employee's length of service with the Village of Caledonia begins with the most recent date of hire. Length of service is computed from that date forward for the employee's period of uninterrupted service with the Village, whether or not the employee changes jobs within the Village. Regular part-time employees accrue length of service on a pro-rata basis based on hours worked. All length of service is lost if an employee's employment with the Village is terminated, or if the employee fails to report for work within 72 hours of receiving notice of recall from layoff or fails to report to work following the expiration of an approved leave of absence.

If an individual leaves or is discharged from his/her employment with the Village and at some later date is again employed by the Village, the earlier period of employment does not count towards length of service. The employee's new length of service date will be his/her initial date of hire for the new position. Length of service is the determining factor in scheduling vacations within each department. Length of service will continue to accrue during approved leaves of absence.

OVERTIME CALCULATION AND COMPENSATION

A. Employee Status

Exempt employee: An employee who is designated by the Fair Labor Standards Act (FLSA) as being exempt from its minimum wage and overtime requirements.

Non-exempt employee: An employee who is subject to the wage and hour laws established by the FLSA. Employees designated as such are subject to minimum wage and must receive overtime pay at the rate of one and one-half times their regular rate of pay for each hour worked above 40 hours worked per week.

B. Overtime Compensation- General Rules

Exempt employees are not eligible for paid overtime or compensatory time.

Non-exempt employees shall receive time and one half their regular rate of pay for all hours worked in excess of forty hours per week. Compensatory time, at the rate of one and one-half hours per overtime hour worked, may be earned in lieu of pay, but the granting of such time shall be subject to the efficient operation of the department. Benefit time such as vacation, floating holidays, and sick time does count as hours worked; compensatory time does not count toward hours worked. All overtime must be pre-approved by one's supervisor or the employee will be subject to discipline.

C. Overtime Compensation- Special Rules

Non-exempt Highway Department Employees- Non-exempt Highway Department employees who are ***working snow removal operations*** will receive time-and-a-half overtime pay (or compensatory time)

for hours worked in excess of 8 hours per day, or in excess of 40 hours per week or time otherwise worked outside of the regular assigned hours of 6:30AM to 2:30PM.

Non-exempt Utility Department Employees- Non-exempt Utility Department employees who are working between November 1st and April 30th will receive time-and-a-half overtime pay (or compensatory time) for hours worked in excess of 8 hours per day, or in excess of 40 hours per week or time otherwise worked outside of the regular assigned hours of 6:30AM to 2:30PM.

Police Sergeants- Any police Sergeants assigned a 5-2/5-3 schedule will receive overtime paid at one and a half times (1 ½) the employee's current rate of pay for hours worked in excess of 8 hours per day, or in excess of 40 hours per week.

D. Compensatory Time Bank and Payout

Compensatory time bank. Non-exempt employees may earn and bank compensatory time to a maximum balance of eighty (80) hours. Compensatory time above the authorized accumulation will be paid out during the pay period in which it was earned. An employee may use only up to one hundred sixty (160) hours of compensatory time during the year. There will be no carryover of compensatory time into the next calendar year for non-represented staff except that Police Sergeants may carry over 24 hours of compensatory time per year. Any hours banked and not used by December 31 will be paid out on the next paycheck. Compensatory time shall be paid at the overtime rate it was earned. Requests for payout of compensatory time may be made at any time during the year. Compensatory time payouts will be made as part of a regular payroll cycle, not as a separate direct deposit or check.

Compensatory time will be charged to the department under which it was earned. When an employee has earned compensatory time and separates or transfers out of that department, the compensatory time must be resolved prior to the employee leaving the department. In addition, all compensatory time must be resolved prior to an employee transferring from a nonexempt to an exempt position. Comp time may only be used in minimum quarter (1/4) hour increments.

PAYROLL DEDUCTIONS

Only deductions required by state and federal laws and those authorized by the employee will be deducted from paychecks. All deductions are listed on the paystub. Employees with questions about deductions should contact the payroll department. If an employee's paystub reflects improper deductions or additions, the employee should notify payroll.

PAY DAY

The Village has established biweekly pay periods. Employees will be paid every other Thursday by direct deposit.

PERFORMANCE EVALUATIONS

All non-represented employees will receive annual performance evaluations from the supervisor. For Directors, evaluations will be conducted by the Village Administrator; Directors

will conduct reviews for their department staff. Annual evaluations will happen on or around December or January of each year. Performance evaluations will focus on job competencies and annual goals.

The employee will be given a copy of the performance review form at their evaluation meeting and will have the opportunity to provide a written response that will be included in the personnel file with the evaluation. Job performance evaluations will be made part of the employee's permanent personnel file. Directors will meet with their employees at least quarterly to discuss progress and any concerns for the year.

All recommended merit pay increases must fall within the parameters of the budget set by the Village Board and will be approved by the Village Administrator.

WAGE COMPRESSION POLICY

Wage compression exists when there is an unacceptable difference identified by the Village Administration and Board in annualized wages between a supervisor and a direct subordinate. Compression can exist under a base salary comparison, under a total gross earnings comparison, or both. In determining whether compression is an issue that must be resolved through a wage adjustment, the Village may examine the differences in total compensation between the supervisor and subordinate positions. Unless the total compensation package, including wages, benefits, and working conditions, of the supervisor is determined to compensate for the wage compression, the Village may provide an acceptable base pay differential between a supervisory position and the position directly supervised. The Village may first rely on merit adjustments whenever possible.

Wage compression within the Police and Fire Departments are created and compounded by the fact that lower-level positions continue to maintain collective bargaining rights, and their annual wage increases, and compensation do not always mirror that of the rest of the Village employees. At times, this creates compensation issues between represented and non-represented Police and Fire Department employees. Unless otherwise included by the Village Board, eligible positions include only the Fire Department Battalion Chiefs and the Police Department Sergeants, Lieutenants, Captains, and Deputy Chiefs.

Calculation details for eligible Police and Fire Command Staff can be found in the Wage Compression Policy and Procedures. Staff will attempt to regularly update this document with current wages. Police and Fire Command Staff are also eligible for merit increases based on annual performance reviews conducted by the Chief of their department.

WORKING HOURS

The workweek and hours of work for management employees are established by the Village Administrator based upon the requirements of each position. To ensure telephone and reception coverage, administrative staff will stagger lunches. The normal work hours for Village Hall are

from 8 a.m. to 5 p.m., Monday through Friday. Highway, Utility District, Fire and Police employees will work hours set by their specific department need requirements and contracts. Battalion Chiefs follow working hours set by the Fire Department Contract, which is a 24 hour shift starting at 0700, followed by 48 hours off.

PART III BENEFITS

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Village offers an Employee Assistance Program to employees and their families. This resource helps employees take constructive action to resolve personal problems which affect job performance. Through an outside agency, the program provides professional, confidential assistance for problems such as mental, emotional, financial, legal, marital or family distress, career and employment-related difficulties, alcohol or chemical abuse or other concerns.

The EAP program also provides a means by which the supervisor can take action to address unsatisfactory job performance and to prevent the loss of an otherwise good employee. The supervisor's objective in making a referral to the EAP is that the employee may resolve the problem which has affected his or her work so that quality job performance is restored.

From the date of hire, the EAP is available to all full-time and part-time employees of the Village. It may also be utilized by family members, including dependent members of the household. The program provides professional assessment, referral and brief treatment for a range of individual and family problems. An initial assessment, generally an hour long, is conducted within a day or two of the time the employee calls the EAP. Crisis calls are handled immediately. Referral for appropriate services is made to an agency in the employee's community or one nearby.

Any employee who desires assistance with a problem may contact the EAP directly. The EAP phone number and website information is to be posted at every worksite for that purpose. The posting should also remind the employee to indicate that the contact is being made under the Village's Employee Assistance Program.

In instances where applicable, the Village's leave and health insurance benefits may be utilized for treatment or rehabilitation as provided in the Village's benefit program. Consideration will also be given for the use of personal leave of absence.

FAMILY AND MEDICAL LEAVE

The Village of Caledonia (the "Village") will follow the requirements of the Federal Family and Medical Leave Act ("FMLA") and the Wisconsin FMLA. The Wisconsin and Federal FMLA laws differ in a number of areas. The Village will comply with the more generous provision as required by law.

An employee who has been on the Village payroll for 52 consecutive weeks and who has been paid for

1,000 hours during the preceding calendar year is eligible for Wisconsin Family Medical Leave. An employee who has been employed for 12 months and who has actually worked 1,250 hours during the 12 months before leave is requested, is entitled to unpaid leave under the Federal Family and Medical Leave.

Unpaid leave is available for one or any combination of the following circumstances:

<u>TYPE</u>	<u>ELIGIBILITY</u>	<u>MAXIMUM DURATION FOR STATE LEAVE</u>	<u>MAXIMUM DURATION FOR FEDERAL LEAVE</u>
Personal serious health condition; inpatient hospitalization, chronic condition or continuing care by a physician	Unable to work because of serious health condition	Up to two (2) weeks per calendar year	Up to twelve (12) weeks per rolling 12-month period
Birth, adoption, foster care	Birth of a child, placement of child for adoption or as pre-condition to adoption, or foster care placement	Up to six (6) weeks per calendar year	Up to twelve (12) weeks per rolling 12-month period
Family serious health condition, inpatient hospitalization, chronic or continuing care by a physician	Necessary to care for spouse, child or parent with serious health condition	Up to two (2) weeks per calendar year Also covers care for qualifying domestic partners	Up to twelve (12) weeks per rolling 12-month period
Leave to care for a seriously ill or injured military service member who is a spouse, son or daughter, parent, or next of kin.	Spouse, son, daughter, parent, or next of kin service member has been injured on active duty, and service member is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness.	None	Up to twenty-six (26) weeks per rolling 12-month period, per service member, per injury.

<p>“Qualifying exigency” leave due to employee’s spouse, son, daughter or parent being on or called up for active duty in the Armed Forces.</p>	<p>Short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities where the employer and employee agree to the leave.</p>	<p>None</p>	<p>Up to twelve (12) weeks per rolling 12-month period</p>
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1. Definitions and Clarification on Types of Leave

Child, Spouse, and Parent

A “child” includes not only your biological, adopted, or foster child, but also a step child, legal ward, or child for whom you have day-to-day responsibilities to provide care and financial support. If older than age 18, the child must be incapable of self-care at the time leave is to commence because of a “physical or mental disability.” A “physical or mental disability” is a physical or mental impairment that substantially limits one or more of an individual’s major life activities.

For purposes of Wisconsin FMLA, however, a child over 18 must be incapable of self-care because of a serious health condition (defined below).

The term “spouse” is limited to your husband or wife and does not include an unmarried domestic partner. The Wisconsin FMLA has a separate provision covering qualified domestic partners.

“Domestic partner,” Wisconsin FMLA provides certain benefits to employees with a registered or unregistered domestic partner. Note: To be eligible, registered domestic partners must have filed a declaration of domestic partnership with the Register of Deeds in their county of residence by April 1, 2018, and unregistered domestic partners must have filed an affidavit with the Department of Employee Trust Funds prior to September 23, 2017, attesting to satisfying specific statutory criteria.

A “parent” includes your biological parents or another individual who provided day-to-day care

and financial support during your own childhood. Your parent-in-law or parent of your domestic partner is not considered a parent for purposes of the FMLA but is considered a parent for purposes of the Wisconsin FMLA.

Serious Health Condition

A “serious health condition” under the FMLA is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a hospital or other treatment facility or “continuing treatment by a health care provider.”

For purposes of the federal FMLA, a serious health condition involving “continuing treatment by a health care provider” includes any of the following:

- A period of incapacity—inability to work, attend school, or perform other regular daily activities due to the serious health condition—of more than three full consecutive calendar days, and (1) treatment two or more times, within thirty days of the first day of incapacity, by a health care provider or by another health care professional under the orders of or on referral by a health care provider or (2) treatment on at least one occasion by a health care provider that results in a regimen of continuing treatment under the health care provider’s supervision. “Treatment” must be an in-person visit to a health care provider for examination, evaluation or specific treatment.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment due to a chronic serious health condition, such as asthma, diabetes, or epilepsy.
- Any period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as Alzheimer’s, a severe stroke, or the terminal stages of a disease.
- Any period of absence to receive multiple treatments, either for restorative surgery or for a condition that would likely result in a period of incapacity of more than three full consecutive calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, and kidney disease.

Under the Wisconsin FMLA, a “serious health condition” is a disabling physical or mental illness, injury, impairment, or condition involving:

- Inpatient care in a hospital, nursing home, or hospice; or
- Outpatient care that requires continuing treatment or supervision by a health care provider.

The term “health care provider” includes a physician, dentist, clinical psychologist, podiatrist, chiropractor, a nurse practitioner, physician assistant, a nurse mid-wife, a clinical social worker, and certain other health care professionals.

Leave for Child, Spouse or Parent with Serious Health Condition

Federal and Wisconsin FMLA leave may be taken to care for a child, spouse, domestic partner (under Wisconsin FMLA only), or parent with a serious health condition. “To care for” is

defined as caring for a family member's physical and psychological needs, which may encompass basic medical, hygienic, nutritional needs, or safety.

2. Method of Calculating Leave Entitlement

To determine the amount of Federal FMLA leave to which an employee is entitled, **the Village uses a rolling 12-month period, measured backward from the date an employee uses any FMLA leave**. Each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. Pursuant to Wisconsin law, entitlement to State FMLA leave will be calculated based on the calendar year.

Federal and State Family Medical Leave run concurrently, not consecutively.

Unless leave is taken on an intermittent or reduced schedule, as set forth in Section 6 below, leave will be taken on a continuous basis. Employees are entitled to up to 12 weeks of leave.

When a husband and wife both work for the Village, the aggregate number of work weeks of leave they may take for birth, adoption/foster care, care of a seriously ill parent, or leave for a qualifying exigency is twelve (12) weeks under the Federal FMLA. Up to a combined total of twenty-six (26) weeks may be used to care for a seriously ill or injured military service member.

3. Substitution: An employee may elect to substitute accrued leave for any Wisconsin FMLA leave, but will not be required to substitute such paid leave. After the Wisconsin leave has expired, and during any remaining Federal FMLA leave, the employee may choose or the Village may require that any accrued paid vacation, sick, personal holiday, or compensatory time leave be substituted for part or all of the remaining FMLA leave, provided the leave otherwise qualifies under the Village's applicable paid leave policy.

4. Worker's Compensation and FMLA Leave

When an employee is absent due to a work-related illness or injury which meets the definition of a serious health condition, the absence will be counted against the employee's entitlements under the Wisconsin and Federal FMLA. In other words, FMLA and worker's compensation leave will run concurrently.

5. Request for Family or Medical Leave

Except in situations where the employee is unable to provide a written request because of the need for emergency health care, the employee is to provide his or her supervisor with a written application for FMLA leave prior to the requested commencement of the leave on the "Family and Medical Leave Request Form" from the Finance Director. The request shall indicate the date that the employee is expected to return to work. In cases where the need for the leave is foreseeable, the request is to be made at least 30 days prior to the anticipated leave.

If the employee gives less than 30 days notice of the need for leave, the Village may require the employee to explain why it was not practicable to give the 30 days notice. The Village may delay the taking of a requested leave until at least 30 days after the date the employee provides notice when the employee fails to provide proper advance notice, unless the employee was unable to comply because of the need for emergency health care or other reasonable excuse.

In cases of emergency, verbal notice of the need for leave should be given as soon as possible and in accordance with the Village's applicable absence policy, but in no case later than two working

days after the need for FMLA leave has become apparent. Calling in sick, without providing additional information, is not sufficient notice of the need for federal FMLA leave.

If an employee has been out for three or more days in a row, or if the Village has information that the employee is out for an FMLA-qualifying reason but has not requested FMLA leave, the Village may require the employee to complete an FMLA Request Form and Medical Certification so the leave may be properly designated. The Village may also retroactively designate FMLA leave when it later learns that certain leave was FMLA-qualifying.

The employee is to advise the supervisor if his or her return date changes. The employee who overstays a leave of absence will be considered to have voluntarily terminated unless the employee was unable, due to a health care emergency, to notify the employer.

6. Intermittent or Partial Leave

With the consent of the Village, an employee may take intermittent or partial leave for the birth or adoption of a child. The employee may take intermittent leave, whenever medically necessary, to care for a parent, spouse, domestic partner (under Wisconsin FMLA only), dependent child with a serious health condition, or their own illness or for certain military-related leaves. Also, if the leave is for planned medical treatment and will be taken on an intermittent basis or by a reduced schedule, the employee is expected to schedule the treatment so as to create minimum disruption for the Village. To comply with this requirement, an employee should provide the Village, in writing, with the employee's proposed schedule of partial absences with reasonable promptness after the employee learns of the probable necessity of such leave.

The smallest increment for partial leave is the smallest measure of time that employees are able to take time for any non-emergency leave.

Where intermittent leave or reduced work schedules are requested for foreseeable or planned medical treatment, the Village may temporarily transfer the employee to an available equivalent position if the employee is qualified and the position better accommodates recurring leave.

7. Medical Certification

When an employee requests medical leave for his or her own health condition or leave to care for a family member, the employee must provide medical certification from an appropriate health care provider on a form approved by the Village. This certification should be furnished at the time the leave is requested and at most 15 days from the date such medical certification is requested. In the case of unforeseen leave, the certification should be furnished as soon as practical.

Failure to provide the requested medical certification may result in delay or denial of the leave. This means the absence may then be counted against the employee for purposes of discipline for attendance.

Where medical leave is involved, the Village may, at its expense, require the employee or a family member to obtain the opinion of a second health care provider chosen by the Village. If a dispute exists, a third opinion may be secured. The Village may also request re-certifications on a periodic basis as permitted by law.

8. Insurance

An employee who is enrolled in the Village's group health or dental insurance plans may continue to participate in the program at the same contribution rate as before the leave for the duration of

the leave.

During leave taken under this policy, the Village will continue to pay any portion of group health insurance premiums for coverage that it was responsible for paying immediately prior to the leave as required by law. The employee will be responsible for paying his/her portion of health insurance premiums regardless of whether his/her family and medical leave is paid or unpaid. It is the employee's responsibility to make arrangements with the Village's Finance Director for making premium payments for group health insurance during leaves.

If a staff member fails to return to work or fails to remain at work for a period provided under the law, the Village may recover its portion of the premiums paid for medical benefit coverage during the leave.

9. Fitness For Duty Certification

If leave is due to the employee's serious health condition, s/he may be required to present certification of fitness for duty to his/her supervisor upon returning to work.

10. Return from Family or Medical Leave

An employee will be returned to his or her former position upon return from statutory family or medical leave if the position is vacant. If the former position is not vacant, an employee on statutory medical or family leave will be returned to an equivalent employment position unless the employee would have been terminated during the statutory leave for a legitimate business reason. The employee, however, has no greater right to reinstatement or benefits than if s/he had been actively employed during the leave. If the employee exhausts his or her statutory leave before returning to work, return to work will be controlled by the Village's collective bargaining agreement and other policies and practices.

FUNERAL LEAVE PAY

In case of death in the immediate family, employees will be granted three (3) days funeral leave with pay to allow the employee to arrange and/or attend the funeral. "Immediate family" is defined to include the employee's spouse, children, stepchildren, parents, stepparents, spouse's parents, grandparents, grandchildren, son-in-law, daughter-in-law, brothers and sisters of the employee or his/her spouse.

HOLIDAY PAY

All regular full-time and regular part-time employees receive the following 10 paid holidays:

New Years' Eve Day	Labor Day
New Year's Day	Thanksgiving Day
Good Friday	Friday following Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day

Amount of Holiday Pay: For non-exempt employees, pay for the holiday will be the base compensation for a normal day of 8 hours, except that holiday pay for a non-exempt employee normally scheduled

to work less than 8 hours per day will be based on a prorated scheduled based on normally scheduled hours. Regular part-time employee shall be paid for holidays on the basis of the number of hours typically scheduled to work in a day.

Work Before and After Holiday: To be eligible for holiday pay an employee must work the workday immediately preceding the holiday and the workday immediately following the holiday, unless the employee is already approved to be off such as a scheduled vacation, or pre-approved medical leave. If an employee calls in sick on a day immediately preceding or following a paid holiday the employee shall present a valid medical excuse to receive pay for the holiday.

Work on Holidays: In the event an emergency should make it necessary for an hourly employee to work during a holiday, the hourly employee will work at his/her regular hourly rate for said period and in addition receive his/her holiday pay.

Holidays during weekends: When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday.

Floating Holidays: In addition to the above holidays, regular full-time and regular part-time employees shall receive two (2) floating holidays per calendar year. Employees hired between January 1 and September 30 are eligible for both floating holidays in their first calendar year. Employees hired on or after October 1 are not eligible for floating holidays that calendar year. Thereafter, in subsequent years, they are eligible for the floating holidays.

5-2/5-3 Employees: The provisions set forth above do not apply to employees working on a 5-2/5-3 work schedule since their schedules are designed to include the holidays designated in this policy. They shall not be entitled to the floating holidays as noted above.

Battalion Chiefs: Holidays for Battalion Chiefs are made up of a 24 hour shift.

Eligibility: All employees eligible for holiday pay must be employed for 30 calendar days before being eligible for holiday pay. Regular full-time firefighters and police officers receive holidays with pay in accordance with their specific labor contracts.

INSURANCE PLAN

The Village provides health and dental insurance for all regular full-time employees with the employees contributing a portion of the premium cost for health insurance and dental insurance as shall be determined by Village Board resolution from time to time. For the purpose of health insurance only, a full-time employee is an individual who works, on average, at least 30 hours per week or at least 130 hours of service in a calendar month. Upon hire, the Village also provides life and accidental death and dismemberment insurance coverage for each regular full-time employee and pays the full premium for basic coverage. Details of each insurance plan are covered

in separate booklets that are available from Human Resources.

Any questions regarding coverage, eligibility, or administration of the plan should be referred to Human Resources.

Upon death of an employee who had been enrolled in the Village's group health insurance plan, the employee's survivors who were also enrolled in the plan at the time of the employee's death will continue to receive such group health insurance coverage for a period of 6 months following the employee's death, at no cost to the survivors.

Each employee is responsible for notifying his/her department manager and Human Resources of any change in family status that may affect insurance coverage, such as a marriage, divorce, birth of a child, dependent reaching maximum age for coverage, etc.

All changes in status must be reported within 30 days of the occurrence or the employee may face denial or delay of coverage.

The Village will continue to offer a Health Reimbursement Arrangement ("HRA") for employees to offset a portion of the cost for health insurance deductibles paid. Subject to the authority of the Village to make further modifications, the HRA shall terminate upon the earlier of the following: (1) December 31, 2013, or (2) the depletion of the funds set aside by the Village to fund its responsibilities under the HRA.

Right to continuation of Health/Dental Insurance – COBRA

Following certain qualifying events, if a Village employee or other qualified beneficiary under the Village's group health or dental plan loses Village provided health or dental coverage then the Village will offer such qualified beneficiaries the option of continued health and dental care coverage at their expense under the Consolidated Omnibus Budget Reconciliation Act, or "COBRA." Qualifying events include the following:

- death of the covered employee;
- voluntary or involuntary termination of the covered employee's employment other than by reason of gross misconduct;
- reduction of hours of the covered employee's employment;
- divorce or legal separation of the covered employee from the employee's spouse;
- the covered employee becomes entitled to benefits under Medicare; and
- a dependent child ceasing to be a dependent child under the generally applicable requirements of the plan.

JURY DUTY

The Village recognizes that an employee may be called to serve as a juror. This is a responsibility

that every citizen should fulfill. Should an employee be selected for jury duty, the employee will receive their normal daily wage per day, or partial day served, provided he/she endorses the jury pay over to the Village and provides written confirmation from the Court as to time spent on jury duty. When an employee receives notification to serve on a jury, he/she should notify their department manager and Human Resources, as soon as possible. If released early from jury duty, the employee shall report back to work unless excused by his/her supervisor.

LEAVES OF ABSENCE: GENERAL PROCEDURAL REQUIREMENTS

The Village recognizes the need for an employee to be absent from active employment for an approved cause, for extended periods of time, and to be able to return to the active employment status held prior to the absence. All requests for a leave of absence must be in writing and must specify whether the leave is medical, pursuant to state or federal family/medical leave statutes, military or personal. **All paid leave must be exhausted before an employee will be eligible to take an unpaid leave of absence that is not covered by state or federal law.** The Village will count all absences that qualify as leaves under the Federal Family and Medical Leave Act ("FMLA") and the Wisconsin Family and Medical Leave Act ("WFMLA") against an employee's annual allotment of leave under both acts.

Requests for a leave of absence must be submitted in writing to the department manager 10 days prior to the day the leave is to begin, when possible. The 10-day notice may be waived by the Village Administrator in the case of an emergency, on a case-by-case basis. The department director and Human Resources Manager will determine whether to approve or deny the request.

Terms of Leave of Absence will be up to the discretion of the department director and Administration. A physician's certification of need for continuing the leave must be submitted with the application if the leave is for illness or disability due to an accident.

A medical leave cannot be extended more than three (3) times, so the total leave of absence cannot exceed one (1) year. All approved leaves of absence are without pay and the employee's portion of insurance premium costs must continue to be paid by the employee. Length of service is treated as described in this Manual.

All employees returning from illness or disability leaves must present a physician's statement that they are ready and able to return to their duties to the Village Administrator at least three (3) days prior to the scheduled date of return to work if the leave of absence related to the employee's own medical condition. The Village cannot allow an employee who has not submitted this information to return to work. The Village may require an employee returning from an illness or disability leave to be examined by a physician designated by the Village. If this action is necessary, the Village will incur the expense of the examination. If the employee fails to return from a leave of absence, the Village will assume employment has been voluntarily terminated.

MILITARY LEAVE

Military Reserve Leave:

An employee who is a member of the National Guard or United States Military Reserve, and is under orders to attend a training or encampment (not to include normal weekend training exercises), will be granted time off from his/her position without loss of pay for a period not to exceed 10 working days in any calendar year. It is intended that this will be done without financial penalty to the employee and, therefore, the Village will pay the employee for this time lost in an amount equaling the difference between his/her daily military pay and his/her normal daily wage. The Village will not supplement military pay for any weekend training. To receive the leave and pay, the employee must file a copy of his/her orders with the department manager at least 2 weeks prior to the date of such training or encampment.

Military Leave:

A regular full-time Village employee who is called for training or active duty in the uniformed services of the United States is eligible for military leave, provided the employee gives notice of his or her military obligations. Eligibility for military leave extends to regular part-time employees but does not apply to temporary employees. However, seasonal and other temporary employees returning from military services are re-employed to the extent required by law.

Benefits

Other than as stated above, military leave is without pay. Employee service members may, but are not required to use before, during, or after military service any paid vacation accrued prior to the start of military service. Vacation does not accrue during military leave, but length of service does continue to accrue. Employee service members can elect to continue health and dental insurance coverage for up to 24 months during military leave by paying 102% of the premium plus HRA applicable expenses in a timely manner, and the Village will continue to pay life insurance premiums for the employee. AD&D coverage is not continued during military leave, but contributions to the Wisconsin Retirement System will be made based on the employee's salary paid for the year and as may be required by law. In carrying out the terms of this policy and in all its dealings with employees regarding military leave issues, the Village complies fully with all federal and state laws granting leave and employment rights to employees serving in any branch of the military or other uniformed services of the United States.

Reemployment:

So long as the employee service member meets all eligibility requirements and performs all reemployment steps required under applicable laws, the service member shall be returned to the job he or she would have had but for the military service. Failure of an employee who returns from military service to timely notify the Village Administrator of his/her intention to return to work shall be considered a voluntary termination of employment.

PROFESSIONAL ASSOCIATION MEETINGS/TRAINING/SEMINARS – EMPLOYER RELATED

All Village employees who attend professional association meetings, conferences, training sessions, institutions, workshops, seminars, or special classes during regular working hours and who receive prior approval, as specified below, will be considered for purposes of time reporting and payroll to be at work during the period of meetings, training, and seminars. The hours of work are only for work-related topics and time. All training must be pertinent to the employee's current job with the Village. Activities that are social in nature and not related to the job are not compensable time. Time spent on a "professional development" training or program will be evaluated by the Village to determine if it is compensable time.

In order to qualify for attendance at any professional association meetings, conferences, seminars, trainings or workshops, the employee must have approval from their supervisor in advance.

Prior approval of the department director or Village Administrator must be obtained before any of the association meetings, seminars or training are attended.

The training and seminar program described herein is not part of and shall be considered to be entirely separate from the Village's Educational Incentive Program.

REIMBURSEMENT OF CLOTHING ALLOWANCE POLICY

Clothing Allowance: All Employees of the Utility District, Highway, Engineering, and Building Departments.

Subject to the approval of the employees' supervisor, employees shall be reimbursed for purchases of safety boots and clothing items as listed below in an amount not to exceed Four Hundred and Fifty Dollars (\$450.00) per year to be paid prior to the last payday in December of each year for the current calendar year. Employees may submit receipts and request reimbursement throughout the year. This amount will be prorated for new employees. Copies of receipts shall be provided for all reimbursement requests. A new pair of safety boots must be purchased every year. The clothing allotment shall be used to reimburse the purchase of the following clothing equipment: rain suit, rubber boots, crack-sealing boots, work pants, work shirts and coveralls. The Village shall provide coveralls and cleaning of coveralls for the Highway Department mechanic year-round. Other employees will be responsible for cleaning their own coveralls during the year, except when they are required to do crack-sealing; then the Village will pay for the cleaning. In addition to providing the clothing reimbursement, the Village will provide the following protective equipment: hard hat, goggles, gloves, dust masks, safety vests, ear protection, face shields and prescription safety glasses (up to \$300 reimbursed every two years).

The policy outlined in the Personnel Manual for Caledonia Highway Department Local 704, Water and Sewer Utility District Employees and Other Employees will be replaced with this policy.

There will be no change to the Police Management Employees Policy as outlined under this section of the Personnel Manual.

Police Management Employees

Subject to the approval of the employee's supervisor, police management employees shall be reimbursed for the purchase of clothing and equipment that are directly job related in an amount not to exceed Five Hundred Dollars (\$500.00). The clothing reimbursement shall be paid prior to the last payday in December of each year for the current calendar year. Copies of receipts shall be provided for all reimbursement requests.

New management employees hired from outside the Department shall be provided with up to One Thousand Dollars (\$1,000.00) as reimbursement for the purchase of the department prescribed uniform and other job-related clothing and equipment items that are not provided by the Village. All items are subject to approval by the Chief of Police. The subsequent clothing reimbursement payment shall be prorated, and new management employees shall receive the normal allotment as prescribed each year thereafter.

Handguns, police shields, handcuffs, service belt, handcuff pouch, ammunition carrier, helmet, radio holder, traffic safety vest, pepper spray, conducted energy weapon, expandable baton and holster shall be furnished by the Village and shall always be Village property. If a new piece of equipment is required for all department members, the Chief of Police will assess whether it is feasible and/or appropriate for the item to be paid for through the police budget or by each individual officer through their uniform reimbursement. The equipment list furnished by the Village may change based on the needs of the department.

All clothing and gear, except the items listed above are the property of the employee and shall be purchased from his/her clothing reimbursement allowance.

During the process of an apprehension and/or arrest clothing and equipment damaged shall be replaced or repaired by the Village. This shall include watches, not to exceed \$15.00. Prior to replacement, requests shall be submitted in writing to the Police Chief for his/her consideration. Excluded from this article are rings and other items that are considered jewelry.

During the process of an apprehension and/or arrest in which an employee's eyeglasses are damaged beyond repair, the Village of Caledonia shall compensate the employee in the following manner:

- A. Reimburse the department member for their prescription glasses in an amount not to exceed \$200.00.
- B. 100% on eye exam (if necessary). If an eye exam is necessary, the Village reserves the right to designate an optometrist. Prior to the exam or lens replacement, the Chief of Police shall submit a written recommendation to the Village Administrator. Excluded from this article are contacts.
- C. For body armor and carriers purchased after January 1, 2021, the Village will provide the initial

issue body armor at threat level IIIA and carrier authorized by the Village and replace the authorized body armor according to the manufacturer's replacement schedule, up to a maximum of \$1,000 and to include within that \$1,000 amount additional body armor and carrier accoutrements selected by the employee and authorized by the Chief only if the cost of the armor and carrier is less than \$1,000. An employee who needs body armor or the carrier replaced prior to the manufacturer's replacement schedule, except if the body armor or carrier is destroyed due to on-the-job reasons, shall replace the body armor or carrier at his or her cost with armor or carrier authorized by the Chief of Police.

- D. Employees who are supplied with body armor shall be required to use it or will be subject to discipline unless the Chief of Police determines that use of the vest is not required. The body armor shall be the property of the Village and the Chief may authorize replacement due to duty related damage.

Fire Management Employees

Subject to the approval of the employee's supervisor, fire management employees shall be reimbursed for the purchase of clothing and equipment that are directly job related in an amount not to exceed Five Hundred Dollars (\$500.00). The clothing reimbursement shall be paid for the preceding calendar year on the first payday in January of each year. Copies of receipts shall be provided for all reimbursement requests.

New management employees hired from outside the Department shall be provided with up to one thousand (\$1,000.00) as reimbursement for the purchase of the department prescribed uniform and other job-related clothing and equipment items that are not provided by the Village. All items are subject to approval by the Chief of Fire. The subsequent clothing reimbursement allowance shall be prorated, and new management employees shall receive the normal allotment as prescribed each year thereafter.

The following uniforms are required for Fire Management Employees:

Class A uniform

- White Bell cap with hat badge and gold braid
- Dark Blue Dress Coat with gold braiding, CFD and American Flag patches
- White Dress Shirt with CFD and American Flag patches
- Dark Blue Dress Pants
- Black polishable dress shoes
- Black 2" black belt
- White Shirt
- Dark Blue necktie

Class B uniform

- White Dress Shirts with CFD and American Flag patches.

- White Polo shirts with CFD emblem
- Dark Blue work pants
- 2" black Belt
- Black polishable work shoes/boots

All clothing and gear listed above are the property of the employee and shall be purchased from the employees clothing reimbursement payment.

The following will be provided by the Village: 2 badges, 1 hat badge, 2 sets of collar brass, Turn out coat, Bunker Pants, Bunker Boots, Fire Helmet with Helmet shield with appropriate rank designation, (2) Fire Hoods, (1) Pair of gloves, Hi Vis traffic vest, Hi Vis Jacket, (1) pair of non-prescription safety glasses, and (1) pair of hearing protection

RETIREE HEALTH CARE BENEFIT

This policy outlines retiree health care benefits that the Village will make available to eligible Village retirees who were not bargaining unit employees at the time of retirement. As detailed below, eligibility will be determined by: (1) full-time status at the time of retirement; (2) date of hire; (3) Medicare eligibility and (4) additionally, for police and fire sworn non-represented staff only, the date of promotion to sworn non-represented status within their respective departments.

A. General Retiree Health Coverage Benefits

1. Retiree Health Insurance Coverage

Regular full-time employees who retire from employment with the Village may be eligible for continued group health insurance coverage, with the Village paying a percentage of the premium cost until the retiree reaches the age of Medicare eligibility or otherwise does not continue the coverage. For eligible retirees, the Village will pay 50% of the premium cost.

Said retiree coverage will continue until such time as the retiree attains the age of Medicare eligibility, or becomes otherwise unable to continue such coverage as determined by the health insurance plan (e.g. total disability). This retiree benefit continuation is limited to medical coverage only. Retirees wishing to continue vision or dental coverage will need to do so through COBRA election.

To be eligible for this continued health insurance benefit, an employee must meet the following criteria:

- The employee must be enrolled in the Village's health insurance program at the time of retirement.
- The employee must meet the age and other requirements for retirement under WRS.
- The retiree must be younger than the age of Medicare eligibility.
- The retiree must have been a regular full-time employee as of the date of retirement.
- A non-police or non-fire retiree must have been hired by the Village before January 1, 2012.
- The employee's age and number of years of continuous employment with the Village, when added together, must total 85 or greater. For public safety employees (as defined by the WRS), age plus continuous service must total 75 or greater.
- To qualify for the benefit, non-represented Police Department sworn employees must: (1) meet the criteria defined in sub-section B; and (2) meet all other criteria set forth above.
- To qualify for the benefit, non-represented Fire Department sworn employees must: (1) meet the criteria defined in sub-section C; and (2) meet all other criteria set forth above.

A retiree's continued coverage will be limited to no more than the coverage level in which the retiree was enrolled at the time of retirement. For example, retiree coverage may decrease from family to individual coverage, but may not increase from individual to family coverage.

Upon the death of an enrolled retiree, or upon the retiree reaching Medicare age, the retiree's beneficiaries who are enrolled in the Village health insurance plan, will be allowed to continue the coverage through COBRA election and in accord with the health insurance plan in place at that time.

Coverage will be maintained only as long as the retiree or the retiree's enrolled spouse timely pays the required employee premium contribution.

2. Health Reimbursement Account (HRA)

Additionally, upon the retirement of a retiring employee who meets all criteria to qualify for retiree health insurance, the Village will fund a Health Reimbursement Account ("HRA") for the employee with the monies remaining at the time of retirement from two sources: (1) the sick leave incentive bank of the retiree; and (2) a lump sum in the amount of 50% of the employee's total accumulated hours of sick leave as of December 31, 2011 at the employee's hourly rate of pay in existence at the time of retirement. The number of accumulated hours at time of retirement cannot exceed the number of hours the employee had as of December 31, 2011. Further, if the number of hours at time of retirement is fewer than the hours accumulated as of December 31, 2011, the lesser amount will be used for calculations that are funded to the HRA.

The retiree and spouse enrolled in Village coverage will be permitted to use the HRA funds for qualifying medical purposes as defined under the law and by the HRA plan. The HRA funds must be depleted before any funds from any other sources are used to pay premiums. Upon the death of the retiree, or if the retiree is no longer eligible to continue coverage under the Village's insurance plan (e.g., upon reaching the age for Medicare eligibility), the enrolled spouse will be allowed to use the HRA funds on the same terms as the retiree and will be required to elect single coverage. If the HRA is not depleted prior to the spouse reaching the full age of Medicare eligibility, or upon the death of both the spouse

and retiree, the HRA will be dissolved, and any remaining funds forfeited as required by law.

B. Non-Represented Police Department Retirees

Regular full-time non-represented Police Department employees hired after May 31, 2018 are ineligible for the benefits outlined in this Policy. The collective bargaining agreement in effect at the time of the retirement of a represented member will determine all retiree benefits for that member. Represented employees having questions concerning retirement benefits should consult the agreement or bargaining unit leadership.

1. Health Insurance Coverage

Police Department sworn employees that: (1) transitioned through promotion on or before December 31, 2011, from a bargaining unit position to sworn non-represented status within the Police Department; or (2) were hired by the Village on or before May 31, 2018; (3) who transition through promotion after January 1, 2012 from a bargaining unit position to sworn non-represented status within the Police Department; and (4) who meet all criteria set forth above in Section (A)(1), shall be eligible to receive retiree health insurance benefits.

A retiree's continued coverage will be limited to no more than the coverage level in which the retiree was enrolled at the time of retirement. For example, retiree coverage may decrease from family to individual coverage, but may not increase from individual to family coverage.

Upon the death of an enrolled retiree, or upon the retiree reaching Medicare age, the retiree's beneficiaries who are enrolled in the Village health insurance plan, will be allowed to continue the coverage through COBRA election and in accord with the health insurance plan in place at that time.

Coverage will be maintained only as long as the retiree or the retiree's enrolled spouse timely pays the required employee premium contribution.

2. Health Reimbursement Account

Upon retirement, the Village shall fund the HRA of the eligible Police sworn non-represented retiree, as outlined in Section (A)(2) above, with (1) the sick leave incentive bank of the retiree and (2) a lump sum in the amount of 50% of the total hours of sick leave accumulated as of the date of employee's promotion to sworn non-represented status within the Police Department, at the hourly rate of pay in existence at the time of employee's retirement.

a) For eligible employees promoted to sworn non-represented status on or before December 31, 2011, the number of accumulated hours at time of retirement cannot exceed the employees balance as of December 31, 2011.

b) For eligible employees promoted after December 31, 2011, the number of accumulated hours at time of retirement cannot exceed the number of hours the employee had as of the date of promotion to sworn non-represented status within the Police Department.

c) Further, if the number of hours at time of retirement is fewer than the hours accumulated as of the date of promotion to sworn non-represented status within the Police Department, the lesser amount will be used for calculations that are funded to the HRA.

The retiree and spouse enrolled in Village coverage will be permitted to use the HRA funds for qualifying medical purposes as defined under the law and by the HRA plan. The HRA funds must be depleted before any funds from any other sources are used to pay premiums. Upon the death of the retiree, or if the retiree is no longer eligible to continue coverage under the Village's insurance plan (e.g., upon reaching the age for Medicare eligibility), the enrolled spouse will be allowed to use the HRA funds on the same terms as the retiree. If the HRA is not depleted prior to the spouse reaching the full age of Medicare eligibility, or upon the death of both the spouse and retiree, the HRA will be dissolved and any remaining funds forfeited as required by law.

C. Non-Represented Fire Department Retirees

Regular full-time non-represented Fire Department employees hired after May 31, 2019, are ineligible for the benefits outlined in this Policy. The collective bargaining agreement in effect at the time of the retirement of a represented member will determine all retiree benefits for that member. Members having questions concerning retirement benefits should consult the agreement or unit leadership.

1. Health Insurance

Regular full-time non-represented fire service employees who: (1) transitioned through promotion on or before December 31, 2011, from a bargaining unit position to sworn non-represented status within the Fire Department; or (2) were hired on or before May 31, 2019; (3) who transition after January 1, 2012 from a bargaining unit position to a sworn non-represented status within the Fire Department; and, (4) meet all criteria set forth above in Section (A)(1) above, shall be eligible to receive retiree health insurance benefits.

A retiree's continued coverage will be limited to no more than the coverage level in which the retiree was enrolled at the time of retirement. For example, retiree coverage may decrease from family to individual coverage, but may not increase from individual to family coverage.

Upon the death of an enrolled retiree, or upon the retiree reaching Medicare age, the retiree's beneficiaries who are enrolled in the Village health insurance plan, will be allowed to continue the coverage through COBRA election and in accord with the health insurance plan in place at that time.

Coverage will be maintained only as long as the retiree or the retiree's enrolled spouse timely pays the required employee premium contribution.

2. Health Reimbursement Account

Upon retirement, the Village shall fund the HRA of the eligible Fire sworn non-represented retiree, as outlined in Section (A)(2) above, with (1) the full sick leave incentive bank of the retiree and (2) a lump sum in the amount of 50% of the total hours of sick leave accumulated as of the date of employee's promotion to sworn non-represented status within the Fire Department, at the hourly rate of pay in existence at the time of employee's retirement.

- a. For eligible employees promoted to sworn non-represented status on or before December 31, 2011, the number of accumulated hours at time of retirement cannot exceed the employees balance as of December 31, 2011.
- b. For eligible employees promoted after December 31, 2011, the number of accumulated hours at time of retirement cannot exceed the number of hours the employee had as of the date of promotion to sworn non-represented status within the Fire Department.
- c. Further, if the number of hours at time of retirement is fewer than the hours accumulated as of the date of promotion to sworn non-represented status within the Fire Department, the lesser amount will be used for calculations that are funded to the HRA.

The retiree and spouse enrolled in Village coverage will be permitted to use the HRA funds for qualifying medical purposes as defined under the law and by the HRA plan. The HRA funds must be depleted before any funds from any other sources are used to pay premiums. Upon the death of the retiree, or if the retiree is no longer eligible to continue coverage under the Village's insurance plan (e.g., upon reaching the age for Medicare eligibility), the enrolled spouse will be allowed to use the HRA funds on the same terms as the retiree. If the HRA is not depleted prior to the spouse reaching the full age of Medicare eligibility, or upon the death of both the spouse and retiree, the HRA will be dissolved, and any remaining funds forfeited as required by law.

SICK LEAVE

All non-represented employees of the Village accrue paid sick leave at the rate of one (1) day per month for each completed calendar month of employment, up to a maximum of 190 days. No sick leave is accrued for partial calendar months. Battalion Chiefs earn 1 24-hour day per month of completed employment. Paid sick leave may be taken only when an employee is ill, for doctor appointments and medical procedures, when an employee has been injured on the job and is using paid sick leave to supplement worker's compensation, or when an employee is needed to care for an ill member of the employee's immediate family, as defined in the policy manual. Payment for sick days shall be based on the number of hours typically scheduled to work in a day. Any claim for paid sick leave of three (3) consecutive working days or more must be accompanied by a statement from a physician certifying the medical reasons requiring the employee's absence from work. The Village reserves the right to determine the acceptability of a physician statement and/or to require a second physician's review at Village expense.

Effective January 1, 1995, management employees may accumulate in excess of 190 days of sick time, up to an additional 60 days maximum, to be banked for use only for a catastrophic medical

condition. All other paid leave (sick leave, vacation, etc.) available to a management employee must be exhausted before the employee may use any sick days from his or her catastrophic bank. Catastrophic sick days may not be transferred among employees; they may only be used by the employee who banks them. Unused catastrophic sick days will not be paid out, and cannot be used to pay insurance premiums, upon termination of employment for any reason including retirement.

SICK LEAVE INCENTIVE PROGRAM

Effective January 1, 2012, employees shall not accrue any additional sick leave incentive credit. Prior to January 1, 2012, employees received an annual credit based upon the amount of sick leave used during each calendar year. Eligible employees may contact the Finance Director to confirm the amount of sick leave incentive credit accrued prior to 2012.

A. Vesting and Distribution:

1. Vesting. Employees shall be vested after five (5) full calendar years of creditable employment. An employee separating employment for any reason prior to achieving five (5) full calendar years of creditable employment shall have no right to the amounts accrued and such amounts shall be forfeited.

2. Separation Prior to Retirement and Prior to Qualifying for Continued Group Health Insurance Coverage Benefits. After being vested, employees who leave the employment of the Village for any reason prior to retiring under the Wisconsin Retirement System (WRS) and qualifying for continued group health insurance coverage under Severance Benefits Section (C) of this Manual will have the amount accumulated in their sick leave incentive bank paid out as a separation benefit. This amount will be in addition to the sick leave credit provided for in the Severance Benefits Section of this Manual.

3. Separation at Retirement when Qualifying for Continued Group Health Insurance Coverage Benefits. After being vested, employees who retire under the WRS and qualify for continued group health insurance coverage under Section 21 (C) of this Manual will have the amount accumulated in their sick leave incentive bank incorporated into the fund established for the employee by Section 21 (C) of this Manual. The amount shall be administered in the same manner as the funds authorized in that section. This benefit will be in addition to the benefit set forth under Severance Benefits Section (C) of this Manual. The employee will not have an option or right to have the amount accumulated in their sick leave incentive bank paid out as a separation benefit, nor shall the employee be eligible for the sick leave credit provided for in the Severance Benefits Section of this Manual.

4. Separation at Retirement when Not Qualifying for or Declining Continued Group Health Insurance Coverage Benefits. After being vested, an employee who (1) retires under the WRS but does not qualify for continued group health insurance coverage under Severance Benefits Section (C) of this Manual, or (2) qualifies to receive continued health insurance coverage but chooses

not to remain insured under the Village's health insurance plan, will have the amount accumulated in the employee's sick leave incentive bank paid out as a separation benefit. The amount paid to the employee shall be in addition to the sick leave credit provided for in the Severance Section of this Manual.

5. Any employee who receives benefits under Section (B)2 through 4 above shall be responsible for the payment of state and federal taxes related to the portion of the benefits that is taxable. The Village does not advise on any personal income tax requirements or issues. Employees are encouraged to seek professional tax advice for personal income tax questions and assistance.

6. Employees hired on or after January 1, 2012, are not entitled to any of the above benefits.

TEMPORARY TRANSITIONAL OR MODIFIED-DUTY ASSIGNMENTS

PURPOSE AND SCOPE

The purpose of this policy is to describe the procedure for assigning employees to temporary transitional or modified duty when an employee suffers from a work-related illness or injury that results in physical limitations as diagnosed by a qualified health care professional. The goal is to have the employee return to productive, regular work as quickly as possible.

POLICY

It is the policy of the Village of Caledonia to assist injured employees in returning to work as soon as they are medically able to perform meaningful work for the Village. In some instances, the return to work may result in a temporary transitional or modified-duty assignment. Return to work is governed by medical restrictions, expected length of recovery, continued medical improvement while on modified duty, and the availability of limited or modified duty assignments.

PROCEDURE

Temporary transitional or modified-duty assignments are intended to provide employees who have sustained a work-related illness or injury that temporarily limits their ability to perform their regularly assigned duties with an opportunity to return to work. The ability of the Village to offer an employee a temporary modified-duty assignment will be based on the limitations of the employee and the needs of the Village and will generally not exceed two months. The process for evaluating an employee for a temporary transitional or modified-duty assignment after being medically cleared with restrictions from an injury occurring on-duty, or an illness as a result of an exposure, shall be as follows:

- A. The employee's treating health care professional must have provided the employee with written clearance stating that the employee is able to work temporary transitional or modified duty with identified work restrictions.
- B. The employee must provide the clearance document to the Human Resources Director as soon as practicable.
- C. The Human Resources Manager should contact the respective Department Head or the authorized designee to determine the availability of a temporary modified-duty assignment that is commensurate with the employee's work restrictions. There may be instances when a

- temporary modified-duty position within the employee's work restrictions is not available.
- D. If a temporary modified-duty assignment is available, the employee may be required to schedule an appointment with the Village's occupational medical provider for final medical clearance before reporting for duty.
 - E. Temporary modified-duty assignments shall not exceed two months without approval from the Department Head or the authorized designee. Extensions will be based on the employee's need for continued temporary modified duty and the Village's need for continued work in the task assigned. Extensions are not guaranteed. Extensions in a temporary modified-duty assignment will be granted on a case-by-case basis and at the sole discretion of management. An authorized extension will not expand any temporary modified duty into a permanent assignment and will not be considered as precedent for any other extensions.
 - F. With the exception of employees who are disabled, as defined by the Americans with Disabilities Act (ADA), temporary transitional or modified-duty assignments normally will end at the point when the injured employee's condition is declared permanent and stationary.

COMMUNICATION EXPECTATIONS

It is the expectation that the employee shall remain in constant communication with the Human Resources Director and the Department Head. They shall provide an update of the employee's medical status on a weekly basis and after any medical evaluations pertaining to the employee's condition.

ASSIGNMENT

Temporary transitional or modified duty will be available to all members on a fair and equitable basis. The employee requesting modified duty shall provide permission from their physician stating light duty activities that may be performed and the anticipated duration of the modified duty assignment. The employee is to work with their supervising officer to ensure that work beyond the employee's limitation is not performed.

SCHEDULE

Employees will work the number of hours - up to eight (8) hours per day, forty (40) hours per week as authorized by their physician.

Modified duty shall normally be scheduled Monday through Friday, from 8:00am until 5:00pm hours, if appropriate as dictated by the Department Head and Human Resources based on restrictions and assignment. However, light duty may occur on the Employees regularly assigned shift.

SICK LEAVE

Any employee, that while on temporary transitional or modified duty, is unable to report to work due to illness or injury will be charged sick time hours.

MEDICAL APPOINTMENTS

While assigned to temporary transitional or modified duty, employees shall make every effort to

schedule medical and other appointments outside of scheduled work hours. If necessary, an employee may take sick time off to attend those appointments.

BREAKS

When reasonable, employees assigned to a modified duty schedule, may take breaks with the on-duty shift. Additional breaks, as warranted and required by medical restrictions, will be permitted with the advance authorization of the supervisor. The extent of required breaks and other necessary accommodations shall be considered in determining an employee's eligibility for temporary transitional or modified duty.

VACATION

If an employee's previously scheduled vacation falls while on temporary transitional or modified duty, employee will be allowed vacation time off from the light duty assignment.

UNIFORM

An employee on temporary transitional or modified duty shall report for duty in appropriate work attire, considering the employee's physical limitations, approved by the Department Head.

REFUSAL TO PARTICIPATE

Employees that have sustained a work-related illness or injury that temporarily prohibits return to their regular position but are deemed capable of performing temporary transitional or modified duty by a qualified health care professional, must return to transitional or modified duty. Employees who choose not to participate in the Return-to-Work Program or follow all regulations in this Return-to-Work Policy may become ineligible for state workers' compensation benefits, accrual of paid time off benefits, and, in some cases, refusal to participate may be a basis for termination. Use of family medical leave may apply upon refusal and disability benefits will cease.

FAMILY MEDICAL LEAVE AND OTHER BENEFITS

State or federal leave laws may provide additional rights and protections during times of illness or injury. Lost wages may be reimbursed if disability benefits are available. Contact the Human Resources department for further details.

TUITION REIMBURSEMENT POLICY

Tuition Reimbursement

The Village of Caledonia provides Tuition Reimbursement for approved educational activities. The purpose of the Tuition Reimbursement program is to provide opportunities for employees of the Village of Caledonia to improve their skills and knowledge through personal career development.

The Village of Caledonia will reimburse eligible employees for approved tuition expenses, laboratory fees and books paid to accredited schools, colleges and universities, as set forth in this policy. It is at the Village's sole discretion to approve employees for participation in the program, and each

employee's approved expenses will vary based on the individual circumstances.

Maximum Reimbursement

For Associate Degree, Bachelor's Degree and Master's Degree courses, tuition reimbursement is offered at 100% of the cost of the tuition up to a maximum of \$2,000 per calendar year.

For Associate Degree, Bachelor's Degree and Master's Degree courses, the Village will reimburse employees pursuant to the following schedule:

- If the employee receives an "A" grade or equivalent as determined by the Village, the Village will reimburse 100% of the tuition cost;
- If the employee receives a "B" grade or equivalent as determined by the Village, the Village will reimburse 80% of the tuition cost;
- If the employee receives a "C" grade or equivalent as determined by the Village, the Village will reimburse 60% of the tuition cost;
- The Village will not reimburse employees for courses in which the employee receives lower than a "C" grade or equivalent as determined by the Village;
- The Village will reimburse employees 100% for courses in which the employee can only receive a grade of "PASS" or "FAIL" when they receive a "PASS".
- In the event of a split grade, the Village will reimburse the percentage amount between the percentages listed above for the two separate grades. For example, the Village will reimburse 90% of the employee's tuition for an "AB" grade.

Eligibility

To be eligible for tuition reimbursement under this policy an employee must:

- Be a full time employee;
- Have completed six (6) months of service;
- Have active status on payroll when the course is completed;
- All courses must be taken during off duty hours; and
- The employee and Village must execute a Tuition Reimbursement Repayment Agreement.

Repayment Schedule

If an employee leaves employment for any reason within two (2) years of the issuance of reimbursement payment by the Village for the qualifying participation in an Associate Degree, Bachelor's Degree and Master's Degree program for which the Village has provided reimbursement, the tuition reimbursement is repayable to the Village according to the following schedule:

- Within one (1) year after receiving the reimbursement, the employee will reimburse the Village 100% of the tuition reimbursement.
- Within two (2) years after receiving the reimbursement, the employee will reimburse the Village 50% of the tuition reimbursement.

- After two (2) years following the reimbursement, the employee will not be required to reimburse the Village.

The employee will authorize the repayment of these amounts through a repayment agreement, which will include permitting the deduction of such amounts from the employee's final paychecks and any amounts owed to the employee to the extent permitted by law.

Courses and Programs Eligible for Reimbursement

Associate Degree, Bachelor Degree and Master's Degree programs will only be eligible for reimbursement if they job related. All courses required and elective, which are related to an employee's work or which lead to a job-related degree will be eligible for reimbursement. Human Resources with input from the Department Manager will determine whether a degree program or course is job related. If the Village Administrator and Department Manager determine the program or course is not job related, the employee can appeal that decision to the Village Board.

Application for Pre-Approval of Tuition Reimbursement

Employees must obtain pre-approval for tuition reimbursement under this policy, prior to registration. To do so, employees must complete and return to the Human Resources Department a Tuition Reimbursement Application. The request will be forwarded to the Department Manager. If and when the course is pre-approved, the application will also serve as a request for payment at the conclusion of the course. The employee will then be required to execute a Tuition Reimbursement Repayment Agreement.

Tuition Reimbursement upon Completion of Course

Upon completion of the course, the employee must submit an official transcript of grades and proof of payment. Proof of payment can be established by either a bursar's receipt or a copy of the canceled check (front and back). Records of all education and training programs completed by each employee must be forwarded to and will be maintained by the Human Resources Department. This policy is subject to the employee executing the Tuition Reimbursement Application. The allotted program dollars per the resolution are on a first come first served basis, with the exception of those employees that are required to earn a degree to be deemed qualified for a particular job.

VACATION

Regular full-time and regular part-time employees receive vacations with pay based upon completed years of service with the Village. Employees scheduled to work fewer than 1100 hours per year are not eligible for vacation benefits unless indicated otherwise in their offer letter

Regular part-time and full-time employees hired prior to May 21, 2007 shall receive paid vacation according to the following vacation schedule (the hours indicated in the chart are for full-time employees; hours are pro-rated for part-time employees based on the number of hours typically

scheduled to work each week):

Completed Calendar Years of Of Employment	Paid Vacation Awarded on January 1st
1-4 years	15 days (120 hours)
5-9 years	20 days (160 hours)
10+	25 days (200 hours)

Regular part-time and full-time employees hired on or after May 21, 2007 shall receive paid vacation according to the following vacation schedule (the hours indicated in the chart are for full-time employees; hours are pro-rated for part-time employees based on the number of hours typically scheduled to work each week):

Completed Calendar Years of Of Employment	Paid Vacation Awarded on January 1st
0-1 Year	Proration of 10 days (80 hours)
1 year	10 days
2-4 years	15 days (120 hours)
5-9 years	20 days (160 hours)
10-15	23 days (184 hours)
16+ years	25 days (200 hours)

Because the Fire Department schedule is different, for Battalion Chiefs, one week is equivalent to three shifts off. Using the schedule above, a Battalion Chief earns two weeks (six days) in year one, three weeks (9 days) in year two, four weeks (12 days) in year five, and five weeks (15 days) in year 16.

During their initial year of service, new employees will receive a prorated amount of vacation time based on their anticipated length of service for the year. For example, someone hired in April would receive $\frac{3}{4}$ of their 10 day allotment. Vacation time may not be used within the first sixty days of employment. On January 1st following their initial partial year of employment, new employees will receive a full two weeks and the following January they would receive their full three weeks of time. Vacation time taken but unearned at the time of employee separation will be deducted from the employee's final paycheck.

If you take an unpaid leave of absence, during which you do not accrue paid vacation, your vacation award on January 1 will be prorated to reflect the leave of absence (e.g., if you take a 6-month leave of absence during your 7th year of employment, you will receive 10 days of vacation on January 1).

Regular part-time employees shall be entitled to a prorated amount of paid vacation days based on the number of hours they are scheduled to work each week (e.g., on January 1 following his/her sixth anniversary a part-time employee who works 25 hours each week will receive 20

vacation days (100 hours)).

Any employee whose employment is terminated shall receive his or her awarded, unused vacation pay at the next payroll date following the termination date.

All available vacation must be used in the calendar year it is awarded. However, an employee may request an extension of unused vacation time of up to four (4) months beyond the calendar year provided there is a justifiable reason for the request and the Village Administrator or Village Board (in the case of the administrator), as required, approves the request. Under no circumstance will a cash disbursement for unused vacation be allowed for an active employee. Vacation time may only be used in one-hour increments.

Vacations must be arranged with the employee's department manager and are to be scheduled at a time that causes the least amount of interference with workloads. Vacations may be taken during a period when an employee is absent from work and would not otherwise receive pay, such as an illness or during a statutory leave of absence. When a holiday occurs on a working day during an employee's vacation, the holiday is not counted as a day of vacation.

Vacation pay shall be determined on the basis of each employee's straight time rate of pay, multiplied by the number of hours of vacation that the employee is entitled to receive. An employee may not waive vacation for the purpose of receiving payment in lieu thereof. During any emergency, however, the Village may require any employee to forgo vacation time off and allow vacation to be postponed to the next calendar year.

WORKERS COMPENSATION

The following procedures for reporting employee injuries or illnesses will be followed by all Village of Caledonia employees, including full-time, part-time, temporary, and seasonal. Failure to appropriately report injuries or illnesses as outlined in this policy may result in disciplinary action up to and including termination, according to the Village of Caledonia Personnel Manual.

Any employee who sustains a bodily injury or illness as a result of their employment is to report it to their immediate supervisor as soon as possible, but no later than within 24-hours of the incident, injury, or onset of symptoms. The employee will be responsible to report the incident, injury, or illness by completing and signing an *Employee Injury or Illness Report Form* in its entirety and returning it within 24 hours to their Supervisor.

Supervisors are responsible for completing and signing the corresponding Supervisor Investigation of Injury or Illness section for each *Employee Injury or Illness Report Form*. Both the Employee Injury or Illness Report Form and the Supervisor Investigation Form as well as any photos or witness statements shall be forwarded to Human Resources within 24 hours so the required WKC-12 form can be generated and sent to the Village's Workers Compensation Insurance carrier or administrator.

All employees who sustain an injury while performing within the scope of their employment as provided by Chapter 102 of the Wisconsin Statutes (Worker's Compensation Act) shall receive full salary in lieu of worker's compensation payments for the period of time the employee is temporarily totally or temporarily partially disabled because of said injury or for nine (9) months, whichever is shorter, provided the employee fully cooperates with the Village's temporary modified duty assignments program, which shall govern the employee's work schedule while on temporary modified duty assignment.

When the Village shall have made any such payment and the employee makes claim for damages against any third party or his insurer, the Village shall be entitled to recover from any damages recovered by such employee, reimbursement for such wages paid in the same proportion as provided by Section 102.59, Wisconsin Statutes, for Worker's Compensation payments.

The employee shall remit to the Village his or her worker's compensation check and receive his or her regular check unless the check is made payable to the Village by the insurer.

An employee sustaining a compensable injury resulting in permanent total disability shall continue to receive full salary until a determination is made that the injury is a permanently disabling injury and a ruling is made in accordance with the Wisconsin Worker's Compensation Act or for nine (9) months, whichever is shorter, provided the employee fully cooperates with the Village's temporary modified duty assignments program, which shall govern the employee's work schedule while on temporary modified duty assignment.

Upon written application by a disabled employee to extend the period of full payment under this Article, the Village Administrator shall review the case and may determine whether or not to extend the period of full payment under these paragraphs and may determine the terms and conditions upon which any such extension shall be granted.

PART IV CONDUCT & CUSTOMER SERVICE

ASSOCIATION ACTIVITY – UNION

Employees shall conduct Association or Union business off duty unless granted permission by the Village Administrator.

COMMUNICATIONS AND CONFIDENTIALITY

Communication is a joint responsibility shared by the Village of Caledonia and all employees. No information concerning the internal operations of the Village, including, but not limited to the release of records of the Village, may occur except through and with the permission of the Administrator or Village Clerk. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the Administrator or Village Clerk. Because of an employee's responsibilities at the village,

an employee may have access to confidential and sensitive information. This may include information concerning a resident's financial status, the Village's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information or to persons outside of the Village without the determination of the Village Administrator or Department Directors designated by the Administrator. All employees are responsible for protecting the confidentiality of this information.

The Village's custodian of records is responsible for the disclosure of records pursuant to requests for records under Wisconsin's Public Records Law. Unless directed by the Village's custodian of records, employees shall not act as the Village's custodian of records or disseminate information. The Village's custodian of records is the Office of the Village Clerk.

The Village acknowledges the right of its employees, as citizens in a democratic society to speak out on issues of public concern. When those issues are related to the Village however, the employee's expression must be balanced against the interests of the Village. In situations in which the employee is not engaged in the performance of professional duties, the employee should state clearly that his or her expression represents personal views and not necessarily those of the Village.

CONFIDENTIALITY OF INFORMATION

No Village employee shall use or disclose privileged or confidential information, including information subject to the provisions of HIPAA, gained in the course of or by reason of his/her official position or activities. It is the Village's policy that any confidential information will not be released to any outside person or agency without a properly signed consent and authorization form. Additionally, employees will not release addresses or phone numbers of Village employees without prior consent of the employee. Any infraction of this policy may be sufficient cause for immediate termination.

CONFLICTS OF INTEREST

The successful operation and reputation of the Village of Caledonia and our employees and leaders is built upon the principles of fair dealing and ethical conduct of our employees. The Village's reputation for integrity and excellence requires careful observation of the spirit and letter of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct, trust, and personal integrity.

The continued success of the Village is dependent upon maintaining the public's trust and those with whom each employee serves. Employees will conduct business in accordance with the letter, spirit and intent of all relevant laws, and employees will refrain from any illegal, dishonest, or unethical conduct. No public officer or employee shall use or permit the use of employer property for personal convenience or profit, except when such services are available to the public generally or are provided

as policy for the use of such officer or employee in conduct of official business, as authorized by the employer.

No employee shall engage in any business transaction with the employer, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or will tend to impair his or her independence, judgment or action in the performance of his or her official duties. Any employee who has a financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the employer, or as part of his or her official duties will be making an official decision or recommendation affecting a business competitor, client or regular customer, shall disclose such interest to the Village Administrator.

No employee, including persons or firms engaged to provide professional services to the employer, shall represent, for compensation, private interests before the employer without disclosure of the relationship and explicit consent of the employer.

DISCIPLINE

Because Caledonia is committed to serving its residents fairly, effectively, and efficiently, rules and procedures have been established for Village employees including those in this handbook. An employee who commits an act that is offensive to the rules of common sense or decency, or an act which violates the Employee Handbook, should expect to be disciplined. The nature of the discipline will depend on the nature of the violation and the surrounding circumstances. The purpose of the discipline policy is to encourage employees to take corrective action and to make improvement in their work performance or work habits. Ordinarily a discussion with an employee, to point out what is expected, or to tell the employee how they are doing, should be enough. There are times when more discipline is needed which may include oral warnings, written warnings, and suspensions without pay or even termination. It should be emphasized that discipline does not need to go through each of the steps involved. Discipline may begin at any step including discharge, depending upon the seriousness of the matter or the offense committed and the surrounding circumstances.

All Village employees are expected to meet a standard of conduct appropriate to the reputation of the Village. While at work employees must be aware of, and abide by, existing rules and regulations. It is also the responsibility of employees to perform their job duties to the best of their abilities and to the standards set forth in their job descriptions, or as otherwise established. Under normal circumstances, the Village endorses a policy of progressive discipline in which employees are provided with a notice of their deficiencies and an opportunity to improve. However, the Village retains the right to administer discipline in the appropriate manner, and to terminate at-will employees with or without cause.

Administration and enforcement of discipline are subject to the general requirements of federal and state law, and discipline must be imposed without motivation that is discriminatory. Therefore, it is the supervisor's responsibility, along with guidance provided by Human Resources or the Village Administrator to apply discipline fairly and consistently. It is important to consider and apply the seven

tests of just cause when disciplining employees. Application of these tests will help to avoid legal liability (including wrongful discharge and discrimination claims) that may be created for the Village if discipline is arbitrarily applied. Police and Fire Command Staff shall follow the disciplinary rules and procedures set out in Wisconsin Statute 62.13 and departmental policy; this applies to discipline and to the disciplinary appeal process.

A. Progressive Disciplinary Actions

The Village's progressive discipline policy incorporates the following series of increasingly severe penalties for repeated violations, misconduct, or for a series of unrelated problems involving job performance or behavior. However, the progression or level of discipline may vary depending on the nature and severity of the behavior or misconduct.

1. Counseling

Employee counseling typically involves an informal meeting between the employee and supervisor, where the employee is made aware of their inappropriate behavior, work rule violation, etc., and guidance is provided as to how the employee can improve their behavior. Counseling may be more formal, involving a third party, if warranted. Formal counseling is appropriate when alcohol, drugs or personal problems are the source of the employee's work-related problem. Counseling should be designed to resolve the problem early and avoid the need to take punitive action.

2. Verbal Warning

This type of notice occurs when a supervisor verbally warns an employee regarding inappropriate behavior, poor performance, a work rule violation, insubordination, etc. Verbal warnings are given when counseling has failed to produce the desired result or the behavior is clearly unacceptable. Supervisors should meet with the employee in private to discuss their behavior or conduct and future expectations, including a clear explanation of the consequences of the failure to correct the problem. All verbal warnings should be documented in writing. A memorandum documenting the facts of the situation (specific violation(s), date/time of violation(s), prior related discipline, standards for future conduct, warning of further corrective discipline for non-compliance, and any follow-up action to be taken) should be prepared by the supervisor. The memorandum should be given to the employee and forwarded to Human Resources.

3. Written Warning

A written notice occurs when an employee's behavior, misconduct or poor performance is documented in a written letter and retained in the employee's personnel file. The notice should contain the specific violation(s), the date and time of the violation(s) (or period of time), prior related discipline, specific standards for future conduct (including timelines, if appropriate), warning of further corrective discipline for non-compliance, and any follow-up action to be taken.

4. Suspension

A suspension occurs when an employee is involuntarily relieved from work for a certain number of days, with or without pay. Typically, this occurs when prior warnings have not been successful in correcting employee behavior, or the misconduct or violation is more serious in nature.

5. Termination

Termination is the permanent removal of an employee from Village employment. Termination is administered in situations where previous attempts to correct an employee's behavior have failed or the severity of the level of misconduct justifies the termination.

Prior to termination, supervisors and/or the Village Administrator/Human Resources should undertake a proper and thorough investigation, which must incorporate complete documentation. Outside legal counsel or the Village administrator, attorney or human resources director should review all terminations before final action is taken.

B. Documentation

It is imperative for disciplinary proceedings to be properly, completely and consistently documented. Proper documentation helps to support supervisor's disciplinary actions and is necessary to communicate to employees what behavior or action was inappropriate or a violation of Village policy, procedure or rule.

C. Corrective Action Plan

Depending on the seriousness and nature of an employee's behavior or infraction, it may be helpful and necessary for the supervisor to develop a corrective action plan or work improvement plan. This type of plan emphasizes the need for improvement on behalf of the employee, and the primary goal is to assist the employee in solving the problem in order to improve behavior. The following elements should be incorporated into a Corrective Action Plan:

1. Identification of the problem: What is the employee doing that must be corrected? How is their conduct influencing the work of the department, Village, and other co-workers or citizens?
2. Goals for change: What needs to be changed? What goals should be achieved?
3. What the employee will do: Specific, measurable performance indicators should be established over a defined period of time. If training needs to be received, the employee should be told the type of training, how often, when the training should be completed and who will pay for the cost of the training.
4. What the supervisor and department will do: The time frame(s) for supervisory conferences should be indicated and how the supervisor will assist the employee in seeking out training opportunities.

5. The corrective action plan should be discussed (and documented) with the employee on a monthly basis in order to assess progress and problems.
6. Evaluate the employee's progress at the end of the agreed upon time frame to correct the deficiencies. This evaluation should be documented, and the memorandum should indicate whether the employee met the requirements of the plan or whether further follow-up with the employee is appropriate.

D. Steps in Discipline Process

Disciplinary actions are typically not taken against employees, without conducting an objective investigation, which includes the opportunity for the employee to explain their action(s) (due process meeting). In some cases, the nature of the offense or level of misconduct may be severe enough to warrant termination for a first offense (as indicated in the above examples). However, most rule violations, poor performance or misconduct are handled in accordance with the steps previously outlined. Steps in the disciplinary process include:

1. Employee Notice and/or
2. Investigation
3. Due Process Meeting The employee will be provided with a written notice of the misconduct and an explanation of the reasons for discipline. The due process meeting serves as an opportunity for an employee to provide additional facts prior the finalization of discipline.
4. Discipline
If discipline is warranted following the due process meeting, the employee will be provided a written notice of the discipline, including the infraction and a general statement of the reasons for the action. The administered discipline becomes a part of the employee's personnel file. Supervisors are required to use the 7 elements of just cause found in their Discipline Process guidelines. Supervisors should consult Human Resources.

DISCIPLINE GRIEVANCE PROCEDURE

Grievance Procedure. This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than probationary employees and police and fire employees subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, the following definitions apply:

1. "Employee discipline" includes all levels of progressive discipline, but shall not include the following items:

- Placing an employee on paid administrative leave pending an internal investigation;

- Counseling, meetings or other pre-disciplinary action;
- Actions taken to address work performance, including use of a performance improvement plan or job targets;
- Demotion, transfer or change in job assignment (except when imposed as a penalty as part of the progressive discipline process);
- Other personnel actions taken by the employer that are not a form of progressive discipline.

2. "Employee termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions:

- Voluntary quit;
- Layoff or failure to be recalled from layoff at the expiration of the recall period;
- Retirement;
- Job abandonment, "no-call, no-show", or other failure to report to work; or
- Termination of employment due to medical condition, lack of qualification or license, or other inability to perform job duties.

3. "Workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Any written grievance filed under this policy must contain the following information:

- The name and position of the employee filing it,
- A statement of the issue involved,
- A statement of the relief sought,
- A detailed explanation of the facts supporting the grievance;
- The date(s) the event(s) giving rise to the grievance took place,
- The identity of the policy, procedure or rule that is being challenged;
- The steps the employee has taken to review the matter, either orally or in writing, with the employee's supervisor; and
- The employee's signature and the date.

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

Step 1 – Written Grievance Filed with the Department Head. The employee must prepare

and file a written grievance with the Department Head within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The Department Head or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his/her decision, if possible, within ten (10) business days of receipt of the grievance. In the event the grievance involves the Department Head, the employee may initially file the grievance with the Village Administrator, who shall conduct the Step 1 investigation.

Step 2 – Review by Village Administrator. If the grievance is not settled at Step 1, the employee may appeal the grievance to the Village Administrator within five (5) business days of the receipt of the decision of the department head at Step 1. The Village Administrator or his/her designee will review the matter and inform the employee of his/her decision, if possible, within ten (10) business days of receipt of the grievance.

Step 3 – Review by Personnel Committee. If the grievance is not settled at Step 2, the employee may appeal the grievance to the Personnel Committee within five (5) business days of the receipt of the decision of the Village Administrator at Step 2. The Personnel Committee will review the matter and inform the employee of its decision, if possible, within ten (10) business days of receipt of the grievance.

Step 4 – Impartial Hearing Officer. If the grievance is not settled at Step 3, the employee may request in writing, within five (5) business days following receipt of the Personnel Committee's decision, a request for written review by an impartial hearing officer. The Village shall select the impartial hearing officer. The hearing officer shall not be a Village employee. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer will determine whether the Village acted in an arbitrary and capricious manner. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.

Step 5 – Review by the Governing Body. If the grievance is not resolved after Step 4, the employee or the Village Administrator shall request within five (5) business days of receipt of the written decision from the hearing officer a written review by the Governing Body. The appeal shall be filed with the Village Clerk. The Village Board shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The matter will be scheduled for the Village Board's next regular meeting. The Village Board will inform the employee of its findings and decision in writing within ten (10) business days of the Village Board meeting. The Village Board shall decide the matter by majority vote and this decision shall be final and binding.

An employee may not file a grievance outside of the time limits set forth above. If the employee

fails to meet the deadlines set forth above, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the grievance will be reviewed at the next possible meeting date. An employee must process his/her grievance outside of normal work hours, unless the employee elects to use accrued paid time (vacation, comp time etc.) in order to be paid for time spent processing his/her grievance through the various steps of the grievance procedure.

DRIVER LICENSE STATUS

A valid, standard or commercial driver's license may be required for employment with the Village. It is the employee's responsibility to maintain a driving record that ensures the continuance of driving privileges. If an employee loses his/her license(s) or drives a Village vehicle without a proper, valid license (commercial or standard), it may be considered grounds for immediate termination of employment with the Village of Caledonia. The driving records of employees may be checked at least once a year by Village management for compliance.

ELECTRONIC MEDIA USE AND ELECTRONIC COMMUNICATIONS

To better serve our citizens and give our workforce the best tools to do their jobs, the Village of Caledonia continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, tablets, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, and the Internet (collectively "electronic media"). The Village of Caledonia encourages the use of these electronic media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the Village of Caledonia should remember that electronic media and services provided by the Village of Caledonia are Village of Caledonia property and their purpose is to facilitate and support Village of Caledonia business. Inappropriate usage of the Village's electronic media can adversely affect the Village, interfere with the work of its employees, increase its costs, and even expose the Village to damage, liability, and security risks. No expectation of privacy, in regard to use of the Village of Caledonia's electronic media, should be expected by the employee in any respect related to accessing, transmitting, sorting or communicating information via such media.

Employees will be provided a detailed set of guidelines that govern electronic communications for Village employees. For purposes of this policy, "use" includes, but is not limited to, any storage, transmission, retrieval, creation, downloading, uploading, and deletion of communications, data, software, files, or other items involving or requiring the use or access of Village electronic media, whether from an on-site or off-site location, whether utilizing a device owned by the employee (i.e., personal laptop, thumb drive, etc.), or otherwise. An employee's use of the Village's electronic media constitutes acceptance of the Village's monitoring and disclosure of such use. Use of the Village's electronic media can be limited by the Village at any time for any reason. The Village may consent to the disclosure of information from use of electronic media or any other property, the Village may

consent or authorize a law enforcement agency to search or review the Village's electronic media, and the Village may use such information for the Village's intentions and purposes.

No written policy can list every conceivable circumstance that relates to proper use. Village employees are professionals who are expected to exercise responsible professional judgment. The employer has complete and sole discretion to determine whether any use or access is inappropriate, even if the use is not expressly prohibited or addressed in this policy or rules. The Village may ask employees to stop any use it believes is improper. In addition, the Village may block access to any content it believes is not appropriate. Employees who do not adhere to this policy may be disciplined, which can include restriction of the electronic media use, discipline up to and including termination, and pursuit of any criminal or civil liability.

EMPLOYEE EXPENDITURES

VENDING PROCEEDS

Proceeds from vending areas/machines located at Village Hall, Police Department, Fire Stations, Highway garage and Utility shall be held in trust by the employees in these respective areas to be used for such activities as picnics, retirement gifts and like activities for the direct and general welfare of the employees in the respective divisions.

FLOWERS & MEMORIALS

When flowers or memorials are provided by the Village, the amount shall not to exceed \$75. Flowers or Memorials may be provided under the following circumstances: Hospitalization over three days – Current full-time employees & elected officials. Death – Current or retired employee, elected official, commission or committee member. Spouse, parent or child of current employee or elected official. Expenditures shall come out of work supplies in the respective area with the administration budget to bear the costs of any person not easily classified.

EMPLOYEE RECOGNITION

Village funds may be expended as part of swearing in ceremonies and gatherings by approval of the Village Administrator. Efforts shall be made by the coordinators to minimize expenditures to the Village.

EMPLOYEE BREAKROOM/LUNCHROOM SUPPLIES

Employees should furnish their own supplies to be used in lunchroom and breakrooms. These items would include small kitchen appliances, coffee, coffee supplies, paper plates, plastic utensils, and any other products regularly used by employees.

MEETING EXPENSES

Village Administrator may authorize expenditures for meeting expenses that may include food and/or necessary supplies. These meetings may include business lunch meetings, food or supplies for meetings with outside agencies or board meetings where the meeting would extend over lunch or dinner period. Efforts shall be made by the coordinators to minimize expenditures to the Village.

EMPLOYEE SOLICITATION

Employees may not engage in solicitation of any kind during their working time or during the working time of the employee being solicited. Employees may not engage in distribution of literature of any kind in working areas at any time. Employees may not engage in distribution of literature of any kind during their working time or during the working time of the employee receiving the literature. Working time excludes authorized breaks or meal periods, and working areas excludes breakrooms.

EMPLOYMENT OF RELATIVES

Any relative of a Village employee will be considered for employment like any other applicant. However, relatives are **not allowed** to directly supervise one another or be in a position to influence the other's pay or work assignments without Village Board approval.

ETHICAL STANDARDS

In addition to any applicable state laws, Village employees must comply with the Village's Ethical Standards, which are codified in Title 2, Chapter 6 of the Village of Caledonia Code of Ordinances and can be found here: <https://caledonia-wi.gov/sites/default/files/Title2%2CChapter6.pdf>

GENERAL CODE OF CONDUCT

Public service as an employee of the Village of Caledonia is a privilege and not a right. The Village desires to employ individuals who will serve the public, who will protect and further the trust and confidence the public has placed in its servants, and who strive for professional growth and effective service.

High quality performance, honesty, respect, reliability, professionalism, and good judgment are fundamentally required of each employee. Other standards of conduct exist in order to maintain an orderly and efficient working environment and for preservation of the public's trust in its public servants. The Rules of Conduct apply to all employees.

The primary objectives for each employee are to protect and further the public's trust and confidence and to perform at a high-quality level so that our citizens, businesses, representatives of other entities, coworkers, and visitors receive high quality services from each employee. Conduct that is inconsistent with those objectives or in violation of policy or general expectations of professional conduct is forbidden and will subject the offending employee to discipline up to and including discharge. The employer has established these Rules of Conduct and its policies and expectations of conduct in

furtherance of the effective operation of the village, to further these objectives, and for the employee to have a successful career.

No list of rules or types of unacceptable conduct can substitute for the sound and reasonable judgment expected of each employee. It is impossible to list every conceivable type of unacceptable conduct contrary to the interests of the employer. While it is impossible to list all types of unacceptable conduct, the employer believes certain acts of misconduct, standing alone, warrant serious discipline up to and including discharge, such as the following:

- A. Dishonest, misleading, or deceptive conduct
- B. Falsification or unauthorized altering of records, employment applications, timesheets, timecards, Village records, etc.
- C. Failure to assist a Village citizen or employee in an emergency situation where such assistance is within the normal scope of the employee's duties.
- D. Excessive tardiness or absenteeism.
- E. Failure to report absence or tardiness in accordance with the Attendance Policy,
- F. Fighting, gambling, or horseplay which creates a disturbance or hazard.
- G. Using profane, obscene, or abusive language while at work.
- H. Threatening, intimidating, or coercing others on Village property, or carrying any unauthorized weapons including but not limited to gun(s), knife(s), etc.
- I. Insubordinate conduct towards and/or lack of cooperation with managers/supervisor's department head(s), Village Administrator, or an elected Village official.
- J. Leaving the job without permission during regularly assigned working hours.
- K. Sleeping while on duty. Fire personnel are exempt from this policy.
- L. Creating an unsafe or unsanitary condition.
- M. Stealing or unauthorized use of Village property.
- N. Loss, damage, destruction, or unauthorized removal or use of property belonging to the Village, employees or citizens.
- O. Negligence in observing fire prevention or safety regulations, or failure to report on- the-job injuries or unsafe working conditions.
- P. Inefficient performance of duties, incompetence, neglect of duty or failure to complete assignments.
- Q. Theft, property damage, illegal drug use, or any other unlawful behavior, whether or not on duty.
- R. Violation of the Village's Harassment and Discrimination Policy, or any other Village policy governing employee conduct.
- S. Violation of the Village Electronic Usage Policy.
- T. Violation of any other commonly accepted reasonable rule of conduct.
- U. Failure to report injury or accident immediately.
- V. Engaging in conduct or activities which serve to lengthen the healing period for a work-related injury.

W. Discourteous treatment of others.

The Employer reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the employer and warranting of disciplinary action up to and including discharge.

HARASSMENT AND DISCRIMINATION PROHIBITED POLICY

PURPOSE

The purpose of this policy is to maintain a healthy work environment for all Village employees in which all individuals are treated with respect, professionalism, and dignity and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination. It is also the policy of the Village of Caledonia to comply with all applicable federal, state and local laws which prohibit discrimination and harassment on the basis of race, color, religion, age, sex, national origin, disability, veteran status, ancestry, marital status, genetic information, or other characteristics protected by applicable federal, state and local law, and which prohibit retaliation for exercising the right to be free from discrimination or harassment. This policy is in conformance with the antidiscrimination and harassment goals contained within applicable Federal, State and local ordinance law and the goals of the Village of Caledonia.

POLICY

The Village is proud of its professional and congenial work environment and will take all necessary steps to ensure that the work environment remains respectful, dignified, and professional for all that work here. The Village is committed to maintaining a work environment that is free of discrimination and harassment in all phases of employment. In keeping with this commitment, all employees must treat each other with courtesy, consideration and professionalism. The Village will not tolerate harassment, discrimination, or retaliation of any employee by anyone, including supervisors, co-workers, contractors, or agents of the Village. In addition, harassment or discrimination for any prohibited reason, such a race, creed, color, disability, marital status, sex, sexual orientation, national origin, ancestry, arrest record, conviction record, membership in the national guard, state defense force or any reserve component of the military forces of the United States or this state, or use of lawful products off the employee's premises during nonworking hours is prohibited by state and federal laws, which may subject the Village and the individual violator to liability for any such unlawful conduct. With this policy, the Village prohibits not only unlawful harassment and discrimination, but also retaliation for reporting any complaint of harassment, discrimination or disrespectful conduct. Accordingly, an employee who engages in discriminatory, harassing, retaliatory or other inappropriate conduct or who fosters an environment where such conduct goes unreported or unchecked is subject to disciplinary action, up to and including immediate termination.

PROCEDURES

A.) PROHIBITED CONDUCT

- 1.) Conduct prohibited by this policy includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or any other visual, verbal, or physical conduct of a sexual or sex-based nature between members of the same or opposite sex where:
 - a.) Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment.
 - b.) Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
 - c.) The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile, or offensive to the employee.
- 2.) Sexual Harassment is not limited to sexual advances or expression of sexual desire. It may also include expressions of hostility or dislike or other inappropriate conduct toward another based upon that individual's sex or gender. Conduct prohibited by this policy also includes but is not limited to, verbal, physical, visual or other conduct relating to an individual's race, color, religion, age, national origin, disability or handicap, veteran status, ancestry, marital status, or any other characteristic protected by applicable federal, state or local law, where the conduct: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities
- 3.) Each employee must avoid engaging in conduct that may be perceived by others as harassment or other conduct prohibited by this policy. Some examples of prohibited conduct include, but are not limited to:
 - a.) Unwanted sexual advances, flirtations, innuendo, explicit sexual propositions or demands for sexual favors in exchange for favorable treatment or continued employment.
 - b.) Threats or insinuations that the individual's employment, wages, promotional opportunities, job or shift assignments or other conditions of employment may be adversely affected by not submitting to sexual advances.
 - c.) Sexually oriented kidding, teasing, practical jokes or horseplay, jokes about gender specific traits, sexually suggestive or obscene body language or gestures.
 - d.) Display of sexually suggestive, obscene or offensive printed or visual material including viewing or displaying such material on a computer via the Internet, e-mail or other electronic means.
 - e.) Physical contact, such as touching, patting, pinching or brushing against another's body.
 - f.) Teasing or jokes referring to race, national origin, or ethnicity.
 - g.) Vulgar, obscene or other inappropriate language.
 - h.) Referring to an individual's race, age, physical or mental condition, particularly when making decisions affecting the individual in the workplace or which affect the individual's ability to perform his or her job.

- 4.) Harassment and other prohibited behavior will not be tolerated in the workplace or in any work-related environment, such as trainings, seminars or office parties. This policy covers harassment of Village employees by other employees, individuals serving on the board, commission, or committee for the Village, any agent or vendor doing business with the Village, and by any third party.

B.) REPORTING AND INVESTIGATION OF COMPLAINTS

- 1.) The Village is committed to preventing harassment, to investigating complaints of inappropriate conduct, and remedying violations of this policy. All complaints of harassment must be promptly reported and will be investigated quickly and thoroughly.
- 2.) All employees have an obligation to report harassment or discrimination, whether as a victim, a target of the behavior, or as an observer. Employees should not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. Supervisors are responsible for monitoring the work environment and immediately addressing any prohibited behavior observed or brought to the supervisor's attention, both as a means of promptly ending inappropriate conduct and to fulfill reporting responsibilities below. No employee or supervisor should dissuade any employee from promptly reporting prohibited behavior. No employee or supervisor should assume an employee subjected to such prohibited conduct will report such behavior, even if the victim or target indicates he or she may report it.
- 3.) Employees must promptly and thoroughly report such prohibited conduct to their Supervisor. In the event that their Supervisor is unavailable, if their Supervisor is the subject of such conduct or investigation for harassment, or the employee is not comfortable reporting to their Supervisor, then the employee should instead promptly report the prohibited conduct to either of the following: the Village Administrator or the Human Resources Manager. If both the Administrator or Human Resources Manager are unavailable, then the employee should promptly report to the Village Board President.
- 4.) The Human Resources Manager will be made aware of all harassment complaints. The Administrator, the Police Chief and the Human Resources Director will be responsible for investigating complaints of harassment. If the complaint involves the conduct of the Village Administrator, then the Human Resources Manager, Chief of Police and Village Board President will be responsible for investigating complaints of harassment. If the complaint involves the conduct of the Human Resources Manager, then the Administrator, Chief of Police and the Village Board President will be responsible for investigating complaints of harassment. Complaints against the Police Chief will be investigated by the Administrator, Village Board President and HR Manager.
- 5.) In response to every complaint, the Committee must notify the Village President that a complaint was made.
- 6.) The Committee will investigate the complaint thoroughly and promptly and notify the complainant that an investigation will be undertaken. Reasonable measures will also be taken to protect all employees, including the reporting employee, from any retaliatory behavior. These measures might include temporary reassignments or separating the alleged harasser and the reporting or

affected

employee(s).

C.) RESPONSIVE ACTION

- 1.) If the investigation identifies a violation of this policy, then the Village will undertake appropriate corrective action designed to rectify the conduct and prevent any recurrence. Corrective action includes such discipline up to and including immediate termination of employment, as is appropriate. The results of the investigation will be communicated to the Village President. The Village may take other appropriate and remedial action including training, reassignment, and other creative measures. Although total confidentiality cannot be promised, if a proper and thorough investigation is to be conducted, the Village will, in its discretion, attempt to discuss complaints and the terms of their resolution only to the extent necessary and as is practicable and appropriate under the circumstances. Information necessary to complete the investigation of inappropriate conduct, discrimination or harassment, including the identity of the employee allegedly engaging in the conduct, the employee who is the target of such conduct, and the content of the accusations, will be disclosed as necessary during the investigation and any investigatory interviews of witnesses.

D.) RETALIATION IS PROHIBITED

- 1.) All employees shall respect the right of their fellow coworkers to make legitimate complaints of inappropriate or offensive conduct. Employees should not gossip, spread rumors, ignore, or be hostile towards coworkers who have made complaints under this Policy. If an employee believes that he or she has been retaliated against in any way for making a complaint under this policy, he or she should report such retaliation in the same manner as set forth in the "Reporting" section above.

2.) False Accusations

If an investigation results in a finding that an individual made false or bad faith accusations of discrimination, harassment, inappropriate conduct, or retaliation, the accuser may be subject to disciplinary action, up to and including immediate termination.

OUTSIDE EMPLOYMENT

Employment with the Village of Caledonia by regular full-time employees and part time employees scheduled to work more than twenty hours per week, should be considered the employee's primary employment. Secondary employment with other entities must not conflict, whether real or implied, with the duties of the employee. Police Department employees must receive permission from the Chief of Police to engage in secondary employment. The Village has prior call upon the services of its employees, regardless of any conflict with secondary employment. An employee who engages in secondary employment must clearly define himself or herself as an employee of the secondary employer and not act or treat himself or herself as an employee or agent of the Village of Caledonia. The Village may terminate the employment of an employee whose secondary employment may interfere with the performance of his or her work, where a conflict, whether real or implied exists,

where the interests of the Village are impacted as a result or where such employment or conduct negatively affects the image of the Village or employees. An employee shall not be permitted to conduct business of the secondary employer during any hours of which the employee is being paid by the Village or on its premises. An employee shall not be permitted to work for another employer while on a leave of absence or while absent for illness from the Village.

PERSONAL APPEARANCE

All Village employees must wear appropriate attire that is generally acceptable according to the standards and practices of the time. All clothing is expected to be clean, well maintained and presentable. Employees are to maintain a well-groomed appearance at all times.

POLITICAL ACTIVITY

No Village employee is allowed to participate in, encourage or solicit any political campaign activities of any kind at any time on any Village property. Employees are specifically prohibited from directly or indirectly coercing any person to hold or contribute monetary or other types of assistance to any political candidate, party, or purpose. Under provisions of the Federal Hatch Act, employees who are principally employed in an activity that is financed in whole or part by federal loans or grants cannot become political candidates in partisan elections.

SMOKING POLICY

In keeping with the Village's intent to provide a safe and healthful work environment, the use of tobacco products, including chewing tobacco and other smokeless tobacco products is prohibited in all Village buildings, Village vehicles and while performing any job function. This policy applies to all employees, customers, and visitors. Employees smoking outside of Village facilities shall be limited to outside designated smoking areas.

The Village also prohibits the use of Electronic Nicotine Delivery Systems (ENDS) including but not limited to electronic cigarettes (e-cigarettes), vape pens, mechanical MODs and Juul devices in all Village buildings, Village vehicles and while performing any job function.

Violation of this policy will result in disciplinary action, up to and including termination.

SOCIAL NETWORKING POLICY

The Village of Caledonia has an overriding interest and expectation in deciding what is "announced" or "spoken" on behalf of the Village using social media. The Village's intent is to create a "government speech forum" or a "limited forum" devoted exclusively to the Village's postings to the public. Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws.

THE VILLAGE'S WEBSITE

The Village's website (<http://www.village.Caledonia-wi.us>) is the Village's primary and predominant

internet presence. All of the Village's website content and social media sites that are posted by departments and offices will be subject to approval by the Administrator or designee. Social media use should complement rather than replace the Village's primary website. Only employees authorized by the Administrator are authorized to post content on the Village's website.

SOCIAL MEDIA PROVIDER TERMS OF SERVICE

The terms and conditions of the social media provider represent a binding contract. No employee may execute such terms of service or enter into an agreement on behalf of the Village without authorization from the Administrator.

SOCIAL MEDIA POSTING

As a public entity, the Village must abide by certain standards to serve all constituents in a civil and unbiased manner. Only employees authorized by the Administrator are authorized to post content on an authorized Village social media profile on behalf of the Village. The Administrator or their designated representative will maintain a list of social media profiles, including login and password information, approved for use by departments and employees for communicating the Village's business. Any social media profiles used by the Village, including any login information and passwords, are the property of the Village and not the property of an employee or other party. Any social media profile used by the Village must be capable of editing, removing, and archiving content from social media websites. The authorized employee will inform the Administrator or their representative of any administrative changes to existing social media profiles. More complete regulations and procedures for social media posting is available in the Social Media Usage document.

TELEWORK POLICY

While most of our work must be done in person, on site, the Village recognizes that unique circumstances may arise where employees may be allowed to temporarily work remotely. These remote work arrangements will generally be temporary and will apply to only certain positions and employees who are trusted and professionally capable to perform such responsibilities. To ensure that remote work is done efficiently and effectively, employees will be required to complete necessary documents in conjunction with their supervisor. Additionally, they will be required to check in with their supervisor at least twice a day following the established procedure. Employees who work remotely must continue to abide by the Village's employment policies, including its Anti-Harassment policy, timekeeping policy, and all other policies contained in the Personnel Manual. Telework prescribed documents must be signed and approved in advance of such arrangements. Employees who do not follow the proper procedures will have their privilege taken away.

PART V WORKPLACE SAFETY

DRUG & ALCOHOL MISUSE PREVENTION

In compliance with the Drug-Free Workplace Act of 1988, Village of Caledonia has a longstanding commitment to provide a safe, quality-oriented and productive work environment consistent with the

standards of the community in which the Village operates. Additionally, The Federal Motor Carrier Safety Administration (FMCSA) has issued federal regulations (49 CFR Parts 40 and 382) implementing the provisions of the federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees involved in safety-sensitive functions.

POLICY COVERAGE

The policy applies to all full-time, part-time, seasonal, and limited-term employees, including both those with Commercial Driver's Licenses. The rules and procedures for drug and alcohol testing are spelled out in the Drug & Alcohol Prevention Procedures. Separate processes and specific provisions for CDL holders can be found in the DOT Regulated Employee Alcohol & Drug Prevention Procedures. The Village will conduct random drug/alcohol screens for CDL holders, as well as pre-employment screening for all new employees. The Village also has the right to require testing if there is reasonable suspicion of intoxication/drug use.

POLICY

Alcohol and drug abuse poses a threat to the health and safety of Village of Caledonia employees and to the security of the Village of Caledonia equipment and facilities. For these reasons, Village of Caledonia is committed to the elimination of drug and alcohol use and abuse in the workplace. Employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale. Additionally, use and/or abuse of alcohol or controlled substances by drivers of our commercial motor vehicles present a serious threat to the safety and health of the driver and the general public. The Village has established a drug-free workplace program that balances the respect for individuals with the need to maintain a drug and alcohol-free environment. Village drivers should be free of drugs and alcohol at all times while performing any work for the organization, or while on any Village property.

A. Prohibited Conduct for all Village Employees

1. As required by the Drug Free Workplace Act, all Village employees are strictly prohibited from using, possessing, manufacturing, distributing, or dispensing controlled substances while on Village property, or operating Village equipment or vehicles.
2. Village employees are prohibited from reporting for or remaining on duty or performing assigned job duties while under the influence of alcohol or a controlled substance.
3. Village managers / supervisors are prohibited from deliberately misusing this policy in regard to subordinates, as well as providing false information in connection with a test, or falsifying test results through tampering, contamination, adulteration or substitution.

B. Prohibited Conduct for Commercial Drivers' License Holders

1. Using or possessing alcohol while on duty. Note: Federal regulations include medications containing alcohol in the substances banned from use or possession in the workplace. Therefore, drivers should not report for duty while using or possessing medication if such medication contains any measurable amount of alcohol;
2. Using alcohol within eight (8) hours following an accident, unless the employee has already undergone DOT-regulated post-accident drug and alcohol testing or is not required to undergo post-accident drug or alcohol testing;
3. Reporting for duty or remaining on duty while having an alcohol concentration of 0.04 or greater;
4. Consuming any amount of alcohol within four (4) hours before reporting for duty;
5. Using controlled substances while on duty, unless the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances or has adulterated or substituted a specimen for controlled substances; or
7. Refusing to submit to any alcohol or drug testing required by this policy.

C. Report of Criminal Conviction

Criminal convictions for manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace must be reported in writing to the HR Department no later than 5 calendar days after such conviction. Appropriate action, which may consist of discipline up to and including termination, will be taken within 30 days of notification. Federal contracting agencies will be notified when appropriate.

VIOLENCE IN THE WORKPLACE

The Village is committed to providing a safe workplace for its employees and a safe environment for the citizens of the community and has a zero-tolerance policy toward any intimidating, threatening or violent behavior at the workplace. This policy applies to any form of violence occurring on the worksite or involving Village employees engaged in the performance of their work duties whether on or off the worksite. Violence occurring at other locations involving Village employees will come under this policy if it adversely affects the interests of the Village. In addition, this policy applies to domestic violence situations when physical harm, threat of harm or fear of harm creates a safety issue for any employee while performing their job. Domestic violence threats at work must be met with the same level of response as any other kind of threat. Supervisors will work to the extent reasonably possible to ensure that employees are free from intimidating, threatening and violent behavior while at work.

POLICY

Patrons and employees are prohibited from bringing unauthorized, concealed and/or unconcealed weapons, as defined by state statute (i.e. handgun, knife, bully club or taser) to the worksite, including the storage of weapons with their personal belongings in the workplace. This prohibition does not include firearms stored in an employee's personal vehicle, even while on Village business, and does not apply if the firearm is in a vehicle driven or parked in a parking facility, or to any part of the building,

grounds or lands used as a parking facility, as well as Village parks (this restriction does not apply to employees who use Village provided vehicles). Law enforcement officers employed by the Village Police Department or other agencies may bring firearms to the worksite if authorized by the Chief of Police. Patrons and employees are prohibited from carrying a concealed or unconcealed weapon in a law enforcement facility, jail, secure mental health facility as defined by state law, and courthouse (including areas used as municipal courts while in session). Patrons and employees who carry unauthorized, concealed or unconcealed weapons or display intimidating, threatening and/or violent behavior will be held accountable under Village policy and work rules, as well as local, state and federal law. An employee who harasses, threatens, attempts to or inflicts bodily harm on co-workers, representatives of other agencies, or members of the general public is in violation of this policy. All Village managers and employees are responsible for committing to and becoming involved in the prevention of workplace violence and promotion of a safe work environment.

Violence is defined as any direct, conditional or implied threat, intentional act or other conduct which reasonably arouses fear, hostility, intimidation or the apprehension of harm in its target or witnesses, regardless of the location of such acts. Workplace violence includes vandalism or the destruction of property at the worksite belonging to an employee, citizen, vendor or the Village. The Village property includes all items owned or leased. Weapons include any item which, in the manner it is used or intended to be used is likely to produce death, physical injury or property damage.

Workplace violence includes intimidations or threats, which is an implication or expression of intent to inflict physical or emotional harm and/or actions that a reasonable person would perceive as a threat to personal safety or property. Threatening behaviors include, but are not limited to:

- Non-verbal threats (i.e. glaring, starting with intent to intimidate, or insulting gestures)
- Mail, facsimile, messages, phone calls, texts, e-mail or any correspondence deemed by a reasonable person to be intimidating, threatening or coercing.
- Intimidating, stalking or coercing fellow employees on or off premises at any time, for any purpose, that in the employer's judgment affects the interest of the Village.

PART VI EMPLOYEE SEPARATION

EMPLOYEE SEPARATION PROCEDURES

Exit Interview:

All employees terminating employment with the Village of Caledonia will be requested to complete an exit interview on or before their last day of work. To help the employee prepare for this meeting, a copy of the interview questions will be given to the employee for completion prior to the interview.

Information compiled during the interview is confidential and will not affect any future employment opportunities within the Village.

Final Paycheck:

Employees must leave instructions, in writing, with the Finance Department for forwarding their last paycheck. If an employee does not leave any specific instructions, the check will be direct deposited or mailed to the employee's home address. If the employee's address on record will/has been changed, the employee must notify the Finance Department of a forwarding address for mailing the W-2 earnings form.

Office/Work Area Keys:

Employees must return all keys to their Department Manager or Human Resources on their final day of employment with the Village.

Miscellaneous Items:

Employees are to return any items belonging to the Village of Caledonia, such as files or reference materials, credit cards, equipment, etc. to their Department Manager or Human Resources.

RETIREMENT PLAN

The Village provides retirement benefits through the Wisconsin Retirement System. All employees meeting the statutory eligibility requirements are eligible to participate in the retirement plan. The Village will contribute the statutory required employer contributions to the Wisconsin Retirement System. Employees whose employment with the Village has ended have certain options under the Wisconsin Retirement System. Each employee should contact the Wisconsin Retirement System directly for more information.

SEVERANCE BENEFITS

Employees hired on or after January 1, 2012 are not entitled to the severance benefits set forth below, except for applicable COBRA benefits and unused vacation (see B). The following severance benefits apply to any regular full-time employee hired prior to January 1, 2012:

Regular full-time employees are eligible to receive severance benefits upon retirement, termination due to total disability, or non-disciplinary terminations. Except for unused vacation pay, employees terminated for disciplinary reasons are not eligible for any of the severance benefits listed below.

Severance benefits include:

- A. A lump sum payment of \$15.00 per day for accrued, unused sick days up to a maximum of 190 days. Effective January 1, 2012, there shall be no further accrual of sick days for the purpose of determining the amount of lump sum payment.
- B. Pay for awarded but unused vacation. There shall be no payment, however, for unused floating holidays.

C. Regular full-time employees who retire under the Wisconsin Retirement System (WRS) and from employment with the Village may be eligible for continued group health insurance coverage, with the Village paying 50% of the premium cost. To qualify for this benefit, the following criteria must be met:

- The employee's age and number of years of continuous employment with the Village, when added together, must total 85 or greater. For public safety employees (as defined by the WRS), the total age and continuous service must be 75 or greater.
- The employee must meet the age and other requirements for retirement under WRS.
- Eligible employees must pay their 50% share of the premium on a timely basis.
- The employee must be enrolled in the Village's health insurance program at the time of retirement.

Upon retirement and in lieu of the lump sum payment for accrued sick days in paragraph A. above, a management or other non-represented employee may opt to receive 1/2 of the total accumulated hours of sick leave at the employee's hourly rate of pay in existence at the time of retirement. Effective January 1, 2012, there shall be no further accrual of sick leave for the purpose of funding this benefit. This money shall be held by the Village to pay for the retiree's share of health insurance premiums until the fund is depleted. Upon the death of the retiree, or if the retiree is no longer eligible to continue coverage under the Village's insurance plan (e.g., upon reaching the age for Medicare eligibility), a spouse who is enrolled in the Village insurance plan will be allowed to continue the coverage and use the sick leave fund for required premiums on the same terms as the retiree. If the fund is depleted prior to the spouse reaching the full age of Medicare eligibility, he/she will be allowed to continue the coverage until reaching the full age of Medicare eligibility by paying the full premium. If the fund is not depleted prior to the spouse reaching the full age of Medicare eligibility, the amount remaining in the fund shall be forfeited to the Village. An employee with 30 or more years of service to the Village who retires under the WRS and from the Village can continue to participate in the Village's health insurance plan after reaching the full age of Medicare eligibility at the retiree's expense by paying the full cost of the applicable premium. If said retiree dies a spouse already in the plan may continue in the plan at no cost to the Village by paying the full cost of

the applicable premium until reaching the full age of Medicare eligibility.

The retiree or spouse (where applicable above) shall be offered enrollment in the same health insurance plan that he/she participated in prior to retirement, except that when the underlying group from which he/she retired changes its health insurance plan, the retiree/spouse will be required to change to that plan as well.

Subject to any applicable COBRA benefits, the above provisions related to continuation of health insurance coverage apply only to an employee and his/her spouse, and not to any dependents of the employee or spouse.

- D. If the employee is (1) qualified to receive the health insurance benefit under Paragraph C, but chooses not to remain insured under the Village's health insurance plan, or is (2) not qualified to receive the health insurance benefit under Paragraph C, but has reached the age of retirement as defined under the Wisconsin Retirement System, the employee will be paid at the employee's hourly rate in effect at the time of retirement for 25% of the total accumulated sick hours that the employee has available at retirement. Subject to any applicable COBRA benefits, an employee who chooses to receive the 25% payout under this section shall not be allowed to continue on or rejoin the Village's health insurance plan and shall not be eligible to receive the lump sum payment for accrued sick days in Paragraph A above. Effective January 1, 2012, there shall be no further accrual of sick leave for the purpose of funding this benefit.
- E. Any employee or his/her spouse, who opts to receive benefits under Sections A through D shall be responsible for the payment of state and federal taxes related to the portion of the benefit that is taxable, and the Village shall make the required withholdings. The Village does not advise on any personal income tax requirements or issues. Employees are encouraged to seek professional tax advice for personal income tax questions and assistance.

LAYOFFS

If it becomes necessary to have a reduction of personnel, employees will be laid off and recalled in accordance with the needs of the Village as determined by the Village Administrator and the Village Board.

PART VII

MODIFICATIONS TO PERSONNEL MANUAL

The policies contained herein may be periodically modified by the Village Board without prior notice

to employees, but employees will receive notice after changes are made. However, the Village Board may, whenever practical, solicit input from all Village Employees prior to making significant changes to a policy.

OTHER POLICIES

Nothing in this Manual shall preclude departments from implementing written policies that are not inconsistent with the policies in this Manual, but copies of all such policies must be provided to the Village Administrator and Human Resources before they are adopted or enforced.

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: May 9, 2022

ITEM TITLE: Updated Policy Manual

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

In putting together the policy manual, the first task I had was to pull in all policy revisions made by resolution and to incorporate them into the most recent policy manual which was several years old. After I pulled them all together, I looked at the suggested policies from CVMIC to find what policies we still need to implement and what policies needed to be updated. For the most part, all revisions and additions come from CVMIC's recommended policy language or from Von Briesen (or both). None of these CVMIC recommendations impacted our existing procedures, but they do offer us liability protection. All substantive policy changes were approved by the Personnel Committee and, in some cases, the Village Board. There are still a few revisions that need to be made but because they require more thought, and in some cases outside assistance, they have not yet been made. I anticipate these revisions coming to the board within the next couple of months.

Because the policy manual was revised completely, including new formatting and organization, included is a listing of revisions, deletions and additions along with where they are located in the draft manual. Taking into consideration previous feedback about the policy manual being too procedure focused, many of the lengthier policies were condensed for the policy manual and a complete policy with the procedures and related rules will be provided to staff in a supplemental document.

Policy Revisions:

- Equal Employment Opportunity (replaced entire policy) pg 5
- Employee Files pg 6
- Attendance pg 8
- Classification of Employees pg 8
- Recording time (moved to Attendance Policy) pg 8
- Performance Evaluations pg 14
- Reimbursement of Clothing (formatting change only) pg 30
- Payroll deductions pg 14
- Holiday Pay pg 22
- Vacation pg 40
- Requests for time off (part of attendance policy) pg 8
- Employee Exit Interview pg 62
- Outside Employment pg 57
- General Work Conduct pg 52
- Computer Usage Policy now Electronic Media Use and Electronic Communications policy pg 50
- Alcohol and Drug testing pg 59

- Discipline. Pg 45
- Overtime calculation and compensation pg 13
- Layoffs pg 65

Policy Additions:

- Chain of Command pg 4
- Disability Accommodation pg 3
- Professional Association Meetings/Trainings/Seminars pg 26
- Fair Labor Standards Act Policy pg 10
- Employee Assistance Program pg 16
- Association Activity- Union pg 43
- Communications and Confidentiality pg 43
- Conflicts of Interest pg 44
- Employee Expenditures pg 51
- Social Networking policy pg 58
- Hiring pg 7
- Violence in the Workplace pg 61
- Employee Separation pg 62
- Telework Policy pg 59

The policy deletions were all incorporated into other sections, or they are policies that are no longer relevant. Additionally, there were references to the Health Department and the Board of Health throughout the manual that have been removed.

Policy Deletions:

- Employment At Will (included in other sections)
- Job Description (incorporated into hiring policy)
- Job Training
- Social Security
- Maternity Leave
- Personal Telephone Calls
- Unemployment policy

2015-15 Salary Continuation related to Workers Compensation Policy

2016-52 Family and Medical Leave Act Policy update

2018-49 Overtime Calculation Policy

2019-01 Clothing Reimbursement Policy

2019-02 Holiday Pay Policy

2019-10 Emergency Closure Policy

2019-18 Smoking Vaping Policy

2019-19 Tuition Reimbursement Policy

2020-31 Teleconference Policy

2020-73 Workers Compensation Policy

2020-74 Temporary Transitional or Modified Duty Assignments

2021-23 Wage Compression Policy

2021-72 Retiree Health Care Benefit (revision)

2021-82 Vacation Policy

2021-83 Holiday Pay Policy

2021-84 Overtime Calculation and Compensation Policy