

NOTICE OF PERSONNEL COMMITTEE MEETING
Monday July 26, at 8:00 a.m. Caledonia Village
Hall - 5043 Chester Lane

1. Call to Order
2. Approval of Minutes
3. Utility Technician Job Description and Wage Range
4. Wage Increase for Utility Employee
5. Public Works & Utility Structure Discussion and Recommended Changes
6. Part Time Accountant Job Description and Wage Range
7. Employee Handbook Updates
8. Adjournment.

Dated July 23, 2021

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

Personnel Committee
June 21, 2021

1. Call to Order

Trustee Stillman called the meeting to order at 5:09 p.m. at the Caledonia Village Hall, 5043 Chester Lane

Committee Members: Trustee Stillman and Trustee Wanggaard. Trustee Wishau, Trustee Martin and Trustee Weatherston were also present.

Absent: None.

Staff present: Village Administrator Kathy Kasper, and HR Manager Michelle Tucker.

2. Approval of Minutes

Motion by Trustee Wanggaard to approve the minutes as printed. Seconded by Trustee Stillman. Motion carried unanimously.

3. Human Resources Manager Status Report

Tucker has made an effort to be as accommodating and approachable for the employees. Employees have been positive about the change, and she has continued to meet with all the staff. She will start to do employee newsletters and wants the employees to engage. She will be hosting some staff events and employees are excited to participate. She has reviewed policies and has identified some gaps. Civic will be coming in to do an HR audit, and will ask questions regarding policy and procedures and provide feedback on what could be changed. She is seeking guidance on how the process of change will go and if the Personnel Committee would like to see the manual on a more detailed level or review it in bulk. Tucker would like to meet regularly to update and reassure the Board that there is more trust within the Village and its staff.

Trustee Wanggaard wanted the policy manual to be gone through and to have Tucker highlight some topics that she would like to address and branch off from there. If we hit the critical areas first this would filter down to other portions of the manual that might be more beneficial to the direction we would like to go. Trustee Stillman would also like this to be gone through and have it brought to Personnel Committee and forward to the Board if necessary.

Trustee Wanggaard complimented Tucker on her reaching out to the different departments and being more proactive. A plan to meet quarterly with the committee was discussed and to increase the frequency of these meetings if need be.

Tucker wants to protect employees and wants to have a policy that supports both the Village and the employee. Tucker was commended for moving the office and allows her to be more available to employees. Employees can speak without retribution and can have a contact in the Village to make things work more harmoniously.

Trustee Wishau requested that manual be updated with anything that was updated via Resolution.

4. Adjournment

Motion by Trustee Wanggaard to adjourn. Seconded by Trustee Stillman. Motion carried unanimously.

Meeting adjourned at 5:26 p.m.

Respectfully submitted,
Joslyn Hoeffert
Village Clerk

BUSINESS OF THE PERSONNEL COMMITTEE

MEETING DATE: July 26, 2021

PLACEMENT New Business

ITEM TITLE: Utility District Technician/GIS Specialist Job Description

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

The Utility District Technician/GIS Specialist position has been approved by the Utility Commission and funds are available to fill it. We are looking for approval of the job description before posting.

ATTACHMENT: ORDINANCE____ RESOLUTION ____OTHER ____job description_____

RECOMMENDATION: Approve the job description for the Utility District Technician/GIS Specialist position.

ACTION BY Committee:

Village of Caledonia

Utility District Technician/GIS Specialist

Job Description

Position Title:	Utility District Technician/GIS Specialist
Reports to:	Utility Director
Employment Category:	Non-Exempt Full Time
Department:	Utility
Pay Grade:	

Job Summary:

Under the general direction of the Utility Director, the District Technician/GIS Specialist will assist with research, planning, drafting, and inspecting construction projects for the Caledonia Utility District. Additionally, the Technician/GIS Specialist will take the lead on editing and maintaining ArcGIS geodatabases for the Utility.

Essential Duties & Responsibilities:

The following are the fundamental job duties and responsibilities. These are not to be construed as exclusive or all-inclusive; other duties may be required and assigned, as management deems necessary.

- Provides construction inspection for Sanitary Sewer, Watermain, Storm Sewer, and Storm Water projects for compliance with plans and specifications.
- Determines if materials and quantities used comply with contract specifications.
- Prepares necessary reports and keeps organized and accurate records relating to the inspection of construction projects.
- Maintains quality and accuracy of data, manages project timelines, works in a precise and efficient manner, and pays close attention to detail.
- Reviews on a weekly basis all inspection documentation for accuracy and suitability to task.
- Responsible for all forms, invoices, requests, change orders and progress payments related to Utility projects.
- Handles questions and complaints in the field and in the office from property owners affected by construction projects.
- Drafts plans, maps and updates existing drawings both by hand and on the Computer Aided Drafting and Design (CADD) System and GIS System.
- Coordinates with Contractors and/or the Caledonia Highway Department on various projects.
- Manages and maintain Caledonia Utility District Records.
- Edits and maintains the ArcGIS geodatabases for updating Sanitary Sewer, Watermain, Storm Sewer and Storm Water information.

- Establishes and maintains effective working relationships with fellow employees, supervisors, contractors, and the public.
- Safely and lawfully operates a motor vehicle in all Wisconsin weather conditions, under exigent circumstances, and with due regard for the public, coworkers, and Village property interests.
- Other duties as assigned by the Utility Director and Utility Operations Supervisor.

REQUIRED QUALIFICATIONS, KNOWLEDGE, SKILLS & ABILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- A Bachelor's Degree in Civil Engineering or related field from an accredited College or University required.
- Wisconsin Engineer in Training (EIT) certification strongly preferred.
- Experience in construction inspection of sanitary sewer, watermain storm sewer and/or stormwater projects.
- Experience in surveying and familiarity with the technology and tools of civil engineering including computer technology.
- Experience with ArcGIS

Language Skills

- Must be able to communicate effectively both orally and in writing and must have strong interpersonal skills to deal with the public, general contractors and regulatory personnel.
- Ability to communicate and follow instructions both orally and in writing; and perform duties with a minimum of direct supervision.
- Ability to maintain effective and professional working relationships with fellow employees and customers.

Mathematical Skills

- Knowledge in mathematics, trigonometry methods, practices, techniques, equipment and instruments as they pertain to general engineering drafting formulas.
- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret complex descriptive statistical reports.

Reasoning Ability

- Must possess leadership skills and initiative to work independent of direct supervision.
- Ability to apply rational and ethical judgment, tact, courtesy, and diplomacy when dealing with Utility personnel, public customers, contractors, and city representatives.

Other Qualifications

- Knowledge of standards, specifications, methods and modern principles and practices of civil engineering.
- Knowledge of design, construction and maintenance of capital improvement projects preferred.
- Municipal engineering experience preferred.
- Excellent oral and written communication skills.
- Possess and maintain a valid Wisconsin driver's license.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is required to sit and talk or hear. The employee is frequently required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration. Depth perception and color vision also required.
- Ability to hear well in various levels of noise and activity required.
- Requires the ability to operate, maneuver and/or provide simple but continuous adjustment on equipment, machinery and tools such as computer and other machines, and or materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements, such as operating various pieces of equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- Ability to frequently climb ladders and stairs; operate in confined spaces; walk through construction sites; occasionally crawl; frequently bend and twist and routinely traverse irregular surfaces. Ability to balance, stoop, kneel, crouch, reach, and walk moderate distances.
- Ability to work in and perform physically laborious movements in various Wisconsin weather conditions from heat and rain to snowy and icy conditions.
- Ability to pry open manhole lids and catch basin grates.
- The employee must exert light physical effort in sedentary to light work in an office environment for 2-4 hours per day sitting, and 4-6 hours per day is spent in the field on construction sites standing for an extended period of time, and/or working near live traffic.
- The employee must occasionally lift and/or move up to 50 pounds.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Must have ability to spend part of each day in the field where work is dusty, noisy, and hazardous, alongside heavy equipment, loud and/or live traffic.

- The hours of this position are generally Monday-Friday 8am-5pm but inspection may occur outside normal business hours as needed, which may include evenings or weekends on occasion.

Selection Guidelines, Reasonable Accommodations, and Receipt:

This job description has been prepared to assist in properly evaluating various classes of responsibilities, skills, working conditions, etc., present in the classification. It is intended to indicate the kinds of tasks and characteristic levels of work difficulty that will be required of positions that will be given this title. It is not intended as a complete list of specific duties and responsibilities. Nor is it intended to limit, or in any way modify the right of any supervisor to assign, direct and control the work of employees under supervision. The use of a particular expression of illustration describing duties shall not be held to exclude other duties not mentioned that are of similar kind or level of difficulty. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Village of Caledonia may conduct a background investigation of a candidate for employment and periodically during the employee's employment. An applicant or employee is required to cooperate with the Village's background investigation.

The Village is an Equal Opportunity Employer. In compliance with state and federal law, the Village will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Applicant Signature

Date

BUSINESS OF THE PERSONNEL COMMITTEE

MEETING DATE: July 26, 2021

PLACEMENT New Business

ITEM TITLE: Wage Increase for Utility Employee

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

In doing research on the Utility Operator and Operator in Training positions, staff discovered that one of our Utility Operators is making less than the minimum wage for the position's approved wage range. They are currently at grade 11, which is \$25.50 to \$33.20 per hour. John Ulcek currently makes \$25.37. John's merit increase last year was 1%, so it is staff's recommendation that we increase his pay from \$25.37 to at least \$25.75 per hour which is 1% above the minimum for the range.

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER ____

RECOMMENDATION: Approve wage increase for John Ulcek to at least \$25.75 per hour.

ACTION BY Committee:

BUSINESS OF THE PERSONNEL COMMITTEE

MEETING DATE: July 26, 2021

PLACEMENT New Business

ITEM TITLE: Public Works Department Reorganization

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

With Tom Lazcano's resignation, we have an opportunity to analyze our staffing needs, while also looking at how to best utilize our existing staff. It is staff's recommendation that we reorganize slightly; a recommended organizational chart is attached. In this reorganization, Tony Bunkelman would take on additional responsibilities by assuming a new position titled Director of Public Services. This position would oversee the Utility District, the Highway Department, and the Engineering Department. Because of these additional responsibilities, the Director of Public Services position would be at a higher paygrade (22). As reflected in the organizational chart, it is also our recommendation that we create a Village Engineer position, which would be in the same pay grade that the Public Works Director had been. Drafts of both job descriptions, an updated wage chart, and the recommended organizational chart are included for your approval.

ATTACHMENT: ORDINANCE____ RESOLUTION ____OTHER _____

RECOMMENDATION: Approve the job descriptions and compensation for both the Village Engineer and the Director of Public Services and approve the updated wage chart and updated organizational chart.

ACTION BY Committee:

Village of Caledonia

Director of Public Services

Job Description

Position Title:	Director of Public Services
Reports to:	Village Administrator
Employment Category:	Regular Full-Time
Department:	Administration
Pay Grade:	22

Job Summary:

The Director of Public Services is responsible for leading the teams for three essential services: Public Works, the Utility District, and Engineering. This leadership role will include project planning and design, coordination of development projects with other Village departments, contractors and other agencies, management and budget oversight for each department. The Director of Public Services will also provide engineering guidance for development, Utility District, and road projects.

Essential Duties & Responsibilities:

The following are the fundamental job duties and responsibilities. These are not to be construed as exclusive or all-inclusive; other duties may be required and assigned, as management deems necessary.

- Oversee Village development projects
- Coordinate the development of construction projects with other Village Departments, utility companies, contractors, local businesses and residents.
- Review easements and right of way acquisitions for the Utility District, residential, commercial and industrial storm water management plans and site grading and drainage plan. Provide recommendations to the Utility District Commission and Public Works Committee, as needed.
- Attend and present at committee and board meetings for the Utility District, Public Works Committee and Village Board meetings.
- Investigate citizen requests and complaints pertaining to engineering projects, drainage issues, highway issues, building inspection and park planning. Provide information to residents, contractors, and other staff in a timely manner.
- Efficiently manage the functions of the Utility, Engineering and Public Works Departments. Administer, coordinate, and evaluate the responsibilities and functions of the Storm Water Utility District.
- Train, mentor and provide performance reviews for supervisory staff of the Utility District, Highway Department and Engineering Department.
- Prepare and submit annual budgets for departments and monitor expenditures, including for capital projects, throughout the year.

- Prepare forms and reports for submission to the Village Board, Utility District Commission, Department of Transportation and any other governmental departments necessary.
- Provide communication updates on utility, highway and engineering projects to the public, to staff and to elected officials.

REQUIRED QUALIFICATIONS, KNOWLEDGE, SKILLS & ABILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily.

The requirements listed below are representative of the knowledge, skill, and/or ability required.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- Bachelor's Degree in Civil Engineering from an ABET-accredited university
- Five (7) to seven (9) years in progressively responsible management positions in charge of a variety of engineering staff and large construction projects, or any combination of experience that provides the equivalent knowledge, skills and abilities
- Wisconsin Professional Engineering License preferred.
- Valid Wisconsin Driver's License or ability to obtain one required.
- Field inspection experience preferred.

Language Skills

- Ability to negotiate with a variety of people with differing interests.
- Ability to relate to and communicate effectively with others through both verbal and written communication methods
- Ability to establish good working relationships with all levels of staff and citizenry, and provide facilitation skills in sensitive, emotional, or hostile situations.
- Ability to gather, analyze, interpret, and present data in clear and concise reports and make recommendations.
- Knowledge of methods of research, program analysis and report preparation.
- Ability to develop policy and procedures related to engineering projects.

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret complex descriptive statistical reports.

- Ability to create and analyze complex financial spreadsheets.
- Knowledge of operational and capital budgeting best practices.

Reasoning Ability

- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to work well under pressure and handle stressful situations, to organize work and set priorities, managing time and resources to meet deadlines and changing demands within the entire operation of administrative services, perform duties with a minimum of supervision.

Other Qualifications

- Working knowledge of Microsoft Office software and their applications.
- Ability to effectively meet and deal with the public, individually and in larger groups; ability to speak effectively to an audience.
- Extensive knowledge of standards, specifications, methods and modern principles and practices of Civil Engineering.
- Extensive knowledge of design, construction, planning, and maintenance of capital improvement projects.
- Knowledge of survey techniques, AutoCAD, and GIS technologies,
- Practical knowledge of civil engineering practices and principles.
- Experience with WDNR stormwater permit regulations and MMSD stormwater requirements.
- Experience with WisDot PASER process and evaluations.
- Experience with construction management.
- Supervisory and leadership skills.
- Ability to organize and prioritize a large number of projects at one time
- Ability to work independently and in a team environment.
- Ability to engage in both short-range and long-range planning.
- Experience with development design and review, as well as roadway and stormwater design.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.
- Requires the ability to operate, maneuver and or provide simple but continuous adjustment on equipment, machinery and tools such as computer and other machines, and or materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing slightly skilled movements such as typing and to operate various pieces of office equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- The employee must exert light physical effort in sedentary to light work in an office environment for 4-6- hours per day; 2-4 hours per day is spent in the field on constructions sites which can consist of heavy lifting (over 50 lbs.), standing for an extended period of time, and/or working near live traffic.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use, irate individuals and intimidation may cause discomfort and poses limited risk of injury. Must have ability to spend part of each day in the field where work is dusty, noisy, and hazardous, alongside heavy equipment and/or live traffic.

- The hours of this salaried position vary week to week. In addition to the regular Monday-Friday 8am-5:00pm schedule, this position requires attendance at some evening and weekend meetings. The majority of work activities are performed in an office/meeting setting (4-6 hours/day), typically at a computer. There are frequently instances when this position performs duties outside the office at construction sites.
- The office work environment has a low noise level, while the field work often includes loud noises and machinery. This position requires the ability to multi-task.

Selection Guidelines, Reasonable Accommodations, and Receipt:

This job description has been prepared to assist in properly evaluating various classes of responsibilities, skills, working conditions, etc., present in the classification. It is intended to indicate the kinds of tasks and characteristic levels of work difficulty that will be required of positions that will be given this title. It is not intended as a complete list of specific duties and responsibilities. Nor is it intended to limit, or in any way modify the right of any supervisor to assign, direct and control the work of employees under supervision. The use of a particular expression of illustration describing duties shall not be held to exclude other duties not mentioned that are of similar kind or level of difficulty. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Village of Caledonia may conduct a background investigation of a candidate for employment and periodically during the employee's employment. An applicant or employee is required to cooperate with the Village's background investigation.

The Village is an Equal Opportunity Employer. In compliance with state and federal law, the Village will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Applicant Signature

Date

Village of Caledonia

Village Engineer

Job Description

Position Title:	Village Engineer
Reports to:	Director of Public Services
Employment Category:	Regular Full-Time
Department:	Engineering
Pay Grade:	20 (\$82,341.47-\$107,043.91)

Job Summary:

As the leader for a key piece of our Public Works Department, the Village Engineer is responsible for the day-to-day operations and activities of the Village of Caledonia's Engineering Department. This includes oversight of construction projects, plan design and review, supervision of Engineering staff, and creation and implementation of design criteria. The Village Engineer provides engineering expertise for all engineering projects including the Utility District. The Village Engineer also oversees the Building Inspection staff for both commercial and residential properties.

Essential Duties & Responsibilities:

The following are the fundamental job duties and responsibilities. These are not to be construed as exclusive or all-inclusive; other duties may be required and assigned, as management deems necessary.

- Plan, organize, supervise, and direct the operations of the Engineering Department and Inspection Department.
- Design and plan engineering studies, cost estimates, draft plans and specifications for proposed road, utility and other engineering projects, as assigned. This task includes working with contractors and consultants as necessary.
- Review, supervise and approve plans, surveys, specifications, the issuance of various permits, and all other work prepared by staff.
- Perform and review engineering projects taking Village Utility and road projects from field investigation, review of options, project design to implementation and restoration.
- Coordinate and provide engineering insight as necessary to the Utility Commission. This includes coordination with the City of Racine and surrounding Public Works Departments as necessary.
- Supervise and provide direction to the Engineering Technicians, to include engineering expertise, input into the hiring, discipline, and performance evaluation processes.
- Review new residential, commercial, industrial, and institutional developments for conformance with Village Ordinances.

- Develop design criteria, standards, and specifications for roads. Evaluate issues and options regarding municipal public works in conjunction with the Plan Commission and the Public Works Committee.
- Evaluate, administer, and interpret contract and specification requirements of various construction projects for compliance with Village Ordinances and acceptable standards.
- Coordinate the development of construction plans with other Village Departments, utility companies, contractors, etc., and make periodic field inspections of construction activities.
- Attend various public meetings such as Plan Commission, Public Works Committee, and Village Board.
- Investigate citizen requests and complaints pertaining to engineering projects, drainage and Right of Way issues and provide such information to citizens, developers, builders, consultants, utility companies, etc., in a timely, professional and respectful manner.
- Maintain files and records for engineering projects, including subdivision plat maps, certified survey maps, plans, specifications, GIS and as built drawings.
- Assist the Director of Public Services with department budget and Capital Improvement Planning.
- Prepare forms and reports for submission to the Village Board, Village Administrator, and Wisconsin Department of Transportation and other departments and agencies, as required.
- Safely and lawfully operate a motor vehicle in all Wisconsin weather conditions, under exigent circumstances, and with due regard for the public, coworkers, and Village property interests.
- Other duties that may be assigned by the Director of Public Services

REQUIRED QUALIFICATIONS, KNOWLEDGE, SKILLS & ABILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- Bachelor's Degree in Civil Engineering from an ABET-accredited university
- Five (5) to seven (7) years in progressively responsible management positions in charge of a variety of engineering staff and large construction projects, or any combination of experience that provides the equivalent knowledge, skills and abilities
- Wisconsin Professional Engineering License required.
- Valid Wisconsin Driver's License or ability to obtain one required.
- Field inspection experience preferred.

Language Skills

- Ability to negotiate with a variety of people with differing interests.
- Ability to relate to and communicate effectively with others through both verbal and written communication methods
- Ability to establish good working relationships with all levels of staff and citizenry, and provide facilitation skills in sensitive, emotional, or hostile situations.
- Ability to gather, analyze, interpret, and present data in clear and concise reports and make recommendations.
- Knowledge of methods of research, program analysis and report preparation.
- Ability to develop policy and procedures related to engineering projects.

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret complex descriptive statistical reports.
- Ability to create and analyze complex financial spreadsheets.
- Knowledge of operational and capital budgeting best practices.

Reasoning Ability

- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to work well under pressure and handle stressful situations, to organize work and set priorities, managing time and resources to meet deadlines and changing demands within the entire operation of administrative services, perform duties with a minimum of supervision.

Other Qualifications

- Working knowledge of Microsoft Office software and their applications.
- Ability to effectively meet and deal with the public, individually and in larger groups; ability to speak effectively to an audience.
- Extensive knowledge of standards, specifications, methods and modern principles and practices of Civil Engineering.
- Extensive knowledge of design, construction, planning, and maintenance of capital improvement projects.
- Knowledge of municipal and regional planning and zoning principles and the methods employed in conducting engineering research.
- Knowledge of survey techniques, AutoCAD, and GIS technologies,
- Practical knowledge of civil engineering practices and principles.
- Experience with WDNR stormwater permit regulations and MMSD stormwater requirements.

- Experience with WisDot PASER process and evaluations.
- Experience with construction management.
- Supervisory and leadership skills.
- Ability to organize and prioritize a large number of projects at one time
- Ability to work independently and in a team environment.
- Ability to engage in both short-range and long-range planning.
- Experience with development design and review, as well as roadway and stormwater design.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.
- Requires the ability to operate, maneuver and or provide simple but continuous adjustment on equipment, machinery and tools such as computer and other machines, and or materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing slightly skilled movements such as typing and to operate various pieces of office equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- The employee must exert light physical effort in sedentary to light work in an office environment for 4-6-7 hours per day; 2-4-3 hours per day is spent in the field on constructions sites which can consist of heavy lifting (over 50 lbs.), standing for an extended period of time, and/or working near live traffic.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use, irate individuals and intimidation may cause discomfort and poses limited risk of injury. Must have ability to spend part of each day in the field where work is dusty, noisy, and hazardous, alongside heavy equipment and/or live traffic.

- The hours of this salaried position vary week to week. In addition to the regular Monday-Friday 8am-5:00pm schedule, this position requires attendance at some evening and weekend meetings. The majority of work activities are performed in an office/meeting setting (4-6 hours/day), typically at a computer. There are frequently instances when this position performs duties outside the office at construction sites.
- The office work environment has a low noise level, while the field work often includes loud noises and machinery. This position requires the ability to multi-task.

Selection Guidelines, Reasonable Accommodations, and Receipt:

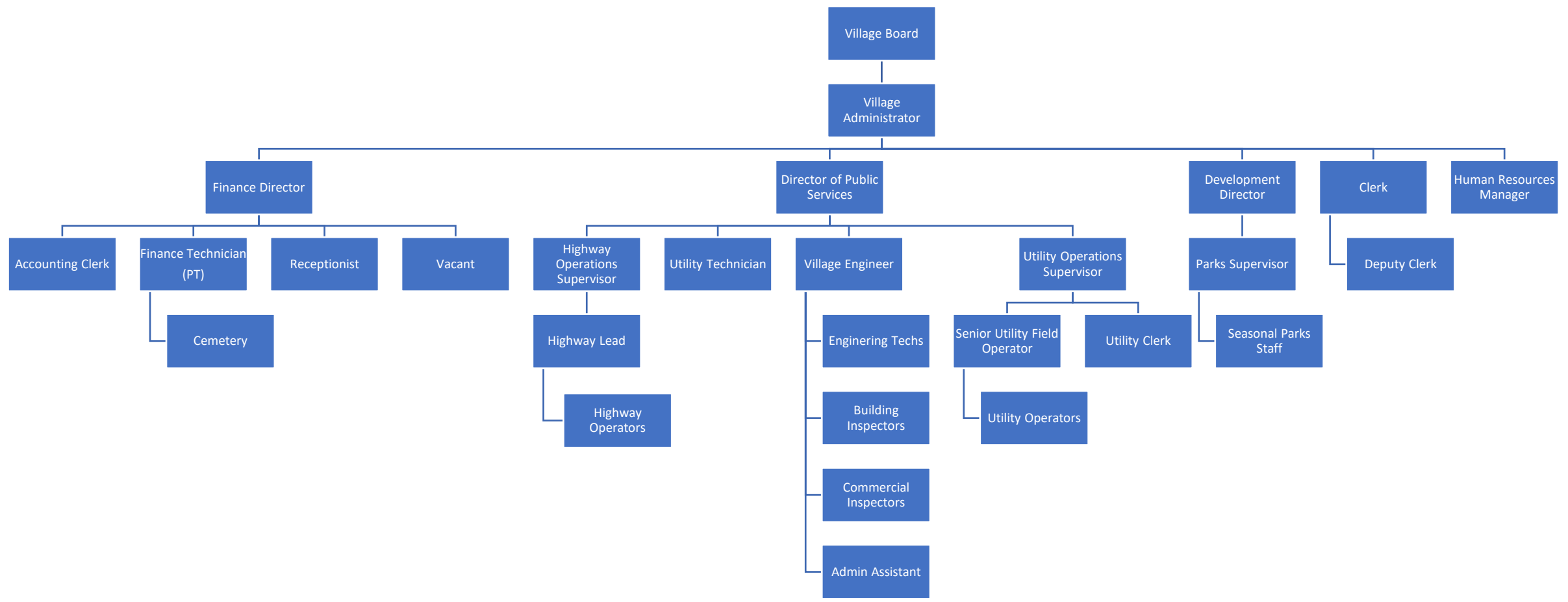
This job description has been prepared to assist in properly evaluating various classes of responsibilities, skills, working conditions, etc., present in the classification. It is intended to indicate the kinds of tasks and characteristic levels of work difficulty that will be required of positions that will be given this title. It is not intended as a complete list of specific duties and responsibilities. Nor is it intended to limit, or in any way modify the right of any supervisor to assign, direct and control the work of employees under supervision. The use of a particular expression of illustration describing duties shall not be held to exclude other duties not mentioned that are of similar kind or level of difficulty. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

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Applicant Signature

Date



2021 Salary Compensation Schedule				
Grade	Minimum	Mid-Point	Max	Positions
1	32,585.31	37,473.11	42,360.90	
2	34,214.58	39,346.77	44,478.95	Admin. Receptionist
3	35,925.31	41,314.11	46,702.90	Admin. Asst. Building-Engineer Admin. Asst. Fire Department Accounting Payroll/Benefits Clerk Police Support Records Clerk
4	37,721.57	43,379.81	49,038.04	Assistant Municipal Court Clerk Parks Supervisor Utility District Operator Apprentice
5	39,607.65	45,548.80	51,489.95	Deputy Clerk
6	41,588.04	47,826.25	54,064.45	Accounting Clerk Utility District Clerk
7	43,667.44	50,217.56	56,767.67	Finance Technician Municipal Court Clerk Police Technician
8	45,850.81	52,728.43	59,606.05	
9	48,143.35	55,364.85	62,586.36	
10	50,550.52	58,133.10	65,715.68	
11	53,078.04	61,039.75	69,001.45	Parks Manager Utility District Operators
12	55,731.94	64,091.73	72,451.52	
13	58,518.54	67,296.32	76,074.10	Engineering Techs Utility Technician/GIS Specialist
14	61,444.47	70,661.14	79,877.81	Building Inspector
15	64,516.69	74,194.19	83,871.70	Highway Lead Senior Utility Field Operator Village Clerk
16	67,742.52	77,903.90	88,065.28	Senior Building Inspector Utility District Integrator Utility Accountant
17	71,129.66	81,799.11	92,468.56	
18	74,686.13	85,889.05	97,091.97	Highway Operations Supervisor Utility Operations Supervisor Human Resources Manager
19	78,420.44	90,183.51	101,946.57	
20	82,341.47	94,692.69	107,043.91	Development Director Village Engineer Utility Director
21	86,458.54	99,427.32	112,396.10	Finance Director
22	90,781.47	104,398.69	118,015.91	Fire Chief Police Chief Director of Public Services
23	95,320.54	109,618.62	123,916.70	
24	100,086.57	115,099.56	130,112.54	
Approved by Resolution: 2021-XXX				
	Revised July 22, 2021			

BUSINESS OF THE PERSONNEL COMMITTEE

MEETING DATE: July 26, 2021

PLACEMENT New Business

ITEM TITLE: Part time Accountant Job Description and Compensation

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

Since our previous Payroll Clerk left, we have had a vacancy that we were holding until we had a better idea of what we need in that position. We have determined that the Finance Department would be best assisted by a part-time accountant. A job description is included.

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER job description

RECOMMENDATION: Approve the job description for the part time Accountant position.

ACTION BY Committee:

Village of Caledonia

Accountant

Job Description

Position Title:	Accountant
Reports to:	Finance Director
Employment Category:	Part time, non-exempt
Department:	Finance
Pay Grade:	

Job Summary:

Reporting to the Finance Director, the Accountant supports the overall work of the Finance Department using Generally Accepted Accounting Principles. The Accountant position is responsible for recording, analysis and reporting of financial data and the preparation of key general ledger account reconciliations. The Accountant will provide support for all Village funds, including the Utility District.

Essential Duties & Responsibilities:

The following are the fundamental job duties and responsibilities. These are not to be construed as exclusive or all-inclusive; other duties may be required and assigned, as the management deems necessary.

- Assist in stream-lining the accounting and business processes across the organization.
- Oversee and assist with the reconciliation of the Village's bank accounts on a monthly basis.
- Review, reconcile and maintain various Utility and Village general ledger accounts.
- Assist with annual budget process and year end audit.
- Perform routine duties occurring monthly, quarterly or annually including, but not limited to, Governmental reporting to State and Federal entities, remitting sales tax, assisting with year end audits, and governmental census reports as necessary.
- Perform related work as required.

REQUIRED QUALIFICATIONS, KNOWLEDGE, SKILLS & ABILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- Bachelor's Degree in Accounting, Finance, Business Administration, or a related field.
- Possess or be actively pursuing a CPA license.
- Three or more years of experience in financial analysis.
- Three or more years of experience with Governmental Fund Accounting is preferred.

Language Skills

- Ability to relate to and communicate effectively with others.
- Ability to establish good working relationships with all levels of staff and citizenry.
- Ability to effectively communicate both verbally and in writing. Well-developed communication skills to gain the trust and cooperation of others when it may be difficult to achieve, and ability to communicate technical concepts and abstract ideas.
- Ability to gather, analyze, interpret, and present data in clear and concise reports and make recommendations.
- Ability to communicate and understand English speaking skills.

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships.
- Ability to interpret complicated statistical reports and explain to others.

Reasoning Ability

- Must possess leadership skills and initiative to work independent of direct supervision.
- Ability to use logic and reasoning to identify problems and make sound decisions, including situations where only limited information is available, while conducting research, analyzing complex issues, and formulating recommendations.
- Ability to read, understand and interpret contracts, budgets, financial statements, accounting policies and procedures and audit reports.

- Ability to accept professional guidance, assignments, and correction as needed.

Other Qualifications

- Thorough working knowledge of Microsoft Office software and their applications. Advanced knowledge of Excel preferred.
- Knowledge and understanding of governmental accounting policies and procedures.
- Understanding of federal rules, Wisconsin state statutes, and Village ordinances and regulations.
- Ability to maintain confidentiality and professionalism.
- Ability to organize and prioritize a large number of projects at one time.
- Ability to work independently and in a team environment.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.
- Ability to coordinate eyes, hands, feet and limbs in performing slightly skilled movements such as typing and to operate various pieces of office equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- The employee must exert light physical effort in sedentary to light work in an office environment.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- The noise level in the work environment is moderately quiet. Work is typically performed in an office.
- General office hours are 8am-5pm Monday-Friday. Exact work hours for this part time position can be flexible.
- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use, irate individuals and intimidation may cause discomfort and poses limited risk of injury.

Selection Guidelines, Reasonable Accommodations, and Receipt:

This job description has been prepared to assist in properly evaluating various classes of responsibilities, skills, working conditions, etc., present in the classification. It is intended to indicate the kinds of tasks and characteristic levels of work difficulty that will be required of positions that will be given this title. It is not intended as a complete list of specific duties and responsibilities. Nor is it intended to limit, or in any way modify the right of any supervisor to assign, direct and control the work of employees under supervision. The use of a particular expression of illustration describing duties shall not be held to exclude other duties not mentioned that are of similar kind or level of difficulty. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Village of Caledonia may conduct a background investigation of a candidate for employment and periodically during the employee's employment. An applicant or employee is required to cooperate with the Village's background investigation.

The Village is an Equal Opportunity Employer. In compliance with state and federal law, the Village will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Applicant Signature

Date

BUSINESS OF THE PERSONNEL COMMITTEE

MEETING DATE: July 26, 2021

PLACEMENT New Business

ITEM TITLE: Policy Manual Revisions

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

As previously discussed, I have been working on revising the existing personnel manual. This revision has included changes in language for some current policies, deletions of some sections and additions of policies that have been recommended by CVMIC. There will still be several more additions using CVMIC's model policies. I have included a document that lists the major revisions, deletions and additions and lists the appropriate page for the change. These page numbers correspond with the red-lined version I have included. I have also included a more cleaned up version that has a few more of the additions listed. I have provided the cleaned-up version to the Department Directors for feedback.

Many of the revisions are simple changes, but there are a few significant changes recommended. These include policies for overtime calculation and compensation, holiday pay, and vacation time. I have also recommended some minor process changes to reflect current practices. In addition, I have gone through past resolutions and attempted to identify all of the policies that have been passed by the Village Board since 2013.

Background Info for Major Revisions

Overtime Calculation & Compensation: There are two significant changes in this policy. The first was requested by Bill Jacoby and is one I have seen elsewhere which would count benefit hours like vacation time, holidays, and sick time as time worked toward the calculation of overtime. This change would primarily impact the Highway Operators. Because there is already a provision granting overtime for snow removal operations, the financial impact of this recommendation should not be significant.

Holiday Pay: Our current Holiday Pay policy specifically denies holiday pay to employees who are sick on a scheduled work-day immediately before or after a holiday. Just in the last year, we have had multiple instances of an employee having legitimate illnesses and hospitalizations and being denied their holiday pay. This has forced at least one employee to borrow from future compensatory time in order to get paid for the day. My recommendation is that we allow people who get sick to get paid for a holiday if they provide a doctor's excuse for their illness.

Vacation Time: The current vacation time provisions do not allow new employees to receive any vacation time until January 1. This means an employee hired in February goes eleven months without paid time off. Our recommendation then is that new employees receive a prorated amount of 80 hours of vacation in their first calendar year of employment. On January 1st of the following year, they would receive the full 80 hours and on January 1st of year two, they would receive three weeks of vacation. The rest of the vacation schedule has not been changed. In addition to making this change, we are also recommending that we make this retroactive for employees who were hired during 2021. Since this only

applies to people without provisions in their employment offers and those who are non-represented, there is only one employee impacted by this change, and it is our recommendation that we include her in this change.

ATTACHMENT: ORDINANCE _____ RESOLUTION ____ OTHER _____ x policy manuals _____

RECOMMENDATION: At this point guidance is requested for next steps to get approval for the new manual when it is complete, the new policies being added and the major revisions requested.

ACTION BY Committee:

VILLAGE OF CALEDONIA



~~PERSONNEL~~ ~~MANUAL~~EMPLOYEE HANDBOOK

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WELCOMING STATEMENT

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. Our future looks bright but it will present challenges and we are counting on your help in meeting those challenges.

We know that in return for your support, the Village is obligated to make your employment as satisfying as possible. Our wage policies and benefits programs are designed to make the Village a good place to work. We also emphasize open and honest communications in our day- to-day contacts.

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 the Village Administrator. We hope that your employment with the Village is both enjoyable and rewarding.

VILLAGE BOARD
VILLAGE OF CALEDONIA

EMPLOYMENT AT WILL

~~This Manual is intended to give you information about the main features of the Village's employment policies, benefits, and certain other general information. None of the statements, policies, procedures, rules, or regulations contained in this Manual constitutes a guarantee of employment, a guarantee of any other rights or benefits, or a contract of employment, expressed or implied. The fact that a particular position may be funded by grant proceeds does not restrict the Village's flexibility in assigning the duties of that position to one or more persons, nor does grant funding alter the at will relationship of the parties. All of the Village's employees are employed at will, and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the Village or the employee. The Village may modify or eliminate the provisions set forth in this Manual at any time with or without notice. No person has authority to make any agreement for employment for any specified period of time or to make any agreement on behalf of the Village that is contrary to the policies and statements in this Manual. The final decision on any question regarding interpretation of these policies rests with the Village Board.~~

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 Policemen's 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.

~~Except as excluded or modified below, the policies in this Manual apply to the Health Officer, Environmental Health Program Manager, Community Health Program Manager, and the staff of the Central Racine County Health Department and any successor entity created by intermunicipal agreement ("Health Department Employees").~~

The provisions of this Manual apply to the Fire Department's Battalion Chiefs and Police Department Sergeants, except those provisions listed in Addendum #1 and Addendum #2 attached hereto.

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 (or, for Health Department Employees, by the Board of Health) on a case-by-case basis.

PART I

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.

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 as distinct from deliberation, debate, and voting of Board members.

It will be up to the employee's supervisor to assign duties to the employee. Generally, 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.

1. 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 men and women 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 insure 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.

2. **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. people who care first about the highest quality public service and the interests of the public, people who can carry on their work with skill and ability; and people 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. 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.

~~It is the policy of the Village of Caledonia to be fair and impartial in all its relations with its employees and applicants for employment. No otherwise qualified person shall be excluded from employment, be denied the benefits of employment or otherwise be subject to discrimination in employment in any manner on the basis of age, race, creed, religion, 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, use of lawful products off the employee's premises during nonworking hours, or any other legally protected status. All employees are expected to support goals and programmatic activities relating to nondiscrimination in employment.~~

~~The Village will ensure that promotions, training, and transfer decisions are made in accord with principles of equal opportunity and will impose only valid qualification requirements. The Village will also ensure that all other personnel actions, such as decisions concerning compensation, benefits, transfer, layoffs, return from layoffs, terminations, and Village sponsored education and training will be administered without regard to membership in a legally protected category.~~

~~The Village considers it the responsibility of every employee, and especially managers, to endorse and promote this policy.~~

DISABILITY ACCOMMODATION

The Village of Caledonia prohibits discrimination on the basis of disability. The Village is committed to providing equal employment opportunities to otherwise qualified individuals with known disabilities, which may include providing reasonable accommodation in those situations where a disabling condition prevents an employee from performing the essential functions of his or her position, as long as such assistance does not cause a hardship for the Village or create a direct threat to the employee's safety or that of others. All accommodation decisions are made on a case-by-case basis, considering the qualifications and the particular circumstances of the individual in relation to job-related criteria, as well as the Village's resources.

It is an employee's responsibility to notify Human Resources of the need for accommodation. Upon doing so, the employee may be asked for his or her input regarding the employee's functional limitations and the type of accommodation the employee believes may be necessary to enable him or her to perform the essential functions of the job. If an employee will be seeking extended leave upon expiration of FMLA leave, the employee should make such a request as soon as he or she becomes aware of the need for extended leave. Accommodation requests will need to be supported by medical certification provided to Human Resources. If the request is for extended leave, the medical information must be provided on or before the date the extended leave is requested. Also, when appropriate, the Village may require the employee requesting accommodation to provide additional medical certification related to the employee's condition or to give his or her permission to obtain additional information from the employee's physician or other medical or rehabilitation professionals.

After it has been provided all necessary information, the Village will work with the employee to determine if it can provide to the employee a reasonable accommodation that will be effective in allowing the employee to perform the essential functions of or to return to the employee's job if the employee has been on a medical absence. All medical information regarding the employee's condition will be maintained in a separate, confidential folder and will, to the extent possible, be kept confidential and be revealed only to those persons the Village has determined have need to know the information.

3. JOB DESCRIPTION

Each new employee will receive a formal letter of employment. Each position of employment will have a corresponding job description, which outlines the basic responsibilities assigned to his/her position with the Village of Caledonia. The job description, which may change from time to time, is designed to aid the employee and the Village in carrying out work assignments and providing service to its citizens. Each employee is asked to read the job description carefully and bring any questions concerning responsibilities or other matters to the attention of his/her department manager. The Board of Health shall prepare and approve job descriptions for all Health Department Employees.

4.

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 on file with their supervisor and Support Services an Individual Performance Plan. Additionally, the employee must complete an Employee Training Request form that is submitted to their supervisor.

Prior approval of the department director or Village Administrator must be obtained before any of the association meetings, seminars or training are attended. The Individual Performance Plan must be completed annually prior to the budget process with a supervisor in order to qualify for professional training, association meetings or special classes. 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.

JOB TRAINING

~~Attendance during work hours at any conference, seminar, workshop, or class must be pre-approved by an employee's immediate supervisor, unless it is taken during pre-approved earned leave time and there are no reimbursable expenses. Department managers must obtain approval from the board or commission to which they report (e.g., Board of Health, Utility Commission, etc.) or from the Village Administrator. The Village Administrator must obtain approval from the Village Board for attendance at all conferences and other training programs that take place outside of Racine County and involve~~

~~reimbursable expenses for travel, lodging and meals.~~

~~Employees shall be reimbursed by the Village for approved expenses related to obtaining, maintaining and renewing job required certifications. Health Department Employees shall also be reimbursed for required training, the cost of which shall be covered by grant funds where applicable.~~

5. 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 Section 58. 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 ~~205~~ hours per week but less than 40 hours per week and paid for at least ~~1300-1040~~ hours but fewer than 2,080 hours per calendar year. The Village Board (or Board of Health for Health Department Employees) 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 or Part-Time: An employee who does not meet the requirements for a regular part-time or full-time position is a part-time employee. A temporary~~ 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 ~~and~~ temporary employees cannot exceed 1,200 hours of work per year without prior approval from the Village Board (or Board of Health for Health Department Employees), 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.

Management: ~~The following positions, as well as any other management positions that may be created by the Village Board from time to time, are considered management personnel:~~

~~Village Administrator
Budget/Finance Manager/Treasurer
Fire Chief
Fire Battalion Chiefs~~

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~~Police Chief~~
~~Police Captain~~
~~Police Lieutenant~~
~~Police Sergeant~~
~~Manager of Building and Development Department~~
~~Highway Superintendent~~
~~Assistant Highway Superintendent~~
~~Village Engineer~~
~~Assistant Village Engineer~~
~~Health Officer~~
~~Community Health Program Manager~~
~~Environmental Health Program Manager~~
~~Utility District Manager~~
~~Joint Parks Manager~~

FAIR LABOR STANDARDS ACT POLICY

I. PURPOSE

The Fair Labor Standards Act (FLSA) was created in 1938 to establish minimum wage and a limit to the number of hours that may be worked in a standard workweek without paying overtime. It also provides standards for equal pay, overtime pay, recordkeeping and child labor. The purpose of this policy is to define the Fair Labor Standards Act (FLSA) as it applies to Village of Caledonia employees.

II. 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.

b. 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 trainee.

c. 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.

Village may establish different work periods for police and fire personnel allowing for overtime compensation to be computed differently: Under Section 207(k) of the FLSA, employees engaged in fire protection or law enforcement activities with 28 consecutive day work periods are entitled to one and one-half times their regular rate of pay if they work excess hours. For fire protection employees, overtime must be paid for hours worked beyond 212 during the 28 day work period; for law enforcement employees, working more than 171 hours during the 28 day work period triggers the overtime premium.

Pursuant to the partial overtime exemption of Section 207(k) of the FLSA, a work period must be declared for employees engaged in law enforcement and fire protection. A work

period is any established and regularly recurring period of work that is not less than 7 consecutive days not more than 28 consecutive days. It is required that there be a notation on the payroll records that shows the work period for each employee, and indicates both the length of that period and the starting time, and should state that "the schedule is being adopted pursuant to section 207(k) of the act and 29 C.F.R. Part 553".

d. Time Worked

1. Time worked includes all time non-exempt employees are required to be on duty at their prescribed work places 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 or falsification of 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.

e. 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:
 - The attendance is outside of the non-exempt employees' regular working hours;
 - The attendance is voluntary;

- The meeting, training or similar activity is not directly related to the non-exempt employees' positions; and
 - 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.

f. 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 work day, 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.

g. 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

h. 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.

i. Recordkeeping

The following records are required (per 29 CFR 516.2 and DWD 272.11 Wisconsin Administrative Code) to be maintained for non-exempt employees and exempt employees (with the exception of the records relating to payment and hours worked (10– 13.). Additionally, for exempt employees, records must be kept that detail the basis on which employees are paid (Monetary amount paid, expressed as earnings per hour, per day, per week, etc.):

1.Name in full (as used to for social security recordkeeping purposes);

2.Home address;

3.Date of birth;

4.Sex and occupation;

5.Date of entering and leaving employment;

6.Time of day and day of week on which the employee’s workweek begins;

7. Starting time and length of each employee’s work period [for sworn police and fire employees only, who are employed under 207(k) of the FLSA];

8.Hours worked each workday and total hours worked each workweek;

9. Time of beginning and ending of meal periods if employees’ meal periods are required or such meal periods are to be deducted from work time [this requirement shall not apply when work is of such a nature that production or business activity ceases on a regularly scheduled basis].

10. Regular hourly rate of pay for any workweek in which overtime compensation is due [the basis for and exclusions from the regular rate must be explained];

11. Total daily or weekly straight-time earnings or wages due for hours worked during the work day or workweek;

12. Total premium pay for overtime hours;

13. Total additions to, or deductions from, wages paid each pay period;

14. Total wage paid each pay period;

15. Date of payment and the pay period covered by payment;

16. Total compensatory hours earned, and used, each workweek or work period for each employee;

17. Number of hours of compensatory time paid in cash, including the total amount paid and the date of payment;

18. Any oral or written agreement regarding the earning and utilization of compensatory time off (i.e. collective bargaining agreement or other written understanding)].

6. 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 the Village Administrator 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 Village Administrator. Employee inspections of personnel files will occur within seven (7) business days of receipt of the request and must be done with the Village Administrator or his or her designee. If an employee disagrees with any information contained in the employee's file, the employee may submit a written request to the Village Administrator 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. The Village Clerk shall be the custodian of records for all personnel records for Health Department Employees. The Health Officer shall be the custodian of records for all non-personnel records related to the Central Racine County Health Department.

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.

7. **PERFORMANCE EVALUATIONS**

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Management employees will receive annual performance evaluations from the Village Administrator or the board or commission to which they report on or about December or January of each year. Performance evaluations will focus on the manager's ability to perform job duties and the level of performance.

Non-management employees of the Village of Caledonia will receive annual performance evaluations from their department managers on or about December or January of each year. The employee will be given a copy of the performance evaluation 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. The Board of Health sets performance evaluation policies and procedures, and performance evaluation tools for Health Department employees.

Notwithstanding the annual, written employee evaluations, employees and managers are encouraged to seek, and managers and the Village Administrator are encouraged to provide feedback and input on job performance throughout the year.

All recommended pay increases will be reviewed by the Village Administrator and submitted for review and/or recommendation to the Finance Committee. The Village Board must approve employee pay increases. All pay increases will take effect on a date established by the Village Board. Pursuant to Intermunicipal Agreement, The Board of Health, subject to the appropriations in the budget, shall determine the compensation for Health Department Employees.

8. 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. Layoffs affecting Health Department Employees shall be determined by the Board of Health, in consultation with the Health Officer.

PART II

9. 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. ~~An employee who is absent from work is required to call his/her supervisor no later than 15 minutes after his/her normal starting time. Upon return, the employee must fill out a Time Off Request form, have it signed by his/her department manager and then submitted to the Village Administrator. Management employees shall submit the form to the Village Administrator.~~ 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.

~~Anticipated absences must be requested on a Time Off Request form before the day of absence. Such form(s) must be signed by the department manager and submitted to the Village Administrator.~~

~~For Health Department Employees, the attendance procedures shall be as established by the Health Officer and Board of Health.~~

Employees will not be paid for time missed due to tardiness. When an employee's absenteeism or tardiness ~~becomes~~ is deemed unacceptable excessive, disciplinary action ~~will~~ may be initiated. Unsatisfactory attendance, including reporting late, or quitting early may be cause for disciplinary action up to, and including discharge.

10. 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, the administrative staff will stagger lunches, commencing at 11 a.m. The normal work hours are from 8 a.m. to 5 p.m., Monday through Friday. Battalion Chiefs are governed by the Fire Department Standard Operating Procedures. The Health Officer shall determine the workweek and hours of work for Health Department Employees, while the Board of Health shall do so with respect to the Health Officer.

~~11. RECORDING TIME~~

~~All Village employees may be required to punch a time clock or record their time on time sheets provided by the Village and submit them to their department managers on the designated day of the week prior to the week of payday.~~

All Village employees are required to record and submit for approval their time on the designated within the established deadlines. _____

12. 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 listed below in an amount not to exceed Four Hundred and Fifty Dollars (\$450.00) per year to be paid on the last payday in December of each year for the current calendar 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).

- Hard hat
- Goggles
- Gloves
- Dust masks
- Safety vests
- Ear protection
- Face shields
- Prescription safety glasses (up to \$300 reimbursed every two years)

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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.

~~Revised: 8/17/18~~

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~~Effective: January 1, 2019~~

~~Resolution: 2019-01~~

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 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 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 new 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:

- ~~1.~~ 1. Reimburse the department member for their prescription glasses in an amount not to exceed \$200.00
2. 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.

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.

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 necessary. The body armor shall be the property of the Village and the Chief may authorize replacement due to duty related damage.

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~~Revised: 9/30/20~~

~~Effective: October 20, 2020~~

~~Resolution: 2020-94~~

~~13. INCLEMENT WEATHER/SNOW POLICY~~

~~Certain positions, including all highway, police and fire department positions, are designated as critical and must report to work, regardless of the weather conditions. For other full time Village employees, the following policy applies:~~

- ~~1. When the Village Hall is closed, employees will not be paid but may use vacation or compensatory time to make up for the lost pay.~~
- ~~2. When a weather emergency is declared after the start of the workday, employees in non-critical positions will be sent home. In this situation, employees will be paid for a complete day of work if they have completed at least four (4) hours of the workday. If they have completed less than four (4) hours of the workday, they will be paid for four (4) hours and may use vacation time for the other four (4) hours. Part-time employees will be compensated for a full or half day based upon the proportion of their normal shift that has been completed as worked time.~~

14. 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.

15. PART-TIME & TEMPORARY EMPLOYEE BENEFITS

A. Employee Benefits

All employees are eligible for those benefits that are required by law, such as Workers' Compensation and Social Security. The eligibility for various Village-provided benefits is addressed below for each specific benefit program.

16. 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, holidays, floating holidays, and sick time does ~~not~~ count as hours worked. (~~Village mandated holidays will count as hours worked for FLSA overtime calculation purposes~~). 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 of eighty (80) hours per calendar year. Compensatory time above the authorized accumulation will be paid out during the pay period in which it was earned. There will be no carryover of compensatory time into the next calendar 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. ~~One time per year, employees may request a payout of compensatory hours in their earned bank.~~ Requests for payout of compensatory time may be made at any time during the year. The request for payout must be made and submitted to Payroll between June 15 and June 30 and then will be paid out on the next paycheck.
- Compensatory time payout. 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.

~~Revised 6/15/18~~

~~Adopted 7/1/18~~

17. OVERTIME PAY

~~Overtime pay for non-exempt employees must be authorized by department heads. Scheduled overtime must be approved at least 24 hours in advance and will be consistent with an employee's contract provisions, if any.~~

18. 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 paycheck stub. Employees with questions about deductions should contact the payroll department, ~~or department manager~~. If an employee's paycheck stub reflects improper deductions or additions, the employee should ~~immediately notify his or her department manager~~ notify payroll.

19. **PAY DAY**

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

20. SOCIAL SECURITY

~~Social Security is a federally sponsored program that pays several kinds of benefits to employees who have made regular contributions to the program during their working years. The cost of Social Security coverage is shared; the employee pays half and the Village pays half. Employees may qualify for one or more of the following benefits under the Social Security program: Primary benefit, Spouse's benefit, Disability benefit, Mother and children's benefit, Surviving Spouse's benefit.~~

~~Calculating the amount of Social Security benefits ahead of time is complicated because they are based on a number of factors, some of which are subject to change. However, upon request, the Government will send a written statement of the amount that has been contributed to an employee's account. The local Social Security office will explain how and to whom this request should be made.~~

21. 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 Section 21B). 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.

PART III

22. SICK LEAVE

All 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. 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 Section 29. 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.

~~Paid sick leave is a benefit provided to Village employees to defray loss of wages due to illness. It is designed to be used only for legitimate illness, and any abuse of the benefit or falsification of illness or physician certification will result in disciplinary action, up to and including discharge.~~

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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.

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~~Probationary employees, upon successful completion of the introductory period, shall have full rights to sick leave credits accumulated during the probationary period.~~

Clarify that it's no sick time use first 30 days

23. SICK LEAVE INCENTIVE PROGRAM

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A. 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 Village Treasurer to confirm the amount of sick leave incentive credit accrued prior to 2012.

B. 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 Section 21 (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 Section 21 (A) 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 in Section 21 (C). 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 Section 21 (A).

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 Section 21 (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 either Section 21 (A) or Section 21 (D) 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.

24. 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.

An application for an approved leave of absence is available from the department manager or the Village Administrator. All application requests must be submitted in writing to the department manager 10 days prior to the day the leave is to begin. 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 manager and the Village Administrator must make a recommendation to the Village Board, which makes the final decision to approve or deny the leave request. The Health Officer shall seek approval for any leave of absence from the Board of Health. All other Health Department Employees shall submit requests for leaves of absences to the Health Officer, who shall forward the request, along with her/his recommendation to the Board of Health for its determination. A leave of absence will not be granted for seeking or taking other employment.

A leave of absence for personal illness of an employee or family member or disability due to an accident may be granted for up to three months each time. For all other leaves of absence the maximum period of leave that may be granted at one time is 30 calendar days.

~~An approved leave may be extended with approval of the Village Board, if an application for leave is submitted stating the reasons(s) an extension is needed.~~ 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 the Section 14 of 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.

25. MATERNITY LEAVE

~~A period of absence due to childbirth will be treated the same as any other medical disability. For the period of time that a physician certifies that the employee is unable to work, the employee may use sick leave days and vacation, if requested. A request for a leave of absence beyond the period of disability will be treated as a request for personal leave of absence, or may be requested under State or Federal family/medical leave statutes.~~

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26. FAMILY/MEDICAL LEAVE

The Village complies with the Wisconsin and federal Family and Medical Leave Acts, which allow a qualified employee to take time off from work without pay for the birth or adoption of the employee's child, to care for the employee's child, spouse or parent suffering from a serious health condition, or for the employee's own serious health condition. This Family and Medical Leave Policy is intended to provide you with only basic information about state and federal law. You should contact the Village Administrator and/or review the state and federal posters on the employee bulletin board if you have specific questions about the policy. This policy should be construed as complying with the state and federal leave laws, as amended from time to time, in force when the leave is requested or taken, but not as granting any greater rights or imposing any fewer responsibilities than the leave acts then in force. The particular benefits to which an eligible employee is entitled may be different depending on whether such employee qualifies for federal leave, state leave or both.

- A. **Eligibility.** Employees may be eligible for family or medical leave under either the Wisconsin or federal Family and Medical Leave Act after they have been employed at the Village for at least 12 months and provided they worked at least 1,000 hours (1,250 hours under federal law) during the preceding 52-week period. Depending on whether state or federal law applies, an employee may be eligible for up to twelve weeks of unpaid family and medical leave during a calendar year. Where both federal and state leaves apply, they shall run concurrently.
- B. **Notice of Leave.** Employees should provide the Village with as much advance notice of leave as is practicable to allow the Village to adequately prepare for absences. Where the need for leave is not foreseeable, you must notify your department manager as soon as practicable. Forms for requesting family or medical leave are available from the Village Administrator. For FMLA leave of one (1) day or less, the FMLA leave application does not have to be completed. Employee must simply notify their supervisors.
- C. **Serious Health Condition.** A serious health condition is generally defined as a physical or mental illness, injury, impairment or condition involving (1) inpatient care in a hospital, nursing home or hospice, or (2) outpatient care that requires continuing treatment or supervision by a health care provider.
- D. **Medical Certification.** If you are requesting leave because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate medical certification. Medical certification forms are available from the Village Administrator. Failure to provide requested medical certification in a timely manner may result in denial of leave until certification is provided. The Village may request a second medical opinion, at the Village's expense, and a third medical opinion if there is a disagreement between the first two health care providers.
- E. **Maintenance of Health Benefits.** During an approved FMLA leave, your health insurance benefits will continue at the level and under the conditions coverage would have been provided if you continued in employment for the duration of the

leave. If paid leave is substituted for unpaid FMLA leave, the Village will deduct your portion of the health plan premium as a regular payroll deduction during the paid leave portion of your leave. If your leave is unpaid, you must pay any premiums that would ordinarily be due during such leave on or before the date such premium would otherwise be deducted from your paycheck. Your health care coverage may cease if your premium payment is not made in a timely manner. Other than health coverage, no benefits accrue during FMLA leave, except during any portion of FMLA leave for which accrued paid leave is applied.

- F. **Application of Available Paid Leave.** If the Wisconsin FMLA applies to your leave, you have the option to substitute any accrued, unused paid leave available to you (e.g., sick leave, vacation, etc.) for the unpaid leave. If only the federal FMLA applies to your leave, the Village requires the substitution of your unused paid leave, if any, before any unpaid leave may be taken.
- G. **Return From Leave.** You must provide the Village Administrator with a periodic Report on your status and intent to return to work. An employee returning from family or medical leave will assume the same position held before the leave began, if the position is vacant, unless the employee would have been terminated or laid off during the leave period for legitimate business reasons. If the employee's former position is not vacant, the employee will be placed in an equivalent position. An employee desiring to return to work before the employee's leave period is scheduled to end must provide reasonable advance notice to the Village Administrator.

27. 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.

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28. 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 Director 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.

29. 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 is requested to notify their department manager and the Village Administrator, as soon as possible. If released early from jury duty, the employee shall report back to work unless excused by his/her supervisor.

30. 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. Regular part-time employee shall be paid for the holidays listed below on the basis of the number of hours typically scheduled to work in a day.

31. 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.

Work Before and After Holiday: ~~To be eligible for holiday pay, employees must work the scheduled workday immediately preceding and following the holiday. If a holiday occurs during a covered employee's vacation, the employee receives holiday pay rather than vacation pay for the holiday. When a holiday falls within a period of leave without pay, the employee shall receive no pay for the holiday. A holiday does not accrue and is not earned during time when the employee is not working and not substituting that missed work time on the shift immediately before, on, and after the holiday by using previously scheduled paid vacation or compensatory time.~~ To be eligible for holiday pay an employee must work the workday immediately preceding the holiday and the work day 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.

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.

32. 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 ~~4300~~ 1100 hours per year are not eligible for vacation benefits unless indicated otherwise in 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 Employment	Paid Vacation Awarded on January 1st
<u>0-1 years</u>	<u>Proration of 10 days (80 hours)</u>
<u>1 year</u>	<u>10 days (80 hours)</u>
<u>2-4 years</u>	<u>15 days (120 hours)</u>
<u>5-9 years</u>	<u>20 days (160 hours)</u>
<u>10 - 15 years</u>	<u>23 days (184 hours)</u>
<u>16+ years</u>	<u>25 days (200 hours)</u>
1-4 years	15 days (120 hours)
5-9 years	20 days (160 hours)
10 - 15 years	23 days (184 hours)
16+ years	25 days (200 hours)

~~Except for new employees, vacation days are awarded each January 1 based on the number of completed calendar years of employment as of December 31. For example, (utilizing the chart for current employees), an employee with 9.5 years of employment with the Village on December 31 will receive 20 days of paid vacation the next day, January 1, to be used during the calendar year. Vacation days are not earned during the calendar year, so if your employment ends on June 1, for example, you do not earn any additional vacation days for the January 1-June 1 period. 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).~~

~~A new employee who has not worked for the Village for an entire calendar year shall be awarded prorated vacation on January 1 based on his or her length of employment the previous calendar year. For example, an employee hired May 1 will be awarded two weeks of vacation, and an employee hired September 1 will be awarded one week of vacation, on January 1. Thereafter such employee will receive vacation on January 1 according to the schedule above.~~

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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 2 week 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. For Health Department Employees, requests for extension of unused vacation time shall go to the Health Officer or the Board of Health (in the case of the Health Officer). 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.

33. REQUESTS FOR TIME OFF

~~All requests for time off must be approved by an employee's immediate supervisor in writing, and "Time Off Request Form" at least 24 hours in advance. This includes all requests for vacation, management time, overtime, medical leave and personal time, including non-emergency medical appointments. The Village Administrator must obtain signed approval from the Village Board or its designated liaison. The Sick Leave Time Off form shall be submitted within 24 hours after returning to work, signed by the immediate supervisor. If an immediate supervisor is not available to approve a leave request, the employee should submit it to the next level of supervision, such as the Village Administrator or Village Clerk.~~

34. UNAUTHORIZED ABSENCE

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.

PART IV

35. 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 ~~the Village Administrator~~Human Resources. ~~Additional coverage under an AFLAC plan is also available to all employees at their expense.~~

Any questions regarding coverage, eligibility, or administration of the plan should be referred to ~~the Village Administrator~~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 the Village Administrator 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.

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:

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

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.

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36. **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 ~~Village Administrator or~~ the Wisconsin Retirement System directly for more information.

~~There are several types of retirement annuity plans available. Employees who plan to retire should make inquiries regarding the various plans not more than 2 months prior to retirement. If an employee should have questions regarding contributions made to the plan on his/her behalf, or eligibility to receive benefits from the plan, please see the Village Administrator and all relevant information will be provided.~~

37. **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 your 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.

38. UNEMPLOYMENT COMPENSATION

The purpose of unemployment compensation is to replace part of an income if an employee is laid off or terminated through no fault of his/her own. The Village pays the full cost of unemployment compensation benefits for its employees, but it does not decide who is eligible for benefit payments or how much the payments should be. This eligibility is decided by the Wisconsin Department of Workforce Development and the Wisconsin laws on unemployment compensation.

PART V

39. 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~~ other's pay or work assignments without Village Board approval.

40. EMPLOYEE EXIT INTERVIEW

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. ~~The completed exit interview form will become part of the employee's personnel file when it is closed and shall be kept in the Village's vault for safekeeping.~~

Final Paycheck:

Employees must leave instructions, in writing, with the ~~Accounting-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 Accounting Department of a forwarding address for mailing the W-2 earnings form.

Benefits Continuation/Conversion:

~~Terminating employees may be eligible for continued health insurance coverage and should refer to Section 35 of this Manual. Additional information on the continuation and/or conversion for the various insurance coverages may be obtained from the Village Administrator.~~

Office/Work Area Keys:

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

ID Card:

Employees are to turn in their Village of Caledonia ID card to their Department Manager or the Village Administrator on their final day of employment with the Village.

Miscellaneous Items:

Employees are to return any items belonging to the Village of Caledonia (or Health Department for Health Department Employees), such as texts or reference materials, credit cards, calculators, etc. to their Department Manager or ~~the Village Administrator~~Human Resources.

Personal Computer/Network:

Employees shall inform their Department Manager or the Village Administrator of any files they have remaining on the computer's network on or before their last day of employment.

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41. 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. Persons who are not company employees may not solicit or distribute literature for any purpose anywhere on company property. Working time excludes authorized breaks or meal periods, and working areas excludes breakrooms.

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42. 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.

43. 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.

The Village's policy on outside employment shall be as follows:

- ~~A. Village employees may engage in outside employment unless such employment conflicts with, or affects the performance of their duties.~~
- ~~B. An employee's department manager must be informed of any such employment.~~
- ~~C. No person shall hold more than one full or part time Village position at the same time without the written consent of the Village Board.~~
- ~~D. All fees, gratuities, honorarium, or any other form of compensation for outside services performed during an employee's regularly scheduled Village work hours, or while being paid by the Village, shall be endorsed over to the Village. This subsection shall not be construed to apply to activities performed after normal working hours, while an employee is on a bona fide vacation, taking floating or other holidays, or to part-time employees except during those times when they are actually providing services to the Village. Failure to comply with these conditions shall be considered grounds for immediate dismissal.~~

PART VI

44. GENERAL WORK RULES

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:

Rules of conduct are not for the purpose of restricting the rights and activities of employees, but are intended to help employees by defining and protecting the rights and safety of all persons. General rules of conduct are essential to the safety and well-being of those employed by the Village of Caledonia. Disciplinary action up to and including termination, depending on the severity of violation, may be applied for violation of rules including, but not limited to, the following:

- A. Dishonest, misleading, or deceptive conduct.
Dishonesty in any form or degree.
- 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,
- Section 9. F. Fighting, gambling, or horseplay which creates a disturbance or hazard.

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- 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/supervisors department head(s), Village Administrator, an elected Village official, or member of the Board of Health.
- J. Leaving the job without permission during regularly assigned working hours.
- K. Sleeping while on duty. ~~Battalion Chiefs should refer to the Fire Department Standard Operating Procedures. 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, ~~Section 52~~, or any other Village policy governing employee conduct.
- S. Violation of the Village Computer 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.

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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.

45. 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.

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46. PERSONAL CONDUCT

The primary objective of the Village of Caledonia is to create and maintain the best possible public service for its residents. It recognizes that its goal must be based upon respect and cooperation between the Village and its employees.

With this objective in mind, the Village has adopted the following code of conduct for all employees:

- A. All employees are expected to be courteous and helpful to the public, to their department managers and co-workers in the performance of their duties.
- B. All employees are expected to cooperate with their department managers, Village management personnel and the Village Board.
- C. All employees who operate Village vehicles are expected to maintain an acceptable driving record. This is imperative for insurance purposes.

47. **PERSONAL TELEPHONE CALLS**

Employees should not make or receive personal calls or text messages during work hours unless there is an emergency requiring the employee's immediate attention. Personal calls and personal text messages should be made and received only during lunch or break periods.

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48. 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.

49. 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.

50. COMPUTER USAGE POLICY

The purpose of this policy is to establish and ensure proper usage of the Village's computer and telecommunications resources and services by its employees, officials, managers, and other computer users. All computer users have the responsibility to use computer resources in an efficient, effective, ethical, and lawful manner.

The following policy, rules, and conditions apply to all users of computer and telecommunication resources and services, wherever the users are located. Violations of this policy may result in disciplinary action, up to and including termination of employment and/or legal action.

Subject to restrictions applicable by state and federal laws including the Health Insurance Portability and Accountability Act ("HIPAA"), the Village has the right, but not the duty, to monitor any and all aspects of the computer system, including employee electronic mail (a.k.a. e-mail), instant messaging, and internet usage to ensure compliance with this policy. The computers are provided to employees to assist them in the performance of their jobs. Employees should not have an expectation of privacy in anything they create, send, or receive on the computer. No document may be password protected without authorization by the Village Administrator. The computer and telecommunications systems belong to the Village and may be used for business purposes only; provided, however, that the occasional and incidental personal use of the Village's e-mail system is allowed subject to the restrictions and guidelines in this policy.

This policy may be amended or revised periodically as the need arises. The term "users", as used in this policy, refers to all employees, officials, managers, independent contractors, and other persons accessing or using the Village's computer and telecommunications resources and services.

A. Users must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property.

B. Fraudulent, harassing, embarrassing, indecent, profane, obscene, intimidating, offensive, or other unlawful material may not be sent by e-mail or other forms of electronic communication, or viewed through the internet or displayed on, or stored in, the Village's computers. Users encountering or receiving such material should immediately report the incident to their department manager or the Village Administrator.

C. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Anything created on the computer may, and likely will, be reviewed by others.

D. Users may not install software onto their individual computers or the network without the express permission of the department manager, Village Administrator, Health Officer or other authorized person.

E. Users should not alter or copy a file belonging to another user without first obtaining permission from the owner of the file. The ability to alter or copy a file belonging to another user does not imply permission to alter or copy that file. However, any file placed in a public area should be considered as community property.

F. Without prior written permission, the computer and telecommunications resources and services of the Village may not be used for the transmission or storage of commercial or personal advertisements, solicitation, promotions, destructive programs (viruses and/or self-replicating code), political material, or any other unauthorized or personal use.

G. Users are responsible for safeguarding their passwords. Individual passwords should not be printed, stored on-line, or given to others. Users are responsible for all transactions made using their passwords.

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H. ~~A user's ability to connect to other computer systems through the network does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.~~

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I. ~~The Village is not responsible for the actions of individual users.~~

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J. ~~All aspects of this Manual apply to users and their usage of computer and telecommunications resources and service.~~

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51. 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.

52. HARASSMENT AND DISCRIMINATION PROHIBITED POLICY

I.) 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.

II.) 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 as 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.

III.) 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 ~~for 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/Director/Assistant Village Administrator~~. If both the Administrator or Human Resources ~~Director/Assistant Village Administrator/Manager~~ are unavailable, then the employee should promptly report to the Village Board President.
- 4.) The Human Resources ~~Manager/Director/Assistant Village Administrator~~ will be made aware of all harassment complaints. **An Anti-Harassment Committee, comprised of the Administrator and the Human Resources Director or their respective designees will be responsible for investigating complaints of harassment.** If the complaint involves the conduct of the Village Administrator, then the Anti-Harassment Committee, comprised of the Human Resources Director and Village Board President or their respective designees will be responsible for investigating complaints of harassment. If the complaint involves the conduct of the Human Resources Director, then the Anti-Harassment Committee, comprised of the Administrator and the Village Board President or their respective designees will be responsible for investigating complaints of harassment.
- 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

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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.

53. —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.

54. ALCOHOL AND DRUG TESTING POLICY

It is the policy of the Village of Caledonia that employees must be free of the influence of alcohol and drugs to insure their own health and safety and that of their co-workers. Therefore, whenever there is reasonable cause to believe that an employee is under the influence of alcohol or drugs, the employee may be required to submit to a drug or alcohol screening test. Employees who have a drug or alcohol problem will be encouraged to voluntarily seek help. The Village of Caledonia is committed to preserving personal dignity and rights and affirms that this drug testing policy is designed to protect the rights of all employees and is part of a system to provide a safe and productive place to work.

Policy Statement

- A. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the Village of Caledonia's intent and obligation to provide a drug free, helpful, safe and secure work environment.
- B. The Village of Caledonia recognizes drug and alcohol dependency as an illness and a major health problem. The Village of Caledonia also recognizes drug and alcohol abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek professional help. Conscientious efforts to seek such help will not jeopardize an employee's job and it will not be noted in any personnel record.
- C. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on Village premises, or while conducting Village business off Village premises, is absolutely prohibited. Violations of this policy will result in disciplinary action up to and including termination and may have legal consequences.

Reasonable Cause Testing

An employee is subject to testing when there is reasonable cause to believe the worker is under the influence of alcohol or a drug, or whose performance gives rise to a reasonable suspicion that alcohol or drugs are the cause of the poor performance. Some of the circumstances which may be considered in analyzing whether reasonable cause exists include, but are not limited to, the following:

- Observed use, possession or sale of illegal drugs and/or use, possession, sale or abuse of alcohol and/or the illegal use or sale of prescription drugs;
- Apparent physical state of impaired motor functions;
- Marked change in personality not attributable to any other factors;
- Employee involvement in, or contribution to, an accident where drug or alcohol uses is reasonably suspected, or employee involvement in a pattern of repetitive accidents, whether or not involving injury; or,

- Violations of criminal drug law statutes involving the use of illegal drugs, alcohol, prescription drugs and/or violation of non-criminal drug statutes.

Employees will not be terminated for voluntarily seeking assistance for a substance abuse problem. However, continued performance, attendance or behavioral problems may result in termination of employment.

If a supervisor has reasonable suspicion to believe that an employee is under the influence of drugs or alcohol or that drug or alcohol use is responsible for performance problems, the supervisor, with the concurrence of the Village Administrator, may order the employee to submit to a drug and/or alcohol screening test. The Village Administrator and all Village supervisors shall receive training in the observation of factors that may indicate an employee is under the influence of drugs or alcohol or that drugs or alcohol are responsible for poor performance.

Upon being informed that a drug or alcohol test is being ordered, the employee may admit to being under the influence, or to having a problem, and seek referral to appropriate professional help. In this circumstance, the drug or alcohol test will not be conducted. If the employee denies the allegation, the drug test will be ordered. If the employee refuses to accompany the supervisor, or other management person, to the testing site or if the employee refuses to sign the consent form, such refusal will be considered insubordination and will result in termination of employment. A supervisor or management person will transport the employee to the test site, will provide identification of the employee and will wait for the process to be completed. After the test is completed, the employee will be provided transportation home and will be suspended without pay, pending the results of the test. If the order for a test occurs when the test site is not open, the employee will be provided with transportation to his/her home and will be required to report to the test site as soon as it is open. If it is suspected that the employee is under the influence of alcohol, the employee will be taken to the hospital emergency room for a Blood Alcohol Content test.

Where available evidence warrants, the Village of Caledonia will bring matters of illegal drug or alcohol use to the attention of the appropriate law enforcement authorities. Employees on physician-prescribed medication must notify their supervisor if there is a possibility that such medication could affect job performance or safety.

Drug Testing Procedure

The collection, transportation and testing of the specimen will be done in compliance with the protocols established by the U.S. Department of Health and Human Services under the "Mandatory Guidelines for Federal Workplace Drug Testing Programs." These guidelines require the use of confirmatory tests, the establishment of strict chains of custody and specimen control, the utilization of testing procedures and testing laboratories that have clear records of reliability and validity, and providing the right to review all aspects of the drug testing procedures.

If the test result is negative, the employee will be immediately notified and returned to work on the next scheduled shift.

When a result is reported as positive, the employee may request a retest of the specimen at his/her expense. The testing laboratory selected by the employee must be federally certified and the specimen will be sent directly from the original testing lab using appropriate chain of custody protocol. If the retest produces a negative test result, the original test will be considered to have been negative and no adverse action will be taken by the Village of Caledonia. In addition, the Village of

Caledonia will reimburse the employee for the cost of the retest.
Disciplinary Actions

First Incident.

1. The employee denies any problems, but the alcohol or drug screening is reported as positive.
Action: The employee will be discharged.
2. The employee admits to being under the influence of alcohol or drugs but does not seek referral to professional help.
Action: The employee will be discharged.
3. The employee admits to being under the influence of alcohol or drugs and seeks referral to professional help.
Action: The employee will be suspended for three (3) days with a disciplinary notice placed in the employee's personnel file.

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Second Incident.

Action: Discharge.

All information related to the drug testing and results, whether positive or negative will be kept in a file separate from the employee's personnel file so that any future personnel actions are not influenced by such information. Written disciplinary actions, however, will be part of the personnel file.

55. COMMERCIAL DRIVER DRUG AND ALCOHOL TESTING POLICY

All Village employees who drive commercial motor vehicles for the Village must comply with the Village of Caledonia Commercial Driver Drug and Alcohol Testing Policy, a copy of which will be provided to all such employees. Commercial drivers must review the policy and must execute a written statement indicating that they have reviewed the policy and will comply with it.

56. VILLAGE VEHICLE USE AND REIMBURSEMENT OF EXPENSES

It is the policy of the Village of Caledonia that employees will use Village-owned vehicles for travel both within the Village limits and for out-of-town conferences and meetings. If there are extenuating circumstances, permission may be granted by the Village Administrator (or Health Officer for Health Department Employees) for an employee to use his/her own vehicle and be reimbursed for mileage based on the Federal IRS rate. Otherwise, employees are expected to use a Village-owned vehicle. An employee still may choose to take his/her personal vehicle without prior permission but there will be no mileage reimbursement.

When an employee expends personal funds for transportation or other costs in conducting Village business, the employee must submit reimbursement requests on a Village purchase order, including a mileage form, if applicable, to his/her department manager. The employee will be reimbursed by check following approval of the expense(s) by the Village Board or other board or commission to which the employee reports. Mileage will be paid based on the IRS rate at that time.

57. DISCIPLINE

Corrective Discipline:

Employee problems that result in substandard job performance are a matter of the Village's concern and should be dealt with in a constructive and consistent manner. Most employee problems are manageable and the employee's department manager should offer appropriate assistance by counseling the employee in those areas where performance is not up to expectation. The employee should be given a fair chance to resolve the problem before disciplinary action is taken. Consistency is very critical in dealing with individuals. The Village will utilize the following progressive discipline scheme when appropriate, but nothing in this Manual obligates the Village to abide by the disciplinary scheme.

Grounds for Disciplinary Action:

When disciplinary action is necessary, the following factors should be considered as guidelines:

- A. The work rule or procedure in question must be reasonable.
- B. The disciplinary action should take into consideration the seriousness of the offense, the length of service of the employee, and the employee's prior work record.
- C. A fair and impartial investigation, when appropriate, should be made to verify the allegations. The department manager should be able to cite specific instances to confirm the problem.
- D. The employee must be given an opportunity to respond to the charge.
- E. The planned disciplinary action must be consistent with other practices.

Disciplinary Procedure:

Fair disciplinary action should in most instances follow the four-step approach below. The department manager must make certain that the date and pertinent data of occurrences are documented at each step as follows:

- A. The employee should receive a verbal warning, in private, that the particular problem is unacceptable and must be (stopped, improved, etc.) within a reasonable period of time.
- B. If the problem is not resolved by the verbal warning, the employee should receive a written warning clearly stating that the problem has continued and the steps that the Village expects the employee to take to resolve it. If there is no change, further disciplinary action may follow.
- C. If the problem is still not resolved by a written warning, the employee should receive a suspension without pay and/or another written memo summarizing the past events and stating that the problem has still not been resolved. Consideration should be given for up to five (5) days off without pay, with a warning that further disciplinary action, even discharge will follow unless improvement is shown.

- D. If the problem persists after suspension, consideration will be given for discharge with a final memorandum summarizing all events.

Steps C and D are considered major infractions and must be brought to the attention and discussed with the Village Administrator prior to imposing disciplinary action.

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All written discipline will be reviewed by the Village Administrator, all suspensions and terminations will be reviewed by the Village Administrator and the Personnel Committee. For Health Department Employees, all suspensions and discharges shall be reviewed by the Health Officer and a representative from Board of Health.

Occasionally, the severe nature of an offense is such that some or all of these steps may be skipped and an unpaid suspension, pending review for possible discharge, may be considered immediately. When this is encountered, it is imperative to thoroughly review the problem and contemplated disciplinary action with the Village Administrator (Board of Health for Health Department Employees). Except where state law provides otherwise, and subject to the Discipline and Grievance Procedure set forth below, determination of appropriate discipline, including discharge, rests solely in the discretion of the Village Board (Board of Health for Health Department Employees) and will be determined on a case-by-case basis. Employees are employed at will and may be disciplined or discharged for any reason, whether or not set forth in this Manual.

Forfeiture of Certain Benefits When Employment is Terminated as Discipline:

If an employee's employment is or could have been (e.g., facts discovered after an employee resigns) terminated as discipline, the employee shall forfeit all rights to the following benefits: sick leave, sick leave incentive, severance benefits, longevity pay, and the separation benefit.

58. DISCIPLINE AND GRIEVANCE PROCEDURE

Discipline. Discipline may result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates a policy or rule, when an employee's performance is not acceptable, or when the employee's conduct is detrimental to the interests of the Village. See the listing of General Work Rules as set forth in the Personnel Manual for examples of conduct that warrants discipline. Disciplinary action may call for any of four steps – verbal warning, written warning, suspension (with or without pay) or termination of employment – depending on the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Certain types of employee problems are serious enough to justify either a suspension or termination of employment without going through progressive discipline steps. The Village reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

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. All Health Department Employees are covered by a separate Grievance Procedure as adopted by the Board of Health. 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;
 - Counselings, 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); or
 - 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.

59. 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.
- Health Department Employees must meet the requirements above and will be subject to approval and funding by the Board of Health.

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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's 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. ~~The Village Administrator~~ 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.

~~The Village reserves the right to change or modify the policy at any time.~~

~~Revised: 2/19/19~~

~~Effective: January 1, 2019~~

~~Resolution: 2019-19~~

60. **FACE MASKS OR FACE COVERINGS**

~~The Village of Caledonia will follow all State and Local Orders pertaining to wearing masks.~~

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

~~Created: 8/12/20~~

~~Effective: August 25, 2020~~

~~Resolution: 2020-77~~

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PART VII

61. 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.

62. OTHER POLICIES

Nothing in this Manual shall preclude departments and utility districts 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 before they are adopted or enforced.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Village may offer an Employee Assistance Program to employees and their families. This resource helps employee's 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 (up to five visits) 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.

In an ideal situation, the employee who is experiencing personal or family problems will want to seek assistance before his or her work performance is affected, will be aware of the availability of the EAP and will make a self-referral to it or to another agency. A supervisor may refer an employee to the EAP.

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.

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.

No employee shall disclose or use confidential information of the employer to advance the financial or other private interest of the employee or others.

No employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to the employee's knowledge, had a direct financial interest in any transaction or official business with the employer, which may tend to impair his independence of judgment or action in performance of his official duties.

ADDENDUM #1

EXCEPTIONS TO APPLICATION OF VILLAGE OF CALEDONIA PERSONNEL MANUAL FOR FIRE DEPARTMENT BATTALION CHIEFS

All provisions of the Village of Caledonia Personnel Manual apply to the Caledonia Fire Department Battalion Chiefs, except those specific provisions referenced below (note: Battalion Chiefs will be required to comply with a separate, written policy of the Caledonia Fire Department concerning these provisions):

1. Section 7 Performance Evaluations
2. Section 10 Working Hours
3. Section 11 Recording Time
4. Section 12 Reimbursement of Expenses and Clothing
5. Section 16 Management and Compensatory Time Off
6. Section 17 Overtime Pay
7. Section 32 Vacation
8. Section 33 Requests for Time Off
9. Section 44 General Work Rules - Item "K"
10. Section 47 Personal Telephone Calls

ADDENDUM #2

EXCEPTIONS TO APPLICATION OF VILLAGE OF CALEDONIA PERSONNEL MANUAL FOR POLICE DEPARTMENT SERGEANTS

All provisions of the Village of Caledonia Personnel Manual apply to the Caledonia Police Department Sergeants, except those specific provisions referenced below (note: Sergeants will be required to comply with a separate, written policy of the Caledonia Police Department concerning these provisions):

1. Section 7 Performance Evaluations
2. Section 10 Working Hours
3. Section 31 Holiday Pay
4. Section 33 Requests for Time Off

ADOPTION AND REVISIONS SCHEDULE

Adopted:

December 6, 2011

<u>Revised:</u>	<u>Section – Part</u>	<u>Number</u>
2/7/12		
2/4/19	2	13
10/15/20	2	12
	3	28, 31
	4	37
	6	49, 59, 60

VILLAGE OF CALEDONIA EMPLOYEE HANDBOOK



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WELCOMING STATEMENT

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. Our future looks bright but it will present challenges and we are counting on your help in meeting those challenges.

We know that in return for your support, the Village is obligated to make your employment as satisfying as possible. Our wage policies and benefits programs are designed to make the Village a good place to work. We also emphasize open and honest communications in our day- to-day contacts.

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 the Village Administrator. 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 men and women 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 insure 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 Policemen's
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 Sergeants, except those provisions listed in Addendum #1 and Addendum #2 attached hereto.

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 (or, for Health Department Employees, by the Board of Health) on a case-by-case basis.

PART I: Pre-Hiring and Hiring

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.

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 as distinct from deliberation, debate, and voting of Board members.

It will be up to the employee's supervisor to assign duties to the employee. Generally, 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.

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. people who care first about the highest quality public service and the interests of the public, people who can carry on their work with skill and ability; and people 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. 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.

DISABILITY ACCOMMODATION

The Village of Caledonia prohibits discrimination on the basis of disability. The Village is committed to providing equal employment opportunities to otherwise qualified individuals with known disabilities, which may include providing reasonable accommodation in those situations where a disabling condition prevents an employee from performing the essential functions of his or her position, as long as such assistance does not cause a hardship for the

Village or create a direct threat to the employee's safety or that of others. All accommodation decisions are made on a case-by-case basis, considering the qualifications and the particular circumstances of the individual in relation to job-related criteria, as well as the Village's resources.

It is an employee's responsibility to notify Human Resources of the need for accommodation. Upon doing so, the employee may be asked for his or her input regarding the employee's functional limitations and the type of accommodation the employee believes may be necessary to enable him or her to perform the essential functions of the job. If an employee will be seeking extended leave upon expiration of FMLA leave, the employee should make such a request as soon as he or she becomes aware of the need for extended leave. Accommodation requests will need to be supported by medical certification provided to Human Resources. If the request is for extended leave, the medical information must be provided on or before the date the extended leave is requested. Also, when appropriate, the Village may require the employee requesting accommodation to provide additional medical certification related to the employee's condition or to give his or her permission to obtain additional information from the employee's physician or other medical or rehabilitation professionals.

After it has been provided all necessary information, the Village will work with the employee to determine if it can provide to the employee a reasonable accommodation that will be effective in allowing the employee to perform the essential functions of or to return to the employee's job if the employee has been on a medical absence. All medical information regarding the employee's condition will be maintained in a separate, confidential folder and will, to the extent possible, be kept confidential and be revealed only to those persons the Village has determined have need to know the information.

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 the Village Administrator 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 Village Administrator. Employee inspections of personnel files will occur within seven (7) business days of receipt of the request and must be done with the Village Administrator or his or her designee. If an employee disagrees with any information contained in the employee's file, the employee may submit a written request to the Village Administrator 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. The Village Clerk shall be the custodian of records for all personnel records for Health Department Employees. The Health Officer shall be the custodian of records for all non-personnel records related to the Central Racine County Health Department.

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.

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 within the 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 Section 58. 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 (or Board of Health for Health Department Employees) 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 (or Board of Health for Health Department Employees), 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

I. PURPOSE

The Fair Labor Standards Act (FLSA) was created in 1938 to establish minimum wage and a limit to the number of hours that may be worked in a standard workweek without paying overtime. It also provides standards for equal pay, overtime pay, recordkeeping and child labor. The purpose of this policy is to define the Fair Labor Standards Act (FLSA) as it applies to Village of Caledonia employees.

II. 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.

b. 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 trainee.

c. 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.

d. Time Worked

1. Time worked includes all time non-exempt employees are required to be on duty at their prescribed work places 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 or falsification of 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.

e. 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:
 - The attendance is outside of the non-exempt employees' regular working hours;
 - The attendance is voluntary;
 - The meeting, training or similar activity is not directly related to the non-exempt employees' positions; and
 - 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.

f. 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 work day, 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.

g. 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

h. 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 not count as hours worked.** (Village mandated holidays will count as hours worked for FLSA overtime calculation purposes). 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 of eighty (80) hours per calendar year. Compensatory time above the authorized accumulation will be paid out during the pay period in which it was earned. There will be no carryover of compensatory time into the next calendar 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 paycheck stub. Employees with questions about deductions should contact the payroll department. If an employee's paycheck stub 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

Management employees will receive annual performance evaluations from the Village Administrator or the board or commission to which they report on or about December or January of each year. Performance evaluations will focus on the manager's ability to perform job duties and the level of performance.

Non-management employees of the Village of Caledonia will receive annual performance evaluations from their department managers on or about December or January of each year. The employee will be given a copy of the performance evaluation 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. The Board of Health sets performance evaluation policies and procedures, and performance evaluation tools for Health Department employees.

Notwithstanding the annual, written employee evaluations, employees and managers are encouraged to seek, and managers and the Village Administrator are encouraged to provide feedback and input on job performance throughout the year.

All recommended pay increases will be reviewed by the Village Administrator and submitted for review and/or recommendation to the Finance Committee. The Village Board must approve employee pay increases. All pay increases will take effect on a date established by the Village Board. Pursuant to Intermunicipal Agreement, The Board of Health, subject to the appropriations in the budget, shall determine the compensation for Health Department Employees.

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, the administrative staff will stagger lunches, commencing at 11 a.m. The normal work hours are from 8 a.m. to 5 p.m., Monday through Friday. Battalion Chiefs are governed by the Fire Department Standard Operating Procedures. The Health Officer shall determine the workweek and hours of work for Health Department Employees, while the Board of Health shall do so with respect to the Health Officer.

PART III BENEFITS

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Village may offer an Employee Assistance Program to employees and their families. This resource helps employee's 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 (up to five visits) 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.

In an ideal situation, the employee who is experiencing personal or family problems will want to seek assistance before his or her work performance is affected, will be aware of the availability of the EAP and will make a self-referral to it or to another agency. A supervisor may refer an employee to the EAP.

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.

“Qualifying exigency” leave due to employee’s spouse, son, daughter or parent being on or called up for active duty in the Armed Forces.	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.	None	Up to twelve (12) weeks per rolling 12-month period
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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 the 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,” under the Wisconsin FMLA, means either: (1) a same-sex partner registered with the Register of Deeds in your county of residence or (2) a same-sex or opposite-sex partner who is not registered but the following criteria are met: (a) both partners are at least 18 years old and able to consent to a domestic partnership, (b) neither individual in the domestic partnership is married to or in a domestic partnership with another individual, (c) the partners share a residence, (d) the partners are not related by blood in any way that would prohibit marriage under Wisconsin law, (e) the partners consider themselves members of each other’s immediate family, and (f) the

partners agree to be responsible for each other's basic living requirements.

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. Regular part-time employee shall be paid for the holidays listed below on the basis of the number of hours typically scheduled to work in a day.

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.

Work Before and After Holiday: To be eligible for holiday pay an employee must work the workday immediately preceding the holiday and the work day 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.

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.

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:

- (1) death of the covered employee;
- (2) voluntary or involuntary termination of the covered employee's employment other than by reason of gross misconduct;
- (3) reduction of hours of the covered employee's employment;
- (4) divorce or legal separation of the covered employee from the employee's spouse; (5) the covered employee becomes entitled to benefits under Medicare; and
- (6) a dependent child ceasing to be a dependent child under the generally applicable requirements of the plan.

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.

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 is requested to notify their department manager and the Village Administrator, 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 the Section 14 of 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 on file with their supervisor and Support Services an Individual Performance Plan. Additionally, the employee must complete an Employee Training Request form that is submitted to their supervisor.

Prior approval of the department director or Village Administrator must be obtained before any of the association meetings, seminars or training are attended. The Individual Performance Plan must be completed annually prior to the budget process with a supervisor in order to qualify for professional training, association meetings or special classes. 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 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 new 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:

1. Reimburse the department member for their prescription glasses in an amount not to exceed \$200.00
2. 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.

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.

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 necessary. The body armor shall be the property of the Village and the Chief may authorize replacement due to duty related damage.

SICK LEAVE

All 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. 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 Section 29. 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.

Clarify that it's no sick time use first 30 days

SICK LEAVE INCENTIVE PROGRAM

- A. 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 Village Treasurer to confirm the amount of sick leave incentive credit accrued prior to 2012.
- B. 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 Section 21 (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 Section 21 (A) 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 in Section 21 (C). 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 Section 21 (A).
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 Section 21 (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 either Section 21 (A) or Section 21 (D) 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 Director 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.
- Health Department Employees must meet the requirements above and will be subject to approval and funding by the Board of Health.

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

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 2 week 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. For Health Department Employees, requests for extension of unused vacation time shall go to the Health Officer or the Board of Health (in the case of the Health Officer). 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 your 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.

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.

No employee shall disclose or use confidential information of the employer to advance the financial or other private interest of the employee or others.

No employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to the employee's knowledge, had a direct financial interest in any transaction or official business with the employer, which may tend to impair his independence of judgment or action in performance of his official duties.

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

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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.

ELECTRONIC MEDIA USE AND ELECTRONIC CONFLI

PURPOSE: 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 (iPad), 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 purpose of this policy is to express the Village of Caledonia's philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the Village of Caledonia's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the Village of Caledonia.

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.

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.

The following procedures apply to all electronic media and services that are:

- Accessed on or from Village of Caledonia premises;
- Accessed using Village of Caledonia electronic media and services or via Village of Caledonia-paid access methods; or
- Used in a manner that identifies the individual as acting for or on behalf of the Village of Caledonia; or in any way identifies the Village of Caledonia.

ORGANIZATIONS AFFECTED: This policy applies to all the Village's employees, appointed and elected officeholders, volunteers, and contracted and consulting resources. When the term employee is used within this policy, the rules and expectations of conduct also apply to these other users.

ACCESS and AUTHORITY: Each Department Director shall determine which employees in their department shall have access to the various media and services, based on business practices and necessity and which shall have authority to communicate on behalf of the Village of Caledonia.

The provisions of this Policy shall apply to the use of Village of Caledonia-owned/provided electronic media and/or services from home or other locations off Village of Caledonia premises. Village of Caledonia-owned electronic media (e.g. laptops, tablets) may be removed from Village of Caledonia premises solely for Village of Caledonia work related purposes pursuant to prior authorization from the Department Director.

PROHIBITED USES OF VILLAGE ELECTRONIC MEDIA: Employees are prohibited from engaging in the following activities while using electronic media that is owned or provided by the Village:

- Engaging in personal, non-Village related activities, including activities for gain or profit (e.g., consulting for pay or advertising or selling goods or services for personal gain), except as otherwise allowed under "Personal Use" below;
- Copying, disseminating, or printing copyrighted or other protected materials, which can include articles, images, games, and other software, in violation of the law;
- Accessing, sending, soliciting, displaying, printing, or otherwise disseminating material that is reasonably likely to harass, threaten, or embarrass others or that is obscene,

defamatory, discriminatory, fraudulent, or otherwise inappropriate in a professional environment;

- Searching for, accessing, or transmitting content that is reasonably likely to be perceived as offensive or disparaging of others, including content that is sexually explicit, profane, pornographic, disrespectful, disparaging based on race, national origin, sex, sexual orientation, age, disability, religious, or political beliefs or any other legally protected basis;
- Engaging in illegal activities or using the electronic media for any illegal purposes, including initiating or receiving communications that would violate any laws or regulations;
- Engaging in activities that interfere with or disrupt the work of other employees or which are otherwise contrary to the Village's business interests;
- Except as specifically authorized, gaining access by using any access control mechanism (e.g., login name, password, etc.) not assigned to the user, or permitting anyone to have access by using another person's access control mechanism;
- Unless first authorized by the Village's Administrator, downloading, transferring to or from, or deleting software or data from electronic media. Employees must never install downloaded software to networked storage devices without the assistance and approval of appropriate personnel.
- Unless first authorized by the Village's Administrator, disabling, tampering with, or otherwise adjusting any anti-virus, anti-malware, or other similar software installed on the Village's electronic media.
- Engaging in any transaction or other conduct that, if done through other means other than through the use of electronic media, would not be authorized or lawful.

If an employee has a question about whether a particular use of the Village's electronic media is proper, then he or she should contact his or her Department Director before engaging in such use.

PERSONAL USE: Except as otherwise provided, electronic media and services are provided by the Village of Caledonia for employees' business use during Village of Caledonia time. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal non-business purposes is permitted as set forth below:

- Personal use is limited to unpaid breaks, lunch or immediately before/after work;
- Personal use must not interfere with the productivity of the employee or his or her co-workers;
- Personal use does not involve any prohibited use set out in this policy;
- Personal use does not consume system resources or storage capacity on an ongoing basis;
- Personal use does not involve large file transfers or otherwise deplete system resources available for business purposes.

Village of Caledonia telephones and cellular phones are to be used for Village of Caledonia business. However, brief, limited, and incidental personal use is permitted during the workday. Employees should not have any expectation of privacy with respect to personal use of the Village of Caledonia's electronic media or services, including use of Village telephones or cellular telephones.

ACCESS TO VILLAGE-OWNED/PROVIDED ELECTRONIC MEDIA: Employees utilizing Village-owned/-provided electronic media shall have no expectation of privacy in regard to use of such electronic media. An employee's use of the Village's electronic media constitutes acceptance of the Village's monitoring and disclosure of such use. Use of Village 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 technology, and the Village may use such information for its intentions and purposes.

ELECTRONIC COMMUNICATIONS SYSTEM POLICY

PURPOSE: In addition to providing employees with electronic media, as defined above, the Village provides employees with access to various means of electronic communication so they may better perform their job-related duties (e.g., e-mail, instant messaging, Intranet, cell phones, pagers, etc.). The Village's electronic communications system includes all messages and data sent through or received through the Village's networks or technology either externally via the internet or internally and through the Village's technology (collectively the "electronic communications system").

The Village's electronic communications system is a valuable business asset. As such, appropriate usage by employees is critical.

Communications sent and received through the electronic communications system which relate to official governmental business, regardless of whether sent /or received during the business day, may constitute records under Wisconsin's Public Records Law and, therefore, constitute property of the Village. Additionally, other records, even personal in nature, may constitute records under Wisconsin's Public Records Law.

Employees shall have no expectation of privacy in their use of the Village's electronic communications system. The Village reserves the right to monitor and/or access its electronic communications system at any time and for any lawful reason. The use of such system constitutes an employee's consent to such monitoring and access, as well as compliance with this policy. Employees are prohibited from deleting any communication, document, or any other transmission of information deemed to constitute a public record under Wisconsin's Public Records Law. This prohibition applies to the deletion of public records contained on an employee's personal devices and accounts (e.g., laptops, cell phones, e-mail accounts, etc.). A safe rule of thumb for any employee is that the employee should presume any communication may be treated as a record for Public Records Law compliance purposes.

No written policy can list every conceivable circumstance that relates to proper use. The Village's employees are professionals who are expected to exercise responsible professional judgment. The Village 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 internet use, restriction of technology use, or discipline up to and including termination.

ORGANIZATIONS AFFECTED: This policy applies to all of the Village's employees, appointed and elected officeholders, volunteers, and contracted and consulting resources. When the term employee is used within this policy, the rules and expectations of conduct also apply to these other users.

MONITORING AND ACCESS TO EMPLOYEE E-MAIL: Employees should not have any expectation of privacy with respect to messages, files, or data sent, received, or stored on the Village of Caledonia's electronic communications system. Electronic communications and files, like other types of correspondence and Village of Caledonia documents, can be accessed and read by authorized employees or authorized individuals outside the Village of Caledonia. Communications sent or received through the electronic communications system are subject to monitoring, access, auditing, interception, and disclosure by the Village at the Village's sole discretion and as permitted by law.

All communications sent or received through the electronic communications system may constitute a public record under Wisconsin's Public Records Law and, as a result, may be subject to disclosure under the law. Therefore, employees are prohibited from deleting any such communications so as to ensure compliance with the Village's retention requirements.

Electronic communications may reside on the electronic communications system in different recoverable forms (system backup, sent mail folders, spool queues, etc.). Employees should not assume that deleting a personal electronic communication removes all incidents of their existence. If there is a review of the information or an investigation, litigation, or other proceeding that requires or makes desirable the review or production of Employer records, it is likely that electronic communications will be requested and potentially disclosed.

Except as otherwise noted herein, the electronic communications system should not be used to communicate sensitive or confidential information. Employees should anticipate that an electronic communication might be disclosed to or read by individuals other than the intended recipient(s), since messages can be easily forwarded to other individuals and disclosure may be required or permitted by law.

The confidentiality of any electronic communication should not be assumed. Even when a communication is erased, it is still possible to retrieve and read that message. Employees should understand that electronic communication is a written form of communication, just like a paper letter. Though electronic communication is relatively spontaneous compared with regular mail, employees should take care to use the same level of discretion and forethought before executing electronic communications.

PASSWORDS AND ENCRYPTION: Access to certain electronic media and electronic communications systems may require the use of a log-in identification and password. All such log-in identifications and passwords may be assigned to an employee or may be created by the employee using such electronic media and shall be immediately filed in writing with the appropriate Department Director.

Each time an employee changes a log-in identification or password from that which is on file with the Department Director, the employee shall immediately file the new log-in identification and password with the Department Director. Whenever requested, employees are required to cooperate with the Village for purposes of disclosing the log-in identification and password associated with electronic media or the electronic communication system. Log-in identifications and passwords constitute the property of the Village and, thus, failure to cooperate with the disclosure of such information may subject an employee to discipline, as well as pursuit of criminal or civil liability. Employees have no expectation of privacy in log-in identifications and passwords.

Unless otherwise authorized or consistent with this policy, employees are required to keep log-in identifications and passwords strictly confidential. Log-in identifications and passwords are never to be disclosed through non-confidential sources such as over the telephone, through electronic communications, or otherwise posted in public areas.

Unless otherwise authorized, employees are strictly prohibited from encrypting any data, software, files, or other information stored, received, sent, or otherwise transmitted on or through technology. Employees are likewise prohibited from installing any encryption software or programs on such technology. Employees with a business need to encrypt certain data, software, files, or other information are required to obtain written authorization from their Department Director before engaging in encryption. Any passwords and log-in information associated with an employee's encryption must be immediately filed with the appropriate Department Director, and any changes to such log-in information or passwords must be provided to the appropriate Department Director at the time of such change.

The practice of using passwords should not lead employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality. Employees are responsible for creating a strong password and for changing passwords at regular intervals. Employees will be provided with guidelines for creating a strong password and will be expected to follow such rules at all times. Failure to create a secure password may open the Village up to online attacks which are costly and time-consuming. Employees will be provided with training on electronic safety, including password creation and use.

PROHIBITED USES: Electronic communications should be courteous, concise, focused, and written or spoken in good business English. The same care should be used for drafting electronic communications as used for drafting any other professional written communication. All electronic communications are unavoidably attributable to the Village. When composing electronic communications, employees should keep in mind that personal comments may be perceived as comments made on behalf of the Village.

Employees are strictly prohibited from engaging in any of the following activities while engaging in the use of the Village's electronic communications system:

- Engaging in personal, non-Village related business or entertainment on Village of Caledonia time;
- Engaging in any of the activities outlined in "Prohibited Uses" under the Electronic Media Section above.
- Using another individual's electronic communications system account or identity without explicit authorization;

- Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
- Accessing, retrieving or reading any electronic communication system messages sent to other individuals, without prior authorization from the Department Director; or
- Permitting any unauthorized individual to access the Village of Caledonia's electronic communications system.

PERSONAL USE: The Village of Caledonia allows limited, occasional, or incidental personal use of its electronic communications system during lunch, unpaid breaks or immediately before or after work. However, personal use must not:

- Involve any prohibited use listed anywhere within this policy;
- Interfere with the productivity of the employee or his or her co-workers;
- Consume system resources or storage capacity on an ongoing basis; or involve large file transfers or otherwise deplete system resources available for business purposes.
- Incur charges or otherwise violate the terms and conditions of any contracts associated with the electronic communications system (e.g., sending pictures when a cell phone does not provide for a data package, etc.)

ONLINE SECURITY: Ransomware and phishing attacks are becoming more common and employees should be vigilant against such attacks. In addition to regular training about internet and email security, employees should follow general safety rules:

- Employees should not open attachments from mysterious sources and prior to opening attachments from known senders, employees should carefully observe the content of the electronic communication and the spelling of the senders' electronic communication. When in doubt, employees should not open the attachment.
- Employees will never be asked via an electronic communication to wire money to anyone, nor will they be asked to purchase gift cards in bulk.
- Employees must follow the updating schedule for the software on their Village computers, phones, tablets and other electronic media, including system updates, software updates and virus updates.
- Employees should avoid using public wi-fi systems on Village devices as much as possible.

CONFIDENTIAL INFORMATION: All employees are expected and required to protect the Village of Caledonia's confidential information. Employees shall not transmit or forward confidential information to outside individuals or companies without the permission of their supervisor and the Department Director.

The Village of Caledonia also requires its employees to use electronic communications in a way that respects the confidential and proprietary information of others. Employees are prohibited from copying or distributing copyrighted material - for example, software, database files, documentation, or articles using the electronic communications system.

RECORD RETENTION POLICY

PURPOSE: If related to official governmental business, all communications sent, received, stored, or transmitted on or through the electronic communications systems, whether through the use of electronic media owned or provided by the Village or personal devices/accounts of a similar ilk, constitute public records under Wisconsin's Public Records Law. Likewise, if related to governmental business, all data, documents, or other information created, stored, or transmitted through or on electronic media owned or provided by the Village constitute public records under Wisconsin's Public Records Law. The retention and disclosure procedure, rules, and requirements surrounding such records are the same as those which apply to other records of the Village.

ORGANIZATIONS AFFECTED: This policy applies to all of the Village's employees, appointed and elected officeholders, and volunteers. When the term employee is used within this policy, the rules and expectations of conduct also apply to these other users.

PROCEDURES: Per Wisconsin's Public Records Law, whether a particular communication, document, file, etc. constitutes a public record is determined by its content, not its format. Thus, any communication, document, file, etc. that relates to official government business constitutes a record under Wisconsin's Public Records Law. Communications, documents, files, etc. that relate to purely personal matters may nonetheless constitute a record, either in whole or in part, depending on the totality of circumstances. As such, employees are prohibited from deleting communications, documents, files, etc. from Village-owned/-provided electronic media or the electronic communications system without first obtaining authorization from the Village's Clerk, Chief of Police, or their designees. Likewise, because communications, documents, files, or other types of information that relate to official governmental business constitute records under the Public Records Law, the Village reserves the right to monitor, access, audit, and disclose such communications, documents, files, or other types of information to the extent permitted by law. Employees shall have no expectation of privacy with respect to such communications, documents, files, or other types of information, even if purely personal in nature, when using or accessing the Village's electronic media or electronic communications system.

Employees have an on-going obligation to cooperate in the production, inspection, and disclosure of all records in their possession, regardless of where such records are located, stored, or otherwise maintained, including when a public record is stored on an employee's personal electronic device or account. For this reason, employees are strongly discouraged from storing or maintaining records on personal electronic devices or within personal electronic communication systems. Failure to avoid the storage or maintenance of public records on one's personal electronic device or electronic communications system may require the employee to permit inspection of such device or communication system by the Village so that the Village may fulfill its legal obligations under Wisconsin's Public Records Law.

The determination as to whether a particular document, communication, or other piece of information constitutes a public record shall be at the sole discretion of the Village's Legal

Custodian(s) (i.e., the Village Clerk, Chief of Police, or their designees). Likewise, the determination as to whether disclosure of a public record, either in whole or in part, is required under Wisconsin's Public Records Law shall be at the sole discretion of the Village's Legal Custodian(s).

If an employee has a question as to whether a particular document, communication, or other piece of information constitutes a record, or as to their obligations under this or the Village's records retention policy, then the employee should contact their Department Director before taking any action with respect to such potential record.

COMPONENTS OF AN ELECTRONIC COMMUNICATIONS RECORD: An electronic communications record is defined to include the message, the identities of the sender and all recipients, the date, and any non- archived attachments to the message. Any return receipt indicating the message was received by the sender is also considered to be part of the record. Other portions of the message, such as the metadata associated with it, may also constitute a portion of the record.

SAVING AND ARCHIVING ELECTRONIC COMMUNICATION RECORDS: Electronic communication records to be retained shall be archived to an archival media, network drive or printed out and saved in the appropriate file. Any officer, Department Director, division head, or employee of the Village of Caledonia may request assistance from the Legal Custodian of records (the Village of Caledonia Clerk or the Clerk's designee, except that the Chief of Police is Legal Custodian of Police Department records) in determining whether an electronic communication is a public record.

RESPONSIBILITIES FOR E-MAIL RECORDS MANAGEMENT:

Legal Custodian: Electronic communication records of a Village of Caledonia authority having custody of records shall be maintained by the Village Clerk or, if a record related to the Police Department, the Chief of Police.

Information Technology Consultant: If electronic communications are maintained in an on-line data base, it is the responsibility of the I.T. Consultant to provide technical support for the Village Clerk or Chief of Police as needed. When equipment is updated, the I.T. Consultant shall ensure that the ability to reproduce e-mail in a readable form is maintained. The Information Technology Consultant shall assure that e-mail programs are properly set up to archive electronic communications as required by the Village Clerk or Chief of Police.

PUBLIC ACCESS TO ELECTRONIC COMMUNICATION RECORDS: If a Department receives a public records request for release of an electronic communication, the Legal Custodian of the record shall determine if it is appropriate for public release, in whole or in part, pursuant to law, consulting the Village Administrator and or Village of Caledonia Attorney, if necessary. As with other records, access to or electronic copies of disclosable records shall be provided within a reasonable time.

POLICY VIOLATIONS

Employees who do not adhere to any portion of this policy may be disciplined, which can include restriction of use with regard to electronic media or the electronic communications system or discipline up to and including termination or removal from office. Severe violations of this policy may also subject an employee to civil liability and criminal prosecution.

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.

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. Persons who are not company employees may not solicit or distribute literature for any purpose anywhere on company property. Working time excludes authorized breaks or meal periods, and working areas excludes breakrooms.

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/supervisors department head(s), Village Administrator, an elected Village official, or member of the Board of Health.
- 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 Computer 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

I.) 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.

II.) 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 as 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.

III.) 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

PURPOSE

The Village of Caledonia (the “Village”) has an overriding interest and expectation in deciding what is “announced” or “spoken” on behalf of the Village through the use of social media. This policy establishes guidelines for the establishment and use of social media by the Village for conveying information about the Village and its events and activities. This policy also establishes guidance for employees acting in a personal capacity when 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

Social media is defined as the various activities that integrate technology, social interaction, and content creation. Through social media, individuals or groups may create, organize, edit, comment on, combine, and share content. Social media providers offer web pages that provide a means for various forms of discussion and information-sharing, and include features such as social networks, blogs, video sharing, podcasts, wikis, message boards, and news media comment sharing/blogging. Social media providers are hosted by websites that authorize multiple users to establish, post content on, and operate their own individual social media profile. Technologies associated with social media often include picture and video sharing, wall postings, e-mail, instant messaging, and music sharing. Examples of websites that host social media profiles include, but are not limited to, Facebook (social networking); YouTube (social networking and video sharing); and Twitter (social networking and microblogging).

Each social media provider maintains a terms of use agreement for users. All posts and comments on any Village social media profile are bound by these terms and conditions. The Village reserves the right to report any user violation under the terms and conditions. This policy does not modify the terms and conditions established by the social media provider. Nor does the Village assume any responsibility or liability for decisions made by the social media provider involving the conduct or absence of conduct by the social media provider or by the user.

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.

For each social media profile approved for use by the Village, the following documentation will be developed and adopted:

- A list of authorized employees who may manage the social media profile
- Operational and use guidelines
- Standards and processes for managing accounts on social media sites
- Branding standards
- Design standards
- Standards for the administration of social media sites

Authorized employees representing the Village on social media must conduct themselves at all times as professional and dignified representatives of the Village and in accordance with all policies, directives, and professional expectations.

Employees posting content on behalf of the Village must follow these guiding principles:

- Communications must be consistent with the goals, branding, mission, vision, and values of the Village.
- Communications must be factual and accurate and not reflect opinions or biases.
- Communicate meaningful, respectful entries that are on topic while also recognizing that postings are widely accessible and not easily retractable.
- Communications must be written in plain business English with proper grammar and vocabulary and should avoid acronyms and jargon.
- Communications must comply with policy, directives, professional expectations, and

respect for privacy, confidentiality, and applicable legal guidelines for external communication.

- Ensure that legal right exists to publish all materials, including photos and articles, and comply with all trademark, copyright, fair use, disclosure of processes and methodologies, confidentiality, and financial disclosure laws.
- If identifying yourself, then maintain transparency by using your real name and job title, and by being clear about your role regarding the subject. Write and post only about your area of expertise. Remember that your postings are your responsibility.
- Communications must never be for political purposes or in support of or opposition to political campaigns or ballot measures.
- Communications must never be for purposes of private business activity or commerce, or for personal motivation or sharing of personal opinion or commentary.
- Communications must not promote, foster, or perpetuate discrimination, harassment, or retaliation on the basis of race, creed, color, age, religion, gender, marital status, national origin, disability, or sexual orientation, or other protected status.
- Communications must not compromise the safety or security of the public, public systems, or public services.

Authorized employees posting on behalf of the Village may not post content to the Village's social media profiles or engage in social networking activities related to publishing the Village's business during personal time. All social media activity must be made as part of the Employees regular work activity.

The nature of social networking promotes a great deal of interactivity, whereby users or organizations "like" or "follow" each other online. Official Village social media sites may "like" or "follow" the social media sites of local, state, and federal government organizations, generally recognized community and/or not-for-profit organizations, and organizations that provide public safety, promote tourism, industry, and economic welfare within the community, and businesses located within the corporate limits of Caledonia. Official Village social media should not be used to "like" or "follow" any specific viewpoints, ballot measures, or controversial issues.

The employee's name and title should be made available in the responsive comment.

Reporting/Removal of Social Media Activity

A post, like, or comment by a member of the public on any Village social media profile is the opinion of the commentator or poster only. Publication of a user's post, a like, or a comment does not imply endorsement of, or agreement by, the Village or reflect the opinions or policies of the Village. The Village assumes no liability for any comment, like, or post made by another person.

If a forum allowing for two-way or multi-way communication is created, then an authorized

employee may, with the approval of the Administrator, regulate comments or posts made by other persons on the Village's social media profile as provided herein. The Village requires that authorized employee to immediately notify the Administrator or their representative if there is any posted material that may violate this policy, violates the terms of use of the social media provider, is illegal, or that potentially infringes the copyrights or other rights of any persons. The Administrator or their representative will investigate and address the potential violation. If the comment or post violates the terms of use established by the social media provider, then the authorized employee may notify the social media provider and report the post or comment. If a comment or post demonstrates or incites unlawful behavior, then the authorized employee may notify law enforcement authorities. If the comment or post contains any of the following content, the comment may be subject to removal or restriction by the Village:

- Obscene content;
- Content that is threatening or incites violence;
- Solicitation of commerce, including but not limited to, advertising of any non-Village-related event, or business or product for sale;
- Conduct in violation of any federal, state or local law;
- Content that promotes, fosters or perpetuates unlawful activity;
- Content that infringes the intellectual property rights of others;
- Content that is malicious or harmful software or malware;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity, sexual orientation, lawful source of income or arrest/conviction record
- Comments in support or opposition to political campaigns, ballot measures, referendums, or any organized political activity or political links.

The Village should not deny access to the Village's social media profile for any individual who violates the Village's social media policy. The social media provider may, relying their terms and conditions and their discretion, block a user or remove content in violation of the terms and conditions, and nothing herein restrains the social media provider from such actions.

Record Retention

The Village must retain all social media content published by the Village for the purposes of public records retention as may be required by applicable law. Records required to be maintained pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the record and is accessible. Any content removed by the Village based on these guidelines must be retained in accordance with the applicable

retention schedule including the time, date and identity of the poster, when available.

Open Meetings Law Compliance

All conduct by officials serving on a governmental body must comply with Wisconsin's Open Meetings Law. Officials should refrain from discussing business or action of the governmental body with one another while using social media. Authorized employees publishing on the Village's social media profile should not engage officials serving on a governmental body when engaging in the Village's social media activity.

Employee Personal Conduct

Like other members of the community, employees may use social media profiles not belonging to the Village for the employee's personal social media purposes. Employees must recognize that most uses of personal social media are still part of the public domain regardless of privacy settings and are easily replicated and published.

An employee's personal social media profile or use must remain personal in nature and not be used to share the Village's official government positions or views. In addition, employees should never use their Village e-mail account, login, or passwords in conjunction with a personal social media profile. Regardless of whether an employee identifies on a personal social media account that the employee works for the Village, employment with the Village is public record and members of the public may associate the employee with the Village. As such, employees must exercise care when posting and commenting on social media as personal views can be tied back to employment with Village.

Employees posting personal content on social media must follow these guiding principles:

- When commenting or posting on matters pertaining to the Village, the employee must make clear to other persons that the employee is speaking as a private citizen and not as an employee of the Village.
- Pause and think before posting with the understanding that postings are widely accessible, not easily retractable, easily shared and replicated.
- Personal activity must comport with the Village's policies, directives and expectations.
- Personal activity is the personal responsibility of the employee, including the consequences that flow from such activity.

Nothing in this policy is meant to prevent an employee from exercising his or her right to make a complaint of unlawful discrimination or other workplace misconduct through the proper processes, to engage in lawful protected concerted activity, or to express a personal opinion on a matter of public concern which may be balanced against the interests of the Village.

Compliance with Policy

The Village reserves the right to monitor and analyze social media use to ensure compliance

with policy, directives and expectations, to evaluate use, and to recommend and implement changes to use of social media, among other legitimate government interests. Failure to comply with this policy by any employee may result in disciplinary action up to and including termination of employment. Failure to comply with this policy by any officeholder may result in pursuit of any lawful action against any official in violation of policy.

Village of Caledonia Social Media Policy (for posting on social media sites)

We welcome you and your comments to the Village of Caledonia's Social Media pages. The purpose of this site is to present matters of public interest to Village of Caledonia residents, businesses, visitors and other interested parties. You may submit your comments, but please note this is a moderated online discussion site. A comment posted by the member of the public on any Village of Caledonia social media site is the opinion of the commenter only and publication of a public comment does not imply endorsement, nor reflect the opinions or policies of, the Village of Caledonia.

Because communication via social media constitutes a limited public forum, the Village reserves the right to manage, restrict or remove any content, public comments, or other postings that is deemed in violation of this policy or any applicable law. Inappropriate comments are subject to deletion by the administrator of this account. If you do not comply with the terms of use outlined below, your message may be removed.

This forum is NOT monitored at all times but is primarily monitored during business hours. Do NOT use this forum to report emergency situations or time-sensitive issues.

All content of this page including comments is subject to public records law. When posting, please remember that if your post violates any of the below rules, it will be deleted:

- Content that is graphic, obscene, or explicit.
- Content that is abusive, threatening, hateful or intended to defame anyone or any organization.
- Content that suggests or encourages illegal activity.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity, sexual orientations, lawful source of income or arrest/ conviction record.
- Content posted by persons whose profile picture or avatar, username or email address contains any of the aforementioned prohibited content.
- Solicitations or advertisements, including but not limited to, promotion or endorsement of any private, financial, commercial, or non-governmental agency.
- Content attempting to defame or defraud any person or private financial, commercial, or non-governmental agency.

- Comments in support or opposition to political campaigns, ballot measures, referendums, or any organized political activity or political links.

VILLAGE VEHICLE USE AND REIMBURSEMENT OF EXPENSES

PART V WORKPLACE SAFETY

ALCOHOL AND DRUG TESTING POLICY

COMMERCIAL DRIVER DRUG AND ALCOHOL TESTING POLICY

All Village employees who drive commercial motor vehicles for the Village must comply with the Village of Caledonia Commercial Driver Drug and Alcohol Testing Policy, a copy of which will be provided to all such employees. Commercial drivers must review the policy and must execute a written statement indicating that they have reviewed the policy and will comply with it.

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.

I. PURPOSE

The purpose of this policy is to state the Village of Caledonia policy on administering discipline fairly and consistently, and to clearly communicate to management, supervisors and employees the elements of disciplinary action definitions and processes for discipline. The

focal point of this policy is to correct employee misconduct or inappropriate behavior and eliminate future occurrences of misconduct.

II. POLICY

All Village employees are expected to meet a standard of conduct appropriate to the reputation of the Village. While at work employees are responsible to 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 (discussed later) 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.

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 or the Village Administrator

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 (as discussed later), 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:

- 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?
- Goals for change: What needs to be changed? What goals should be achieved?
- 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.
- 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.
- The corrective action plan should be discussed (and documented) with the employee on a monthly basis in order to assess progress and problems.
- 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.

E. Just Cause

To help ensure that discipline is administered fairly, consistently and properly, it is important that discipline meets "just cause". Arbitrator Carroll R. Daugherty defined the basic elements of just cause and reduced this information to seven tests. These tests have been applied by Arbitrators to determine if cause existed for the discipline administered.

1. Could the employee be reasonably expected to know the consequence of their conduct?

- Did the employee know that the behavior could result in disciplinary action?
- How was the employee made aware of the expectations of their conduct?
- Were written rules or policies distributed?
- If unwritten rules existed, were the expectations commonly understood?
- Does the employee understand the consequences of rule violations or substandard performance?

2. Is the rule that the employee violated reasonable?

Is the rule related to the efficient and safe operations of the Village/department? Is the rule related to performance that might be expected of the employee?

3. Did the supervisor conduct a complete investigation?

Effort must be made to discover whether the employee violated a rule prior to discipline. To accomplish this, all potential witnesses should be contacted and written statements from each should be obtained. The employee's personnel file should be reviewed for past discipline, as well as the personnel files of other employees who have been disciplined for the same violation. Supervisors should also be contacted to ascertain circumstances where employees have not been disciplined for the same infraction(s). It is helpful to review all related policies and rules for ambiguity. The supervisor conducting the investigation should thoroughly document all of the information obtained throughout the investigation.

4. Was the effort put forth by the supervisor fair and objective?

The rules of due process must be followed, defined as "an established course for judicial proceedings or other governmental activities designed to safeguard the legal rights of the individual". To ensure due process occurs, the employee must have the

opportunity to be heard and provide oral or written evidence to support their side of the incident, prior to administration of the discipline. Supervisors should provide the following:

- Appropriate reason(s) for possible discipline;
- Adequate notice before disciplinary action is taken;
- Substantiation and justification of Village's actions;
- Presentation of evidence;
- Opportunity for the employee to be heard.

5. Did the supervisor discover substantial evidence that the employee violated the rule?

Substantial evidence must exist to clearly establish that a rule was violated. The best evidence is that which is documented or witnessed and is not rumor, unsupported accusations or allegations. Hearsay evidence is usually given little weight and not accepted as truth.

6. Has the rule been applied fairly and without discrimination to the employee?

Supervisors should review the level of discipline that has been administered in the past for specific behaviors and how the rules have been enforced. Employees in similar situations should be treated in a similar manner, and if not, a supervisor must be able to show a mitigating circumstance.

If enforcement of the rules has been poor, supervisors should establish that the rules will be enforced. Consideration should be given as to whether employees have received the rules in writing, as well as training on the rules prior to being disciplined, if the rule was consistently required of other employee, if progressive discipline was utilized in enforcing the rule, if performance evaluations address compliance with rules and whether the rules have been uniformly enforced.

7. Does the discipline relate to the seriousness of the violation and take into account the employee's past disciplinary history, performance record and employment history with the Village/Village or department?

Many different factors influence the level of discipline imposed. It is necessary to take into account the differences in the length of employment, corrective action history, level of responsibility, type of position within the Village/department, as well as past practice. Judgment and discretion are critical in order to apply appropriate and equitable disciplinary action.

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. All Health Department Employees are covered by a separate Grievance Procedure as adopted by the Board of Health. 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;
 - Counselings, 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.

PART VI EMPLOYEE SEPARATION

EMPLOYEE SEPARATION

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 Accounting 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 the 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 (or Health Department for Health Department Employees), such as texts or reference materials, credit cards, calculators, 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 Section 21B). 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. Layoffs affecting Health Department Employees shall be determined by the Board of Health, in consultation with the Health Officer.

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 and utility districts 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 before they are adopted or enforced.

ADDENDUM #1
EXCEPTIONS TO APPLICATION OF VILLAGE OF CALEDONIA PERSONNEL
MANUAL FOR
FIRE DEPARTMENT BATTALION CHIEFS

All provisions of the Village of Caledonia Personnel Manual apply to the Caledonia Fire Department Battalion Chiefs, except those specific provisions referenced below (note: Battalion Chiefs will be required to comply with a separate, written policy of the Caledonia Fire Department concerning these provisions):

1. Section 7 Performance Evaluations
2. Section 10 Working Hours
3. Section 11 Recording Time
4. Section 12 Reimbursement of Expenses and Clothing
5. Section 16 Management and Compensatory Time Off
6. Section 17 Overtime Pay
7. Section 32 Vacation
8. Section 33 Requests for Time Off
9. Section 44 General Work Rules - Item "K"
- 10 Section 47 Personal Telephone Calls

ADDENDUM #2
EXCEPTIONS TO APPLICATION OF VILLAGE OF CALEDONIA PERSONNEL
MANUAL FOR POLICE DEPARTMENT SERGEANTS

All provisions of the Village of Caledonia Personnel Manual apply to the Caledonia Police Department Sergeants, except those specific provisions referenced below (note: Sergeants will be required to comply with a separate, written policy of the Caledonia Police Department concerning these provisions):

1. Section 7 Performance Evaluations
2. Section 10 Working Hours
3. Section 31 Holiday Pay
4. Section 33 Requests for Time Off

Policy Revisions:

- Equal Employment Opportunity (replaced entire policy) pg 6
- Classification of Employees pg 12
- Performance Evaluations (still need to do this) pg 20
- Attendance pg 21
- Recording time pg 23
- Reimbursement of Clothing (formatting) pg 24
- Inclement Weather Snow Policy replaced with Emergency Policy 2019-02 pg 27
- Part time and temporary employee benefits- Pg 29
- Payroll deductions pg 25
- Holiday Pay pg 43
- Vacation pg 45
- Requests for time off
- Employee Exit Interview pg 55
- Outside Employment pg 58
- General Work Rules (possibly change title of section?) pg 59
- Computer Usage Policy replaced by Von Briesen's tech policy pg 66
- Alcohol and Drug testing (replace with cvmics- not done yet)
- Discipline. Replaced with cvmics pg 67 of working document
- Overtime calculation and compensation pg 36
- Layoffs moved into Employee Separation Policy pg 80 of working document

Policy Deletions:

- Employment At Will (possibly replace with better language or include language in a different policy) pg 2
- Job Description (will incorporate into hiring policy) pg 8
- Job Training pg 9
- Social Security pg 27
- Maternity Leave pg 34
- Personal Telephone Calls? Pg 63
- Unemployment policy pg 53

Policy Additions:

- Chain of Command pg 8 working document
- Disability Accommodation pg 9 working document
- Professional Association Meetings/Trainings/Seminars pg 31 working document
- Village Vehicle and Expense Reimbursement not done yet
- Fair Labor Standards Act Policy pg 13 working document
- Outside Employment pg 60 working document
- Employee Assistance Program pg 19 working document
- Association Activity- Union pg 43 working document
- Communications and Confidentiality pg 44

- Conflicts of Interest pg 44 working document
- Social Networking policy pg 61 of working document
- Hiring not done yet
- Workplace Violence not done yet
- BYOD not done yet
- ADA not done yet
- Open Records not done yet
- Employee Separation not done yet
- Expense Reimbursement not done yet