

CITY OF PLATTEVILLE EMPLOYEE HANDBOOK

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CHAPTER 1: GENERAL EMPLOYMENT PRACTICES

Purpose

The Employee Handbook is provided to help employees of the City of Platteville become acquainted with City policies and procedures. It is intended to serve as a guideline and may be amended at any time without notice. Neither the contents of the handbook nor any amendments, guidelines, or procedures create or constitute an employment contract, an assurance of continued employment, or a guarantee of any other rights or benefits. An employee can terminate his/her employment with the City at any time for any reason and the City reserves that same right to terminate an employee at the will of the City unless otherwise specifically prohibited by law. This handbook replaces and revokes all previous handbooks. Updates to the Employee Handbook can be found on the Employee Shared Drive or by contacting your supervisor or the Administration Department. To ensure all City employees carry out their job duties in accordance with the City's standards, expectations, and values, all City employees are expected to familiarize themselves and comply with this Handbook. This Handbook is subject to final interpretation by the Common Council or City Manager and the final determination of the Council shall prevail in the event of a conflict.

Scope

The Employee Handbook applies to all employees of the City of Platteville. Except where specifically noted, this handbook does not apply to or give any benefit, compensation, or remuneration to elected officials, board and commission members, or City volunteers. Managers and supervisors may implement more specific guidelines and procedures for their work groups that do not contradict the provisions of this Handbook. If any aspect of this Handbook differs from state or federal law or regulations, the law or regulation will be followed. To the extent this Handbook conflicts with specific language in applicable collective bargaining agreements covering certain personnel or where the collective bargaining agreement provides for a benefit or compensation for an employee, then the specific language of the collective bargaining agreement shall control over the language of this Handbook when required. For example, any fringe and wage benefits set forth in this Handbook do not apply to employees subject to a collective bargaining agreement but rules and expectations of conduct as to use do apply. Any wages, hours, and working conditions referenced in this Handbook that are subject to the mandatory duty to bargain are not binding on those parties unless specifically addressed by the collective bargaining agreement or upon fulfillment of the duty to bargain between the Union and the City or upon waiver. However, any rules and regulations contained in this Handbook apply to employees subject to a collective bargaining agreement, as such rules and regulations are promulgated under the City's authority within the collective bargaining agreement to set forth reasonable rules and regulations.

Violations of this Handbook committed by personnel subject to the Police and Fire Commission under Section 62.13(5), Wis. Stats. or subject to the Library Board will be addressed by those respective bodies within the authority of their jurisdiction.

Definitions

City Manager: The City Manager is the chief executive officer of the City of Platteville. The City Manager is responsible for the proper administration of all affairs relating to the City and overseeing the day-to-day operations of City staff. The City Manager has the ultimate authority regarding all employment decisions for the City of Platteville.

Department Director: Department Directors report directly to the City Manager and oversee all functions and employees in a defined department that typically consists of several divisions.

Division Manager: Division managers oversee all functions and employees of a defined division within a department.

Supervisor: A supervisor is the person to whom an employee directly reports.

Exempt Employee: Exempt employees meet the definition of “exempt” under the Fair Labor Standards Act (FLSA). Exempt employees are paid to perform a job regardless of the number of hours worked. Exempt employees are not eligible for overtime pay.

Non-exempt Employee: Non-exempt employees meet the definition of “non-exempt” under the Fair Labor Standards Act (FLSA). Work for non-exempt employees is recorded and compensated on an hourly basis. Non-exempt employees are paid time and one-half for overtime hours worked.

Base Rate of Pay: The rate of pay assigned to the employee regardless of specific job assignment or schedule. Base pay excludes all other pay including call in or on call pay. Base pay can be expressed as a base hourly rate of pay or as an annual salary.

Regular Rate of Pay: All compensation that is attributed to a certain period of time (e.g. a work week), as the term regular rate is defined by the FLSA.

Equal Employment Opportunity

The City of Platteville provides equal employment opportunity to all employees and applicants in accordance with applicable state and federal laws. The City does not discriminate in employment on the basis of race, color, creed, religion, sex (including pregnancy), national origin, ancestry, marital status, sexual orientation (including by definition, gender identity including transgender status), disability, age, genetic information or history, participation in the military reserve and veteran status, arrest and conviction record, use of lawful products off the employer’s premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious or political matters, or any other category protected by law. This policy applies to all employees and applicants for employment and includes but is not limited to recruitment, hiring, placement, promotion, demotion, transfer, layoff, compensation, and selection for training. It is also City policy to provide equal opportunity in the use of all City facilities and participation in City-sponsored events. The failure of any City employee to perform in a manner consistent with this policy may result in disciplinary action. In addition, such failure may expose the employee, as well as the City, to liability under the law.

Any employee who feels that he or she has been subjected to or has witnessed discriminatory behavior should report the incident immediately. Incidents can be reported to any of the contacts identified in the Harassment Prevention and Respectful Behavior Policy located in Appendix D.

Disability Accommodation

The City of Platteville is committed to complying with all state and federal laws regarding the employment of individuals with disabilities. It is the City’s policy not to discriminate against qualified applicants or employees with regard to any term or condition of employment because of such individual’s disability, perceived disability, or record of disability, so long as the employee can perform his/her job with or without reasonable accommodation. Consistent with this policy, the City will provide reasonable accommodations to otherwise

qualified disabled applicants or employees, as required by applicable laws, provided that such accommodation does not constitute an undue hardship on the City.

Any employee with a disability who believes he/she may need an accommodation to perform his/her job should contact their supervisor and/or their Department Director. Upon receipt of an accommodation request, the City will work with the employee to identify functional limitations and possible accommodations. Consistent with applicable law, appropriate medical documentation may be requested to support any request for accommodation. The City reserves the right to choose among reasonable accommodations.

Personnel File Access

Each employee has a personnel file. Information retained in the personnel file includes personal information such as address and phone number, and specific work-related information such as application for employment, resume, performance evaluations, salary adjustments, job changes, and other designated records. An employee may request an opportunity to review the records in his or her personnel file that the employee has a lawful right to review by submitting a written request to the Administration Director. Requests for inspection will be scheduled at a mutually convenient time and within the timeframes required by law. Employee files contain records maintained by the City Manager office. As a result, original documents contained in an employee's personnel file may not be taken outside of the custody of the City Manager.

The City will use employee medical information only in a manner that is lawful, job-related, and consistent with business necessity. Employee medical information will be maintained in separate medical files and will be treated confidentially to the extent required by law. Normally, medical information may be disclosed to someone other than the employee in the following circumstances:

- Supervisors, managers and/or elected officials may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- First aid and safety personnel may be informed, when appropriate, if the employee's medical condition might require emergency treatment.

Employment Status

Positions at the City of Platteville (and consequently the employees who hold the positions) are assigned an employment status as part of the budget process. The employment status is based on assigned hours of the position and determines benefit eligibility. Changes to employment status must be approved in advance by the City Manager. No position eligible for health and dental benefits (regular full-time or regular part-time positions of .75 FTE or greater) can be established without prior approval of the Common Council.

Regular Full-Time: Employees designated by the City as regular full-time employees and who work at least forty hours per week for a standard work year. Regular full-time employees are eligible for all employee benefits outlined in the handbook.

Regular Part-time: Employees designated by the City as regular part-time employees and who normally work less than forty hours but at least twenty hours per week for a standard work year. Regular part-time employees must be assigned thirty hours per week (.75 FTE) to qualify for pro-rated health and dental benefits. Regular part-time employees are eligible for other pro-rated benefits, including paid leave time, *when specified* in the handbook (see Health and Retirement Benefits in Chapter 3 for details).

Part-time/Temporary/Seasonal (PTS): PTS employees generally fall into the following categories:

- Employees who work in a seasonal position, regardless of assigned hours;
- Employees who regularly are expected to work less than twenty hours per week;
- Employees in a work-study or internship position, regardless of assigned hours; or
- Employees who work in a temporary position or of finite duration, regardless of hours.

PTS employees are not designated as regular part- or full-time employees and do not qualify for benefits unless specified in an employment agreement. Previous tenure in a PTS position does not count as time served for the purpose of determining benefit eligibility in a regular full- or part-time position.

Volunteers: Volunteers provide services to the City either for a nominal fee or without receiving compensation. Volunteers do not qualify for benefits unless specifically stated in the handbook.

Recruitment and Selection

Generally, an official announcement of a regular full-time or part-time position opening at the City of Platteville will be posted on the City's web site. Each announcement will typically include specific information about the position, the application process, and the application deadline, if any.

Selection Process

The Department Director will work with the City Manager to develop the selection process for any vacancies. The process may include written/performance tests, evaluation of training and experience, oral interviews, developmental assessment, or any combination of these. The process may include checking references before any job offer is made. The selection process for police, fire and library personnel is governed by the Police & Fire Commission and Library Board in accordance with Wisconsin State Statutes.

Physical or Psychological Exams

Some applicants may also be required to complete a physical examination, psychological examination, and/or drug and alcohol test as a condition of employment. The City will select the physician or psychologist to assess the candidate's ability to perform the essential functions of the job. The cost of the examination or drug and alcohol test will be paid by the City.

Background Checks

It is the policy of the City to conduct a criminal history background investigation on the applicants for regular full-time, regular part-time and PTS employees. The City of Platteville Police Department is authorized to access data in accordance with applicable law for positions at the City in which the City is required to, or chooses to, conduct a criminal history background investigation in order to screen employment applicants. Any data that is accessed and acquired will be maintained at the Police Department under the care and custody of the Chief of Police or his or her designee. A summary of the results of the criminal history data may be released by the Police Department to the hiring authority, including the City Manager or other City staff involved in the hiring process. All information obtained during the background investigation will be confidential except to the extent required by Chapter 19, Wis. Stats. or other applicable law. After having served the purpose for which they are intended, the reports will be filed and maintained as a confidential staff-management planning record, to the extent permitted by law, and separate from the employee's personnel file.

Before the investigation is undertaken, the applicant must authorize the City by written consent to undertake the investigation.

The City will not reject an applicant for employment on the basis of the applicant's prior conviction or pending charge unless the circumstances of such conviction or pending charge are substantially related to the position of employment sought. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:

- The grounds and reasons for the denial;
- The applicant complaint and grievance procedure;
- The earliest date the applicant may reapply for employment;
- That all competent evidence of rehabilitation will be considered upon reapplication.

Residency

In accordance with Wis. Stats 66.0502, the City has established a residency requirement that all full-time Police Officers, Police Sergeants, Police Lieutenants; Full-time Firefighters, Assistant Fire Chiefs, Deputy Fire Chiefs; the Police Chief and the Fire Chief must live within 15 miles of the City limits. An exception to this policy may be made on a case-by-case basis by the Common Council for employees who are promoted from within the City to one of these positions. An employee who is complying with the residency requirement covering their current position is eligible to apply for one of these positions. If appointed, the employee may continue to live at the same residence until such time as they move. Once the employee chooses to leave the "grandfathered" residence, they must live within 15 miles of the City limits. This residency requirement does not apply to volunteer law enforcement, fire, or emergency personnel who are otherwise employees of the City of Platteville.

Employment of Relatives

Relatives of current City employees may be considered for employment unless there is a conflict of interest. For the purposes of this policy, relative will mean spouse, mother, father, son, daughter, brother, sister, grandchild, grandparent, legal guardian, domestic partner or any of these met by a step or in-law relationship. Examples of situations that would potentially constitute a conflict of interest include, but are not limited to:

- When an employee would directly or indirectly supervise or take part in the decision to hire, retain, promote, or evaluate a relative;
- When an employee would be responsible for auditing the work of a relative;
- When confidentiality of information held by the City would be jeopardized;
- When there is the potential for or appearance of inappropriate influence relating to policy decisions.

Exceptions may be made in the employment of part-time seasonal employees on a case-by-case basis with City Manager approval.

Grievance Procedure

General Description

The City of Platteville has established this Grievance Procedure for an employee to utilize for matters concerning corrective action, termination, or work place safety that are covered by this policy. This policy is intended to comply with Section 66.0509, Wis. Stats., and provides an employee with the individual opportunity to address concerns regarding corrective action, termination or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Common Council of the City of Platteville.

This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than as to disciplinary or termination matters of police and fire chiefs and subordinates when subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of corrective action under this Grievance Procedure. For purposes of this Grievance Procedure, "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. For purposes of this Grievance Procedure, the term "corrective action" only includes documented reprimands, demotions, and unpaid suspensions implemented for disciplinary reasons. The term "corrective action" does not include performance evaluations, performance improvement plans, verbal counseling, written counseling, or any other action implemented or taken for non-disciplinary reasons.

The City expects employees and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to utilizing this policy. An employee subject to a contractual grievance procedure shall follow the contractual grievance procedure to the extent those procedures cover the matters covered by the Grievance Procedure. An employee subject to statutory dispute resolution procedures shall be subject to those procedures to the extent those procedures cover the matters covered by the Grievance Procedure.

The City reserves all rights and this Grievance Procedure does not create a contract of employment or any other legally binding contract. Employees of the City of Platteville are employed at-will and may resign or be terminated with lawful reason or without reason. The City may terminate the employment relationship at any time with or without reason and without violation of applicable law.

Grievance Steps

The grievance steps are outlined below. If the employee fails to meet the deadlines identified for each step, the grievance will be considered resolved as to the decision implemented and time-barred from proceeding through the remaining steps of the procedure.

Step 1 - Written Grievance Submission

The employee must prepare and file a written grievance with their Department Director within ten business days of when the employee knows, or should have known, of the events giving rise to the grievance. The written grievance must contain the name and position of the employee filing it, a statement of the grievance, the issue involved, the relief sought, the date the event giving rise to the grievance took place, the employee's steps to orally review the matter with the employee's supervisor and the employee's signature and the date. The Department Director will investigate the facts giving rise to the grievance and inform the employee of his or her decision, if possible within ten business days of receipt of the grievance. In the event the grievance involves the Department Director, the grievance shall be filed with the City Manager and the City Manager shall conduct the Step 1 investigation.

Step 2 – City Manager Review

If the grievance is not settled at the first step, the employee may request in writing, within five business days following receipt of the Department Director's decision, a request for written review by the City Manager. The City Manager or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his or her decision, if possible within ten business days of receipt of the grievance. In the event the grievance involves the City Manager, the grievance shall be filed with the Common Council President and the Council President or his/her designee shall conduct the Step 2 investigation.

Step 3 – Impartial Hearing Officer Review

If the grievance is not settled at the second step, the employee may request in writing, within five business days following receipt of the City Manager's decision, a request for written review by an impartial hearing officer. The City of Platteville shall select the impartial hearing officer. The hearing officer shall not be a City employee. The impartial hearing officer will determine whether the City acted in an arbitrary and capricious manner. In all cases, the grievant shall have the burden of proof to support the grievance. If the grievant does not meet his/her burden, then the impartial hearing officer shall deny the grievance. 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. The impartial hearing officer may only consider the matter presented in the initial grievance filed by the grievant.

Step 4 – Governing Body Review

If the grievance is not resolved after Step 3, the employee or the City Manager shall request within five business days of receipt of the written decision from the hearing officer a written review by the Governing Body. For Library employees, the appeal shall be filed with the Library Board. For all other employees, the appeal shall be filed with the Common Council. The Council 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 Council's next regular meeting. The Council will inform the employee of its findings and decision in writing within ten business days of the Council meeting. The Council shall decide the matter by majority vote and this decision shall be final and binding.

Department Director Termination

In the circumstance of a Department Director dismissal by the City Manager, the Department Director may appeal the decision, in writing, to the City Manager for reconsideration before the Common Council within ten days of the action. The appeal must contain documentation or extenuating circumstances of which the City Manager may not have formerly been aware and which could affect the decision to terminate.

Corrective Action

Employees are expected to maintain high standards of performance and conduct, and to comply with all City policies and procedures and federal, state and local laws, rules and regulations governing the conduct of public employees. When an employee's conduct or performance falls below these standards, or violates any applicable law, rule, regulation, or City policy or procedure, the employee may be subject to corrective action. An employee will be informed by his or her supervisor or Department Director of any corrective action, as well as the necessary steps to meet expectations moving forward.

Corrective action may include, but is not limited to the following:

- Verbal counseling,
- Mandatory participation in training and/or counseling,
- Written reprimand,
- Performance improvement plan,
- Suspension (paid or unpaid),
- Demotion,
- Salary reduction,
- Discharge.

Although one or more corrective action measures may be taken in connection with a particular performance problem, no formal order or sequence of actions or steps will be followed in all cases. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration may be given to the seriousness of the offense, the employee's intent and motivation to change the performance, and the environment in which the offense took place. An employee may use the grievance procedure if he or she wishes to appeal a corrective action, provided such corrective action is subject to the grievance procedure.

Resignation or Retirement

In order to resign in good standing, an employee must provide his or her supervisor with a written resignation stating the last date of work and reason for leaving at least fourteen calendar days prior to the resignation date. The City may accept lesser notice if, in the City's determination, the fourteen-calendar day notice cannot be reasonably given. Retiring employees and employees in management-level positions who are leaving employment are strongly encouraged to give one month of notice prior to resignation. In order to leave in good standing an employee must also return all City property and cooperate with requests for work-related information and planning.

All employees who accrue vacation and who leave employment with the City in good standing as described above will be compensated for all accrued and unused vacation leave at the date of separation. Vacation leave will be cashed out at the employee's base rate of pay as described in the Vacation Leave policy in the Attendance & Leave section of the Employee Handbook on page 15. Any vacation used during the last two weeks of employment must be approved by the Department Director.

Regular full-time and part-time employees who retire from employment with the City and/or have worked for the City at least seven years and who leave in good standing will be compensated for unused sick leave as described in the Sick Leave policy in the Attendance & Leave section of the Employee Handbook on page 17. An unauthorized absence from work for a period of three consecutive working days will be considered a voluntary resignation not in good standing.

Reduction in Force

When determined appropriate by the City Manager, reductions in the number of regular employees may occur. The City Manager will determine which job classes within a department are subject to the reduction. Within a department and job class, the City Manager, after consulting with Department Directors as he or she deems appropriate, will use factors such as qualifications, job performance, length of service, and organizational needs when determining which employees within a particular job class will be affected.

If a reduction in force were to occur, employees would be given as much notice as practical and typically at least one month in advance.

CHAPTER 2: ATTENDANCE AND LEAVE BENEFITS

Attendance

All employees are hired to do a job that is important to the daily operations of the City. Therefore, it is critical to our success that employees reduce unplanned absences to the extent possible. Regular attendance is an essential component of employee performance and may be considered when making recommendations for promotions, transfers, salary increases, or disciplinary action. However, legally protected absences (e.g., military leave or leave under the Family Medical Leave Act) are excluded from this consideration.

Employees who are going to be absent from, or late to, work are required to notify their supervisor as soon as possible in advance of the absence. In the case of an unexpected absence, the employee should call his/her supervisor or specified department contact before the scheduled start time. If the supervisor is not available at that time, the employee should leave a message that includes a telephone number where he/she can be reached. The employee must call the supervisor on each day of an absence unless other arrangements have been made with the supervisor.

Individual departments may establish more specific reporting procedures. Failure to follow established reporting procedures may be grounds for disciplinary action.

Work Schedules

Regular full-time employees are generally expected to work forty hours per week. Work schedules are based on organization needs as determined by supervisors and Department Directors. Work schedules may vary depending on the position and department. City Hall office hours are Monday through Friday from 8:00 a.m. to 4:30 p.m.

Work schedules for individual employees may change from time to time depending on operational needs. A schedule change could occur when a supervisor changes the assigned hours of work within a work week, or when a supervisor approves a temporary change based on an employee request. Supervisors will notify employees of a required schedule change at least one week in advance whenever possible.

Break Periods

All employees may take one paid fifteen minute break for every four consecutive hours worked. In addition, employees are typically expected to take a thirty minute unpaid lunch break for every six consecutive hours worked. For example, an employee scheduled 8:00 am to 4:30 pm would take a thirty minute unpaid lunch and may take two fifteen minute paid breaks.

Break periods are not cumulative and may not be banked. Break periods not taken in any particular day are lost. During heavy workloads employees may be required to work through a break period.

Adverse Weather/Emergency Closing

The City has a responsibility to the public to operate during regularly scheduled business hours. However, in rare circumstances, operating during severe weather or other emergencies can put our employees or customers at risk of harming themselves or others. In these situations, the City Manager will determine if it is appropriate to close services to the public. In the absence of the City Manager, the Administration Director will make decisions with respect to emergency closings.

When the decision is made to close City services, all non-essential employees are expected to vacate the workplace for their safety and the safety of others. The City Manager will evaluate the emergency by reviewing weather conditions and referring to the Emergency Operations Plan to determine which divisions are essential and must remain open and which divisions may be closed.

Employees will be notified by their supervisor of any decisions relative to building closures or non-essential personnel made by the City Manager. The City will also notify the public via radio, press releases, City webpage, social media, and by posting a sign visible to customers in the principal building of closed divisions.

Non-exempt employees may use accrued floating holiday, compensation time, or vacation time to cover periods away from work under this policy or make up the hours at a time acceptable to their supervisor.

Holiday Leave

Regular full-time and part-time employees receive a total of nine holidays per year. For each of the nine holidays, regular full-time employees receive eight hours of paid holiday leave. Regular part-time employees receive pro-rated paid holiday leave. PTS employees do not receive paid holiday leave.

City Holidays

The nine observed holidays are New Year's Day, Memorial Day, July Fourth, Labor Day, Veteran's Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Eve and Christmas Day.

If an observed holiday falls on a Sunday, City offices will be closed on the following Monday. If an observed holiday falls on a Saturday, offices will be closed on the preceding Friday, except for Christmas Day which will be observed the following Monday.

For most employees, the holidays listed above will be days off work. To receive paid holiday leave, an employee must be at work or on approved paid leave the scheduled days or shifts immediately preceding and following the City holiday. Eligible employees will receive leave with pay for City holidays at their base rate of pay.

Overtime for Hours Worked on a Holiday

Regular full-time and part-time employees required to work on a holiday will receive time and one-half (overtime) for the actual hours worked on the holiday. For the purposes of overtime, each holiday commences at 12:00 am and ends at 11:59 pm. If the actual and observed holiday differs, overtime will be paid on the actual holiday and not the observed holiday. For example, if July 4th is a Saturday, which the City would observe on Friday, July 3, an employee would receive overtime for hours worked on Saturday, July 4 but would not receive overtime pay for working on Friday July 3.

Certain public safety employee groups do not participate in the above holiday schedule due to the nature of their jobs. Employees in these groups usually work rotating shifts. Additional paid time off, in lieu of holidays, has been incorporated into the schedules of these groups. Please see Appendix A for details.

Regular full-time and part-time employees required to work on Easter Sunday will be paid time and one-half.

Floating Holidays

All regular full-time employees will also be given two floating holidays (sixteen hours) per calendar year accrued during the first pay period of the calendar year, or pro-rated upon hire. Regular part-time employees receive prorated floating holiday leave. When utilized, floating holiday must be approved in the same manner as vacation. The floating holiday is paid only if used. If the floating holiday is not used during the calendar year,

it is forfeited. If an employee retires or separates from service, any unused floating holidays will be paid upon termination.

Vacation Leave

Vacation leave is available for employees to use at their discretion to cover absences from work because of vacation, family needs, school programs, and other personal needs. Because vacation leave is to be used for rest, relaxation, and time away from work, vacation leave does not have an independent cash value, or a wage automatically payable, if the vacation is not used or paid out at separation from employment. Requests to use vacation leave (other than for emergencies) must be made in advance and approved by the employee's supervisor.

Vacation usage may be in quarter hour increments and will be deducted from the vacation balance in the pay period it is used. Vacation balances may not go below zero.

Regular full-time employees will receive annual paid vacation based on the table below. Vacation for regular part-time employees will be pro-rated based on established hours for pay periods worked by the employee.

Years of Service	Annual Hours of Vacation	Pay Period Accrual (hire date on/after 9/1/2017)	Maximum Vacation Accrual Level (all employees)
1st through 6th year of service	80	3.33	160
7th through 14th year of service	120	5.00	200
15th through 20th year of service	160	6.67	240
21st year of service	168	7.00	248
22nd year of service	176	7.33	256
23rd year of service	184	7.67	264
24th year of service	192	8.00	272
25th year and additional years	200	8.33	280

Employees accrue vacation differently, depending on their date of hire:

Employees hired after 9/1/2017:

- Vacation will be prorated over twenty-four pay periods for the total annual allocation shown above. This proration will commence with the employee's date of hire.
- Employees may accrue up to the maximum for the relevant service level indicated in the table above. Once the maximum level of vacation is reached, additional vacation leave will not be accrued until the balance falls below the maximum accrual level.
- Employees will be compensated for all accrued and unused vacation leave at the date of separation, up to the accrual limits, if the employee resigns in good standing.

Employees hired before 9/1/2017:

- Annual vacation hours will be applied to employee banks on the anniversary of their date of hire.
- Employee vacation banks may not exceed the maximum for the relevant service level indicated in the table above. On anniversary dates, vacation will be added only up to the maximum. Any amount which exceeds the maximum will be forfeited.
- Upon resignation in good standing, the employee's annual vacation hours will be prorated based on the employee's anniversary date to determine the amount actually earned, and the employee will be compensated for earned but unused vacation.
- If vacation already used is in excess of the prorated amount for the year, the vacation time will be deducted from the employee's final pay check or from any vacation accrued from previous years. If the final pay check is insufficient to cover the excess used vacation, the employee will be required to reimburse the City.

Employees are responsible for knowing their vacation leave balance.

Vacation time is only accrued during a pay period when the employee works the pay period or uses paid time off or has a full combination thereof. Accordingly, an employee using paid leave will accrue vacation during such use. Employees not fully working and on a partial paid leave will receive accruals on a prorated basis. Vacation will not accrue during leaves of absence without pay. Vacation banks of employees hired before 9/1/2017 will be adjusted accordingly. Approved leaves of absence will count as time served for the purpose of determining vacation accrual rates based on years of service.

Sick Leave

Accrual

Full-time employees receive eight hours of sick leave each month worked and can have a maximum unused sick leave balance of 480 hours.¹ Hours and balances will be prorated for regular part-time employees. Once the maximum level of sick leave is reached, additional sick leave will not be accrued until the balance falls below the maximum accrual level. Any employee transitioning from a full-time to a part-time position will be able to retain accrued sick leave but will not accrue additional sick time until their balance falls below the part-time maximum.

An employee working or using any earned paid time during a leave will accrue sick leave during such use. Sick leave will not accrue during leaves of absence without pay. Employees working part of the month or using partial paid leave will receive accruals on a prorated basis.

Sick leave may be used in quarter hour increments.

Sick Leave Use

Accrued sick leave may be utilized in the following circumstances:

- Personal illness, injury, or disability of the employee or of the employee's spouse, child, sibling, parent, grandparent, grandchild, father-in-law, mother-in-law, stepchild or stepparent for which the employee's attendance may be necessary.

¹ Full-time employees hired prior to July 1, 1982 receive eight hours each month and can have a maximum unused sick leave balance of 960 hours.

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- Personal medical and dental appointments for the employee that cannot be scheduled outside the regular work day. These appointments should be scheduled at the beginning or end of the workday whenever possible to avoid disruption of work.
 - Medical and dental appointments for the employee's spouse, child, sibling, parent, grandparent, grandchild, father-in-law, mother-in-law, stepchild or stepparent that cannot be scheduled outside the regular work day. These appointments should be scheduled at the beginning or end of the workday whenever possible to avoid disruption of work.
 - When an employee has been exposed to a contagious disease of such a nature that his/her presence at the workplace could endanger the health of others.
 - In conjunction with funeral leave upon approval of the City Manager.

Use of sick leave for a purpose other than those listed above may result in corrective action. For the purposes of this section a "child" includes a stepchild, biological, adopted, and/or foster child. A "grandchild" includes a step grandchild, biological, adopted, and/or foster grandchild.

An employee should report his or her absence to the supervisor as soon as possible and prior to the beginning of the shift. Supervisors may implement more specific reporting guidelines. Employees are required to report each day of their absence with their supervisor as soon as the need for leave arises unless approval for an extended absence has been given.

Employees may be required to provide medical documentation as proof of illness for absences in excess of three consecutive days or if overall attendance is cause for concern. The medical documentation must include the dates of the absence and verify the necessity of the absence.

An employee who is absent on approved vacation leave or other scheduled time off may not retroactively change the time off to sick leave.

When an insufficient sick leave balance remains to cover the absence of an employee, the remaining hours of absence will be charged to accumulated vacation, then to other accumulated paid leave, and lastly to leave without pay.

Sick Leave Usage and Worker's Compensation

See Worker's Compensation under the Employee Safety section of Employee Responsibilities on page 3.

Unused Sick Leave Upon Termination

Regular full-time employees who retire from employment with the City and/or have worked for the City at least seven years and who leave in good standing will be compensated for unused sick leave up to 480 hours.² Regular part-time employees will be paid the unused accumulated sick leave prorated based on established hours. Payments will be calculated using the employee's final pay rate.

Light Duty and Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City on a case-by-case

² Full-time employees hired prior to July 1, 1982 will be paid the unused accumulated sick leave up to 480 hours at the employee's final pay rate. Any accumulated sick leave over 480 hours will be paid at 1/2 the pay rate.

basis. This policy does not guarantee assignment to light duty. Such assignments are short-term, episodic, non-recurring, and temporary in nature and will generally not extend beyond six months. The Department Director, in consultation with the City Manager, reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, the employee will notify their Department Director in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a physician's report containing a diagnosis, current treatment, work restrictions and the expected duration of the restrictions.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions. If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he/she refuses such work. The City will not require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment in lieu of using FMLA leave. The circumstances of each disabled employee performing light duty work will be reviewed regularly by the Department Director and City Manager. Any light duty/modified work assignment may be discontinued at any time.

The City will make every effort to assist female employees who request reasonable accommodations for health conditions related to pregnancy or childbirth, including more frequent restroom, food, and water breaks; limits on lifting; seating and/or temporary transfer to a less strenuous or hazardous position, should one be available. Employees should contact their Department Director to discuss reasonable accommodations.

Family and Medical Leave

The City grants eligible employees leave in accordance with the Wisconsin Family and Medical Leave Act (WFMLA) and the Federal Family and Medical Leave Act (FMLA). For more specific details on leave available in accordance with these Acts, please refer to the policy in Appendix C.

Wisconsin FMLA

Employees who have been employed with the City for more than fifty-two weeks (for a minimum of 1,000 paid hours within the fifty-two weeks) are eligible for unpaid leave under this Act. Employees may, but are not required to, substitute paid leave benefits for unpaid leave time (e.g. paid vacation). The amount of unpaid leave available in a calendar year is as follows:

Purpose	Type of Leave	Leave Available per 12 months
Birth or adoption of child	Family Leave	Up to six weeks
Care for a family member (as defined in Appendix C)	Family Leave	Up to two weeks
Employee serious health condition	Medical Leave	Up to two weeks

Federal FMLA

Any City employee who has worked for more than twelve months (for a minimum of 1,250 hours within the year) is eligible for unpaid leave under this Act. An employee may substitute paid leave benefits for unpaid leave. The amount of unpaid leave available during a twelve month period for any covered purpose is twelve weeks.

Funeral Leave

Leave with pay may be taken by regular full-time and part-time employees to make necessary arrangements and attend the funeral in connection with a death in the family, according to the following schedule:

- Up to three days, if scheduled to work, for immediate family. Immediate family for purposes of this policy is spouse, parent, step-parent, parent-in-law, child, step-child, sibling, brother-in-law, sister-in-law, grandparent and grandchild of the employee or employee's spouse.
- One day, if scheduled to work, for extended family. Extended family for purposes of this policy is ex-spouse, step-sibling, aunt, uncle, niece, nephew and first cousin.

Under certain circumstances, a guardian or foster-parent arrangement may exist and such a relationship may be considered on the same level as a biological parent. Under these circumstances, the City Manager has the discretion to approve funeral leave.

Military Leave

Leave will be granted for various duties of service in the military as provided by law. Military leaves will be without pay. An employee may use vacation or compensatory time for military leave.

Civil Leave

Employees will be granted leave without loss of pay when performing jury duty, appearing as a witness, attending court in the course of official duties, and performing emergency civilian duty in connection with national defense, as provided by law and upon providing proof of reason for absence. Employees performing jury duty must submit any fees received (other than meal or travel allowance) to the City. When dismissed from performing these duties, employees must return to their jobs to complete the regular work day if half or more of the work day remains.

Special Leave of Absence With or Without Pay

In certain situations, the City Manager may grant an employee a leave of absence outside of, or after exhaustion of legally protected leave such as FMLA or Military Leave. Vacation and sick leave will not accrue during leave without pay.

Employees will have the option of carrying benefits on an individual cost basis at the employee's expense if permitted by the plan. Employee contributions to any benefit premiums will be required either through payroll deduction or by direct payment to the Administration Department. The employee will be advised in writing as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occur while the employee is on leave. If an employee's contribution is more than sixty days late or as determined by the plan, then such late payment may result in termination of the employee's coverage. If the absence begins after a scheduled insurance premium payment, then the City will not recoup that premium payment.

CHAPTER 3: COMPENSATION AND OTHER EMPLOYEE BENEFITS

Compensation Administration

The City of Platteville compensation system is designed to attract, retain and reward highly talented staff who can help the City excel at its service-based mission and achieve its strategic goals. The City also strives to use its financial resources as efficiently and effectively as possible. Through the effective allocation of compensation dollars, the City will advance its compensation purpose and principles without placing an unreasonable burden on Platteville citizens. Employees can refer to the City's Compensation Policy for additional detail.

Compensation Adjustments

Regular full-time and part-time employees typically receive salary adjustments in one of four ways:

- Base Adjustments – When the ranges are adjusted (typically at the beginning of each calendar year), employees receive the amount of the range adjustment so that they remain on the same step within the range.
- Step Adjustments – Employees with salaries below target rate may receive step adjustments the pay period following their position anniversary date until their salary reaches the target rate of their salary range (assuming positive performance). Once the employee reaches the target rate, they will only receive base adjustments moving forward. Employees who have not demonstrated positive performance in their role during the preceding year may have their step adjustment withheld.
- Merit Adjustments (exempt only) – Exempt employees who have reached step 7 of their range, may qualify for merit adjustments. Merit adjustments will be determined by the City Manager based on individual performance. The percentage of the amount given in merit adjustments will not exceed the percentage of the amount given in steps during the same year.
- Lump Sum Payments - The City also may award non-base adjustments in the form of a lump sum payment in return for continued service or in order to keep payroll costs consistent with City resources.

New Hires

The City Manager has the discretion to assign new hires anywhere within the salary range. Ideally new hires will be assigned to a step that is lower than the control point (step 6), although this may not always be possible. The City Manager will weigh the following factors when determining starting salaries:

- Candidate skills and experience;
- Pay at candidate's previous organization;
- Pay of other incumbents currently in the role;
- Current labor market conditions.

Promotions

A promotion occurs when an employee accepts a new role or position in a higher salary grade. In the case of a promotion, the employee will typically move to the step or portion of the new salary grade that provides a minimum of a 5% increase from his or her current salary. When determining promotion increases, the following factors may also be considered:

- Scope of the position change;
- Pay of any positions supervised;
- Pay of other incumbents currently in the role;
- Current labor market conditions.

Demotions

A demotion occurs when an employee accepts or is moved to a position in a lower salary grade. When a demotion occurs, the incumbent will move to the closest step to their current salary in the new range (which may be the maximum).

Transfers

A transfer occurs when an employee accepts or is moved to a new position assigned to the same salary grade. Transfers will not typically result in any change in salary.

Position Reclassification

A position reclassification occurs when a position is reevaluated based on a change or expansion of job duties. When a reclassification occurs, the City Manager may recommend an appropriate step progression for the impacted employee(s).

Position Anniversary Date

An employee's position anniversary date is the date the employee started their current regular full-time or part-time job classification. Position anniversary dates change when employees are promoted or demoted. The position anniversary date does not change when a position is reclassified to a new salary range or transferred to another position or job classification within the same salary range.

Pay Periods and Paychecks

For most positions, the payroll week is defined as Sunday through Saturday. There are two weeks in a pay period. Employees are paid every other Friday. When a payday falls on a holiday, employees are paid on the preceding work day. Earnings are deposited into the account(s) designated by the employee.

The pay period for sworn law enforcement officers is set forth in the collective bargaining agreement governing such employees. The work period for sworn law enforcement officers under the FLSA for overtime purposes is not the same as the pay period and may be up to 28 calendar days.

Employees will receive an email notification of each paycheck, with a link to an electronic copy of their direct deposit advice. The direct deposit advice details wages earned for the pay period as well as deductions for taxes, insurance premiums, deferred compensation, pension, etc. as applicable by law or authorized by the employee. Employees should review the advice for accuracy and contact the Administration Department as soon as possible regarding any potential errors. Any employee who is unable to access the direct deposit advice can request a copy from the Administration Department.

Time Reporting

Employee Responsibilities

All employees must turn in a pay record on a bi-weekly basis in the format determined by the Administration Department. For non-exempt employees, time of hours worked must be entered to the nearest one-quarter hour. All non-exempt employees shall record all hours worked including hours worked in excess of forty hours per week.

Exempt employees are salaried and paid eighty hours per pay period. Exempt employees are required to report the amount of paid leave or unpaid leave taken each pay period, in the format determined by the Administration Department. Employees are required to report all hours worked accurately and completely and submit their completed time card to their supervisor on their last day worked for the pay period or as directed

by their supervisor. Employees taking vacation time or other extended leaves should prepare and submit time cards in advance of their leave.

Supervisor Responsibilities

Supervisors are responsible for reviewing the time card for accuracy, including ensuring all hours worked are recorded appropriately, paid leave time has been used and recorded appropriately, and that all relevant provisions of the City's Employee Handbook and any applicable union contract have been followed. Questions regarding application of the Employee Handbook or a union contract should be directed to the Administration Department. Supervisors are responsible for collecting missing time cards and working with employees to make necessary corrections to the time card. Time cards must be approved by the employee's supervisor or designated alternate and submitted to Payroll no later than noon on the Monday following the close of a pay period.

Time worked is rounded to the nearest quarter hour. Falsification of time entry is grounds for termination of employment. Failure to meet employee and/or supervisor responsibilities may result in errors or a delay in pay.

Overtime

Supervisors are responsible for determining if overtime is appropriate for employees based on workload, customer service, and scheduling issues. Employees may at times be required to work overtime depending on City needs. The City's overtime policy complies with applicable state and federal laws governing the accrual and use of overtime, including the Fair Labor Standards Act (FLSA).

As part of the City's compensation plan, each position is designated as "exempt" or "non-exempt." Non-exempt employees are paid on an hourly basis and are eligible to earn overtime. Exempt employees are paid according to an annual salary and are not eligible for overtime pay.

Most non-exempt employees will be compensated for "hours worked" in excess of forty hours per workweek at a rate equal to one and one-half times their regular rate of pay as defined by the Fair Labor Standards Act. Except in emergencies, the employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

The following count as hours worked for the purpose of calculating overtime within a workweek:

- Hours actually worked;
- Paid holiday leave taken on the observed holiday;
- Vacation leave, sick leave, and floating holiday leave used to replace hours that the employee was scheduled to work.

Schedule changes do not result in overtime if the change does not result in additional hours worked as defined above.

For most employees the workweek begins at 12:00 a.m. on Sunday and runs until the following Saturday at 11:59 p.m. In certain situations, different workweeks may be established based on the needs of the division, subject to the approval of the City Manager. See "Holiday Leave" in the Attendance and Leave section for overtime guidelines for hours worked on City Holidays.

Non-exempt employees engaged in sworn law enforcement activities work a twenty-eight day period under the extended workweek exemption of the FLSA. These employees will receive overtime only as identified in the collective bargaining agreement and as required by law.

For non-exempt employees in the Street Division please reference the Street Division Availability and Overtime Policy in the Appendix.

Reporting Concerns or Errors

The City will promptly investigate and correct any improper payroll deductions or other payroll practices that do not comply with the FLSA. If an employee believes that an improper payroll practice has occurred, he or she should send a written complaint to the Administration Department for review. Employees will be reimbursed for any inappropriate deductions taken. In cases where overtime payments are owed to the employee, the amount reimbursed will be based on FLSA guidelines only. Since some of the City's overtime policies are more generous than that required by law, payments already made to employees under City policy will be credited against any amounts due to the employee under the FLSA.

Employees should review their pay notices regularly and must report any potential overpayment or underpayment to the Administration Department as soon as it is discovered.

For specific information regarding the correction of improper payroll deductions applied to exempt employees, please reference the FLSA Safe Harbor Policy immediately below the "Overtime" section.

Compensatory Time

Non-exempt employees may request the accrual of compensatory time (comp time) in lieu of approved overtime pay. Both the accrual and use of comp time require prior supervisor approval and must be recorded on time cards. If comp time is approved by the supervisor, one and one-half hours of comp time will be accrued for every hour of overtime worked.

Accrued but unused comp time as of October 31 will be paid out to the employee on or before December 31. Accrued but unused comp time will also be paid out upon termination of employment. Any cash out will be paid at the rate that is in effect at the time of the cash out or termination from employment.

The maximum balance of comp time allowed is sixty hours. Once an employee reaches sixty hours of accrued comp time, further overtime will be paid in cash until the balance falls below sixty.

The FLSA governs both "traditional" compensatory time off and "other" compensatory time off. Because the City does not follow traditional rules for earning overtime under the FLSA and instead offers a more generous overtime earning program, the City only permits employees to accrue compensatory time that is classified as "other" compensatory time under the FLSA. As a result, compensatory time may be used only with the discretionary approval of the employee's supervisor. The City reserves the right to cash out an employee's compensatory time bank at any time.

Exempt Employee Absences

Exempt employees are expected to work the number of hours necessary to fulfill their responsibilities and effectively perform their duties, which often requires work in excess of forty hours per week or eighty hours per pay period. Exempt employees earn a weekly salary which is paid on a bi-weekly basis and are not eligible for overtime, compensatory time, or other supplemental pay.

Exempt employees will not be allowed to track time and use “informal comp time” on an hour for hour basis. If an exempt employee is not consistently accounting for at least eighty hours per pay period (of time actually worked and accrued leave time taken) the situation will be treated as a performance and/or workload concern.

An absence of four hours or more will require use of paid leave unless approved by the employee’s supervisor because the employee has worked an extensive amount of additional hours.

It is the policy of the City to fully comply with the Fair Labor Standards Act (FLSA). In keeping with this commitment, the City will pay exempt employees their full salary for any workweek in which they perform work, regardless of the number of days or hours worked, subject only to deductions that are permitted by law. Full-day deductions from pay that are permitted by law include, but are not limited to, deductions for infractions of written workplace conduct rules, salary for the employee’s first and last weeks of employment and use of leave under the Family and Medical Leave Act (FMLA). If ongoing use of intermittent FMLA leave is needed, deductions may be required on an hour for hour basis. Contact the Administration Department for more information. The City has created a Safe Harbor Policy for employees who are classified as exempt under the FLSA. Please see Appendix E for this policy.

Call-In Pay

Call in pay is intended to compensate employees for having to report in emergencies and unforeseen circumstances. Regular full-time and regular part-time non-exempt employees called back to work following the completion of the regular working day or on a scheduled day off will receive a minimum of two hours pay at one and one-half times their regular rate of pay. Call-ins must be approved by the employee’s supervisor. Reporting early for a shift, shift extensions, scheduled meetings, or schedule changes do not qualify for call-in pay. Eligibility for call-in pay is determined based on the work requirements and schedules of each division:

Police Department

Telecommunicators receive call-in pay when called in to work in addition to their regularly scheduled hours. Regularly scheduled hours include weekends and holidays on a rotating basis. This provision will not apply to the two consecutive hours worked prior to or immediately following the employee’s regular schedule of hours which constitute no break in service.

Utilities Division

Utilities division employees receive call-in pay when called in to work in addition to their regularly scheduled hours. Regularly scheduled hours include weekends and holidays on a rotating basis.

Street Division

Street division employees receive call-in pay for hours worked before 5:00am or after 6:00pm and on Saturdays and Sundays, unless given a twelve-hour advance notice to report to work. For examples of when and how call-in pay is applicable, please reference the Street Division Availability and Overtime Policy in Appendix B.

Employees working in support of Street Division employees will work under the Street Division rules above.

Employees who are called in to work due to an emergency for a neighboring municipality will receive two times the normal rate of pay for a minimum of two hours. The municipality will be billed accordingly.

Uniform Allowances

The City may provide uniforms for certain employee groups. Uniforms provided by the City are to be worn while working for the City, but not at other times. Certain employee groups may be granted a uniform allowance or may be reimbursed for uniform expenses they incur. In some circumstances, the employee may be required to pay taxes on the uniform allowance. Under IRS code §162, if the clothing is specifically required as a condition of employment and is not worn or adaptable to general usage as ordinary clothing, then the reasonable uniform payment would be tax free. In all other cases, the employee would be required to pay tax on the uniform allowance or reimbursement. Uniform policies and allowances will be approved by the Department Director.

Health and Retirement Benefits

The information in this section is intended to provide employees with a general overview of City benefits. Please see the City of Platteville Employee Benefits Summary and individual benefit plan documents for more details. In the event of a conflict, information contained in the Benefit Summary or specific summary plan documents prevail. The City of Platteville's benefit package is periodically reviewed and may be changed or updated. Contact the Administration Department for questions related to benefits.

Benefit Eligibility

Regular full-time employees and regular part-time employees who are assigned thirty hours per week or more are eligible for the City's benefit program which includes health, dental, vision, life and long-term disability insurances, Wisconsin retirement, deferred compensation and the employee assistance program. Eligible dependents are spouses and children under age twenty-six.

Benefits for regular part-time employees will be prorated according to the employee's assigned full-time equivalent (FTE). Flexible Part-time/Temporary/Seasonal (PTS) employees and Paid On-Call Firefighters do not qualify for benefits unless specifically noted.

Benefit Enrollment

The benefit year begins January 1 and ends December 31. New employees are eligible for benefits on the first of the month following the 15th day of employment, unless noted otherwise, and must elect their benefits within thirty days of hire. Current employees can make changes to benefit elections during open enrollment, which occurs in the fall of each year. Employees may also be able to make changes to benefits when a qualifying life event occurs. Qualifying life events are certain changes in the status of the employee or member of the employee's family such as getting married, having a baby or loss of other health insurance. Employees have thirty days after a qualifying life event to make a change in benefit coverages.

See below for a summary of the available insurance options:

Type of Insurance	Premium Payment	Additional Details
Health	Premium cost is shared between employee and City.	City self-funds a portion of the employee medical deductible and coinsurance via HRA plan.
Dental	Premium cost is shared between employee and City.	
Vision	Premium cost is paid by employee.	
Life	Premium cost is paid by City for the employee. Premium for optional additional coverage for employee or dependents is paid by employee.	Effective first day of month following thirty days employment.
Long-Term Disability	Premium cost paid by City.	Effective after thirty days continuous service. Provides income protection for illness/injury absence beyond forty five consecutive days.

Flexible Spending Account

Flexible spending accounts allow employees to annually set aside pretax dollars from earnings to pay for qualified health care and child care expenses. Set-aside funds should be used by the end of the year. Any funds not used by the end of the grace period are forfeited.

Employee Assistance Program

The City provides confidential assessment and referral services to assist eligible employees in solving problems through an independent organization. Employees have access to certified social service counselors 24 hours a day. These counselors can assist employees with personal and work concerns, family issues, addiction concerns, legal concerns, financial planning and many other issues that may cause stress or concern, at no cost to the employee. This program is available for all regular full-time and part-time employees covered under the long-term disability plan.

Wisconsin Retirement System

Employees who work at least 600 or 1,200 hours, depending on prior eligibility and participation in the WRS, in a twelve-month period will participate in a retirement plan offered through the Wisconsin Retirement System (WRS). WRS is a defined benefit plan, funded through a combination of City contributions and employee contributions deducted through payroll. Employees are vested after five years of service. Upon retirement, WRS offers seven payment (annuity) options for the employee's lifetime. An employee's benefit depends on age at retirement, average salary and years of credited service.

An employee who ends his or her career in public service and remains out of public employment in Wisconsin for more than thirty days can request a return of his or her contributions with interest or can leave the contributions in the WRS until reaching age fifty-five or later.

Deferred Compensation

Deferred compensation is a voluntary program made available by the City for regular full-time and part-time employees. The Section 457 deferred compensation plan allows employees to invest a portion of their earnings for retirement before or after taxes are deducted. Employees can sign up for the City's deferred compensation program or make changes to contribution amounts at any time.

Careful Selection of Benefits and Notification of Changes

It is important that each employee's personal information and decisions regarding benefit selection be accurate at all times. It is each employee's responsibility to promptly notify the Administration Department, in writing, of any change in personal information including name, address, telephone number, marital status (for benefits and withholding purposes), names, addresses and phone numbers of the employee's spouse and dependents (for benefits purposes) and emergency contact information.

CHAPTER 4: EMPLOYEE RESPONSIBILITIES

Employee Conduct

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the residents for whom they work. Each employee is part of the greater City team and should work in a manner that supports both the objectives of their work group, as well as the City as a whole. Employees should be mindful that, as public servants, they are generally held to higher standards than the general public with regard to their on-duty and off-duty conduct, professionalism, and ethics.

The following are job requirements for every position at the City of Platteville. All employees are responsible for and expected to:

- Refrain from any acts that bring the employee or City into disrepute, including unlawful acts, both on and off the job;
- Provide excellent service to both internal and external customers;
- Conduct themselves respectfully toward both residents and staff and respond to inquiries and information requests with patience and courtesy;
- Perform assigned duties to the best of their ability at all times;
- Not give special treatment to, or discriminate against, any person in the performance of their duties;
- Report any and all unsafe conditions to a supervisor;
- Maintain good attendance; and
- Act as good stewards of City resources. Resources may be physical (buildings and equipment), financial or human (efficiency and effectiveness).

Harassment and Respectful Behavior

The City is committed to providing a work environment that is free from harassment, violence, discrimination or other offensive behavior. Maintaining a respectful workplace is a responsibility shared by all employees. The City's Harassment and Respectful Behavior policy identifies types of inappropriate behavior, procedures to be followed in the circumstance of inappropriate behavior and responsibilities of employees, supervisors and officeholders in such circumstance. Please refer to the Harassment Prevention and Respectful Behavior Policy in Appendix D.

Conflict of Interest

It is expected that all employees exercise good judgment in avoiding outside activities or situations where a conflict of interest with City business exists or could be perceived to exist. The following are some examples of situations where a conflict of interest may occur:

- If an employee's official capacity with the City and with an outside organization enable him or her to influence City business, which allows him or her to directly or indirectly gain something of value;
- If an employee accepts a paid or unpaid position elsewhere and performs an activity that interferes with the employee's duties or job performance at the City;
- If an employee uses information not generally available to the public, in the employee's personal affairs which allows him or her to directly or indirectly gain something of value;
- If an employee's personal relationship has the potential for inappropriate influence on City business decisions.

Outside Employment and Business Activity

The City is considered the primary employer for all regular full-time and regular part-time employees. Employment and other business activity outside of the employee's work for the City must not interfere with the employee's City work schedule, work performance, availability for overtime, call back duty or pertinent meetings the employee is expected to attend.

The following types of conduct are prohibited:

- Engaging in outside employment or business activity during work time;
- Using City equipment, resources, or staff in the course of outside employment or business activity;
- Violating City personnel policies as a result of outside employment or business activity;
- Receiving compensation from another individual or employer for services performed during hours for which the employee is also being compensated by the City - work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates a conflict of interest or the perception of a conflict;
- Working for another employer or business while using paid sick leave from the City for the same hours.

Departments may establish more specific policies as appropriate, subject to approval of the City Manager. In addition, outside employment or business activity must not present a real or perceived conflict of interest. Employees should talk with their Department Director upon hire with the City, or before obtaining outside employment or engaging in outside business activity, to determine if there is a potential for a conflict of interest.

Political Activity

City employees have the right to express their views and to pursue legitimate involvement in the political system outside of work time. Employees must remain neutral and cannot engage in political activity while at work or by using City resources.

Any employee who becomes a candidate for federal, state or municipal elective office, or assumes a federal, state or municipal elective office is expected to properly fulfill his or her normal duties during such candidacy and while holding such office.

An employee may not use official authority or influence to compel a person to apply for membership in or become a member of a political organization, or to compel a person to pay or promise to pay a political contribution, or to compel a person to take part in political activity.

Confidential Information

During the course of employment, employees may learn, see or acquire confidential information about the City of Platteville, other employees, or our citizens. Such information is to be handled in strict confidence and is to be shared only with those employees or officeholders within the City of Platteville who need to know such information. Employees are expected to handle confidential information in a manner which complies with state and federal laws and regulations. Unauthorized use of, or access to, confidential information is prohibited, and confidential information may only be used in the interests of the City. Confidential information may include, but is not limited to, medical records, employee records, other personal information regarding City employees or former employees, records of criminal investigations, and certain business records.

Employees who are uncertain whether information is confidential or not should consult with their supervisor or Department Director before releasing or using such information.

Requests for Information or References

The City of Platteville is committed to operating openly and transparently, and to providing requested information whenever possible. If information is confidential, it must not be disclosed (see Confidential Information in this chapter). If information is being requested on behalf of a potential litigant against the City, employees should refer the request to the City Manager.

Requests to provide a reference for a former City employee should be referred to the Department Director. Employees who choose to provide a personal reference for a former City employee are acting in their own capacity and not as an agent, official or employee of the City. In this circumstance, employees should inform the inquiring party that they are not speaking on behalf of or representing the City.

Media Relations

Except for routine inquiries, questions from the media should be directed to the Communications Specialist, Department Directors or the City Manager. Police and Fire Department employees and volunteers should refer to procedures for their specific department.

Some employees may serve as administrators on the City's web or social media sites. Employees serving in this capacity are responsible for following the City's Social Media Administration Policy (pending).

Social Media

The City of Platteville respects employee's rights to engage with traditional (letters to the editor) or social (personal websites, blogs, social media pages etc.) media on their own devices during non-work hours. Employees should exercise caution with content that references City personnel, policies, operations or property. Employees may not use a City brand, logo, or other City identifier in their personal content or distribute information that purports to be the position of the City without prior authorization.

City employees are discouraged from identifying themselves as City employees when responding to or commenting on media content with personal opinions or views. If an employee chooses to identify him or herself as a City of Platteville employee and comments on a matter related to City business, a disclaimer similar to the following must be used "These are my own opinions and do not represent those of the City."

There may be times when personal content shared through the media or social media, even if off-duty and using the employee's own devices, may impact work performance and become the basis for employee coaching or corrective action. Employees should be very cautious about sharing content that may adversely impact the public's confidence in the employee's or City's ability to carry out their respective missions.

Examples of situations where this might occur include:

- Cyber-bullying, stalking or harassment;
- Discriminatory or defamatory remarks or the threat of violence;
- Airing of workplace concerns or issues;
- Negative comments about co-workers, leaders or elected officials;
- Release of confidential or private data; or
- Unlawful activities.

Training and Development

The City is committed to providing quality service to its citizens and recognizes the need to provide training and conference opportunities for employees to enhance their job-related skills and personal development. The City may also approve memberships for employees in certain trade and professional associations for the purpose of individual and organizational development.

External training, professional/trade memberships or conferences must be requested and approved through the Department Director. Priority will be given to training required for licensures and certifications. Local training opportunities will be given first consideration, followed by state or regional programs.

Employee participation in training and professional association activities will be considered as hours worked for pay purposes, up to the number of hours in the employee's normal work day for exempt employees. Non-exempt employees will be compensated for each hour spent in attendance and for travel time.

Internal training may also be offered on topics such as safety, City policies and conduct, and should be treated as any other work assignment. As a relatively small organization, cross training between individual employees is critical for continuity in the City's operations. Employees are expected to actively participate in cross training by documenting work process and procedures, sharing their knowledge with co-workers and embracing related assignments.

Expense Reimbursement

The City reimburses employees for certain authorized extra expenses they incur when required by the City to attend conferences, meetings, training sessions or similar events. Reimbursable expenses are those expenses over and above what the employee would have normally incurred had they not been required to attend. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Detailed information can be found in the City of Platteville's Hotel and Meals & Tips policies.

Gifts

All public officials and City employees are prohibited from directly or indirectly receiving any payment of expense, compensation, gift, reward, favor, service, promise of future employment, loan, advance or other future benefit from any source. This includes free meals and/or beverages, alcohol, outings or tickets to any sporting or special event. City employees may not accept any gratuity from any vendors, contractors, suppliers, companies, agents or consultants and it is expected that when appropriate, employees inform individuals or companies of the City policy regarding gifts.

Limited exceptions include the following:

- Gifts of nominal value (trinkets such as a pen, mug, magnet, etc.);
- A plaque or similar item recognizing service or an award;
- Items given as part of a membership in a group, a majority of whose members are not officials, where all members receive the same gift (e.g., a gift given to all conference attendees, food/treats given to the Police Department from residents, etc.);
- Travel reimbursement for an event where the employee is a guest speaker;
- Donations of money, equipment, etc. to a department or City as a whole;
 - Items of substantial monetary value will be officially accepted by the Common Council at a Council meeting.

Dress Code

The City's image is a direct result of our staff both individually and collectively. Quality service, positive attitude, good customer relations and a professional appearance are key factors in creating and maintaining a favorable image. Each employee represents the City in his or her daily contacts with residents, vendors and members of the business community. The City expects employees to use good judgment in choosing their attire and in their grooming and personal hygiene.

Employees who spend the majority of their time in an office environment should wear business attire Monday through Thursday. Unless informed otherwise, jeans are allowed on Friday. Employees should use discretion when participating in external meetings or other situations where jeans may not be appropriate. Clothes should be clean, wrinkle-free and in good condition.

Office employees should avoid:

- Clothes purchased with or clothes containing deformities (e.g. rips and/or fraying);
- Clothing with advertising or logos other than City of Platteville;
- Shirts or pants which reveal undergarments;
- Shorts; and
- Informal footwear including flip flop sandals, such as the type one would wear to a beach.

The ultimate goal is for all City staff members to look professional in order to build a positive impression with our citizens and co-workers. Unless approved by the supervisor due to the nature of the work, clothing that is damaged, heavily stained or torn should not be worn. Employees should not wear shirts, buttons, hats or other clothing with obscene or offensive words, terms, logos, pictures. If you are uncertain about what is acceptable, ask your supervisor.

City Property

Employees have a responsibility to protect public property and City resources. Unauthorized destruction, defacement or misuse of City property is prohibited. Knowingly stealing or taking property belonging to the City, residents, or employees for personal use, sale, or solicitation is strictly prohibited at all times.

Personal areas such as offices, lockers, work stations and City vehicles are the property of the City. As such, the City has the right to enter or inspect them without employee consent to the extent permitted by law.

Employees have no expectation of privacy when using the aforementioned City property or in any personal property brought on to City premises or used for City business.

Weapons

Possession or use of dangerous weapons, including handguns and firearms, by City employees and volunteers is prohibited on City property and while performing work or training on behalf of the City, in City vehicles, while driving or while riding as a passenger in a personal vehicle.

Exceptions to this policy are as follows:

- Employees may possess firearms in City-owned parking areas if the employee holds a valid permit (provided one is required) and if the firearm is secured within an attended personal vehicle or concealed from view within a locked, unattended personal vehicle while the employee is working on City property.

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- This policy does not apply to an employee who is showing or transferring the weapon or firearm to law enforcement officers as part of an investigation.
 - This policy does not apply to sworn law enforcement officers, either on or off duty.

Employee Safety

Employee and visitor safety is a priority for the City of Platteville. Creating and maintaining a safe and healthy environment is the responsibility of every employee. Employees are expected to follow established work practices, to take the time to perform jobs safely and to comply with the following safety rules:

- All established safety procedures must be followed.
- All personal protective equipment must be used in any area for which it has been issued. If proper protective equipment is not available, the employee should ask the appropriate supervisor before proceeding.
- Employees may not operate, adjust or repair machines or equipment unless authorized to do so.
- If an employee is unsure how to perform an assigned task or operate a machine, the employee should ask the appropriate supervisor before proceeding.
- Only the proper tool(s) should be used for the job. If the proper equipment is not available, the employee should ask the appropriate supervisor before proceeding.
- Employees should use proper techniques in lifting and ask for assistance in lifting any object that is too bulky, awkward or heavy to be lifted safely by one person.
- Equipment should be kept clean and work areas orderly.

Prompt notification of unsafe conditions will help the City prevent future injuries or illnesses. An employee will not be subjected to retaliation for reporting safety problems or concerns. All employees are encouraged to make suggestions for improvement of workplace conditions and/or related policies.

Workers' Compensation Insurance

The City provides Workers' Compensation insurance for all of its employees. If an employee or volunteer is injured on the job, he or she must report the accident immediately to his or her supervisor. If the condition is potentially life-threatening, emergency services should be called first. The supervisor will place a phone call to the on-call nurse to provide details of the injury and will receive an injury assessment, treatment recommendation and referral to a treatment facility when needed. If the supervisor is not available, the employee should call the on-call nurse.

The on-call nurse service will complete the insurance reporting requirements and will provide a triage incident report to the Administration Department. A City of Platteville Accident Report Form must be completed by the employee, which will record all of the known details and circumstances pertaining to the injury, as well as the names of all and any witnesses to the accident. The completed form must be forwarded to the Administration Department within 10 days of the accident. The supervisor will notify the City Manager of the accident and will keep the City Manager apprised on a continuing basis.

If the Workers' Compensation claim is accepted and the employee has been disabled for more than three calendar days, the City's Workers' Compensation Provider will pay wage-loss benefits to the employee. The first three days of lost time after an injury are only paid if the employee is disabled for eight or more calendar days. Compensation benefit rates are based on two-thirds of the employee's average gross weekly wage earned at the time of injury. The employee will be eligible to use accrued sick leave up to the limit of the accumulated benefit, and then other available paid leave, if necessary, up to the limit of the accumulated

benefit to supplement the Workers' Compensation payment. In no event will the total of the Workers' Compensation payment and the supplement from the accrued paid leave exceed the normal gross pay. No deductions will be taken from the Workers' Compensation payments. However, any payments made through accrued paid leave will be treated as regular pay and subject to all required payroll deductions.

Under circumstances where Workers' Compensation payments are initially denied, the employee must use his or her accumulated sick or vacation leave or take time off without pay if no accrued leave time is available. If the decision is reversed and the employee is later deemed eligible to receive Workers' Compensation payments, some or all of the accrued leave time may be credited, depending on how long he or she was away from work.

If the work-related injury or illness also qualifies as a serious medical condition as defined in the Family and Medical Leave Act, any lost time incurred shall also count toward leave available under the Family and Medical Leave Act Policy, as they run concurrently. Additionally, if the employee is eligible for any other leaves as provided for in this handbook, the Workers' Compensation leave and the Family and Medical Leave Act leave will also count toward the leave time available with respect to those policies, as well as run concurrently until eligibility for any of the leaves expire.

Vehicle Safety

Where a position requires the driving of a motor vehicle, the employee must have the appropriate valid driver's license and a good driving record. The City of Platteville provides insurance for City vehicles. Employees are expected to drive safely and courteously and abide by all State and City traffic regulations. Costs for traffic citations are the responsibility of the driver. Any accident involving a City vehicle must be reported to the employee's supervisor.

The use of seat belts is required for all occupants of a City-owned vehicle, City equipment where seat belts are provided, and non-City owned vehicles used for City business. Certain exceptions exist under Wisconsin Statutes 347.48 (2m) (dm) and (dr).

Non-emergency use of all cell phones while operating a City vehicle or operating any vehicle while in the service of the City is prohibited. In such occurrences, employees should pull out of traffic to a safe location when using a cell phone. In addition, texting and e-mailing while operating a City vehicle or operating any vehicle while in the service of the City is prohibited.

Criminal Charges

Employees are expected to report any arrests and/or formal charges for illegal conduct (other than minor class C traffic violations) to his or her Department Director within five business days of the arrest or filing of charges. At that time, the case will be reviewed to determine if the charges are substantially related to the employee's position with the City and if the charges impact the employee's ability to perform their job. The matter may also be independently investigated by the City for the City's own independent determination of whether City policy or expectations of conduct have been violated. The employee may be required to provide regular reports of the disposition of the charges or court case to assist in this determination. Failure to report criminal charges may be grounds for termination of employment.

Controlled Substance-Free Workplace

It is the policy of the City of Platteville to provide and to make a good faith effort to maintain a controlled substance-free workplace. The City's goal is to establish and maintain a healthy and efficient work force free

from the effects of controlled substance and alcohol abuse. The policy is in compliance with the requirements of the federal Drug-Free Workplace Act of 1988 and applicable State law.

The City recognizes that controlled substance abuse poses potential health, safety and security problems. The manufacture, distribution, storage, purchase, dispensation, possession, consumption, or use of any illegal drug, controlled substance, or alcohol while at the workplace or in a City vehicle is strictly prohibited. Employees shall not use illegal substances or abuse legal substances in a manner which may impair their ability to perform job duties safely and productively, or that might impair senses, coordination, or judgment. Under no circumstances may an employee perform employment-related duties, whether on or off City premises, while under the influence of alcohol or illegal substances. An employee taking a prescribed drug or medication that may adversely affect such employee's ability to perform work in a safe and productive manner must report such use to his or her supervisor so that a determination can be made on the ability of such employee to commence work.

If alcoholic beverages are served at a City sanctioned function or gathering, all employees are expected to behave responsibly. In no event shall a City employee operate a City vehicle after consuming any amount of alcohol at such a function or gathering.

Employees may be required to undergo random drug testing, depending on the position held in the organization. Typical positions subject to random testing are public safety jobs, Commercial Driver's License (CDL) holders, and other safety sensitive jobs. Employees may be required to undergo mandatory drug testing upon reasonable suspicion that the employee has been consuming drugs or alcohol or is under the influence of drugs or alcohol. Also, employees may be required to undergo mandatory testing upon application for employment, upon promotion, demotion or transfer, after a workplace accident involving City personnel or equipment (including motor vehicles), or during or following a drug/alcohol treatment or rehabilitation program.

Any employee that fails to cooperate with the testing process or who tests positive for any of the prohibited substances shall be deemed unqualified to work and immediately removed from the job when the City is notified of the positive test result or failure to cooperate with the testing process. The City will take disciplinary actions, up to and including discharge, based on noncompliance with this policy by an employee and specifically for actions as follows:

- A positive verified controlled substances test result;
- A positive alcohol test result of .02 or greater;
- A positive drug test result;
- Engaging in prohibited conduct under this policy;
- Refusal to submit to testing, which will result in discharge.

If the employee is retained following a positive test, then the employee will be placed on an unpaid leave of absence and will not be allowed to return to duty until the situation has been investigated and the requirements of a conditional reinstatement agreement (if instituted) have been satisfied, which may include the employee testing negative for prohibited substances.

Employees are required to notify the City Manager within five calendar days following conviction of a criminal drug statute.

Employees needing help in dealing with controlled substance problems are encouraged to make use of the resources available through their health insurance and the employee assistance program.

CHAPTER 5: INFORMATION AND COMMUNICATION TECHNOLOGY

This policy is intended to govern the use of City of Platteville information and communication systems and workplace monitoring. The City encourages its employees to use information and communication technology to its fullest potential in order to provide a service of the highest quality to its customers. The guidelines and prohibitions established in this policy are meant to protect the City of Platteville information and communication systems from damage caused by unauthorized users, access by third parties, and improper use of the system.

Information systems are defined as:

- All City owned computer equipment and software, and all data entered, maintained or transmitted on such equipment and software.

Communication Systems are defined as:

- Telephone, voice mail, copy machines and fax devices;
- Electronic mail (email) systems;
- Voice and video recorders and players;
- Radio and paging systems;
- Bulletin boards, in-boxes and other places where documents, paper mail and messages are posted or stored.

Hardware and Software

The Department Director and IT must approve all hardware and software prior to acquisition to ensure consistency and compatibility in the City's IT network. Employees are prohibited from installing, downloading or acquiring hardware and software, including product demonstrations, without prior approval from IT.

Employees are required to abide by software and documentation copyright laws and licensing agreements. Any questions about the legality of the software and documentation should be directed to the Department Director. At no time should any users make copies of City-owned software and documentation. All City software licensing and documentation is managed by IT or at the department-level.

Data Management and Protection

Storage

All information developed by or introduced to a City technology system by an employee in conjunction with employment with the City is the property of the City. Electronic documents, including e-mails, electronic communication and business-related materials created on an employee's home or personal computer must be stored in the employee's Office 365 account or appropriate Office 365 Sharepoint site, and/or in Laserfiche, in accordance with City records retention policies and WI State Statutes. These documents should not be stored on an employee's home or personal devices. Employees are responsible for deleting outdated files that are no longer needed for compliance with the City Records Retention Schedule; this includes data files and e-mail messages. The City Clerk or his/her designee should be contacted with questions regarding the classification of public and private data.

Privacy

Any use of the City of Platteville information or communication systems by an employee constitutes a waiver of any right to privacy concerning such use, including any personal communication using these

systems. Employees should remember that emails are public records and are subject to the open records law. This includes electronic communications including emails and other messages sent on personal internet accounts regarding official City business. The City reserves the right to review, audit, intercept and disclose all communications on these systems at any time without prior notice to employees. The City further reserves the right to review and disclose all communications related to official City business sent from personal accounts.

Protection

All users must use and maintain unique City-issued login IDs for computer and network-related access. Login IDs are not to be shared with others, and corresponding passwords must remain confidential.

When setting up and/or using work, portable or personal devices to access City of Platteville data or the City of Platteville network, employees agree to take all reasonable and appropriate precautions to protect and control their devices from unauthorized physical access, tampering, loss or theft. Such reasonable and appropriate precautions include, but are not limited to:

- Securing the device with a password - while such password is enforced via Exchange, users agree to always protect, and not share, the password for their devices;
- Physically securing the device when not in use and never leaving the device unattended in an unsecured place such as an unlocked car, in conference rooms, on an office desktop or in public areas when traveling;
- Not storing confidential information on the device;
- Configuring the device to automatically power-off or “time out” after a period of inactivity;
- Notifying IT Support immediately if the device is stolen or lost - it is important that any data on the device be removed as soon as it is believed to be stolen or lost.

Prohibited Use

Employees are responsible for preserving the integrity of the information and communication systems and are directed not to interfere with or disrupt such systems. Interference or disruption includes but is not limited to the following:

- Copying unauthorized system files or copyright material such as third-party software;
- Attempting to “crash” systems or programs;
- Attempting to secure unauthorized higher-level privileges or access to remote systems;
- Willful or negligent introduction of computer viruses or destructive programs that could damage or adversely affect these systems;
- Sharing password or password information with a person not authorized;
- Deleting, examining, or modifying files or work product belonging to other users without authorization or as part of standard operating procedures;
- Engaging in activities that could cause unnecessary congestion or disruption of the system.

Employees must not engage in any conduct using information systems that is a violation of the City of Platteville’s policies, including but not limited to:

- Communication with abusive or obscene language;
- Harassment, intimidation or threats of violence;
- Images or words of a lewd or sexually suggestive nature, even if the recipient has consented to or requested such material;
- Jokes, comments or other material that are offensive or discriminatory;

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- Disseminating classified, confidential, sensitive, proprietary or private information to unauthorized persons or organizations;
 - Using any systems for personal gain, solicitation, to send junk mail or “for profit” messages;
 - Political activity.

Users may receive inappropriate and unsolicited e-mail messages. Such messages should be deleted immediately and reported to the employee’s supervisor. If the activity continues, the supervisor should notify IT Support.

Personal Use

The City recognizes that some personal use of City-owned computers and related equipment has and will occur. Personal use should be extremely limited and never preempt or interfere with the employee’s work or the use of technology for City business. Personal use of City-owned computers and equipment is subject to the prohibited uses outlined in this policy. Personal email or social media use should be undertaken from non-work accounts.

Cell Phones

The City issues City-owned cell phones for those employees whose Department Directors have found an operational need for these devices. Limited personal use (less than thirty minutes during the course of a month) of City-issued cell phones is allowed. Employees are responsible for exercising care in the transport and storage of these phones. Broken, lost or stolen phones must be reported to the employee’s supervisor and IT Support immediately.

Some employees choose to use their personal cell phones for City purposes, such as accessing City email. The City Clerk’s office will maintain a master list of cell phone numbers for emergency purposes. The personal cell phone numbers of employees will not be given directly to the public. However, it is reasonable to expect that as an employee performs City work on a personal cell phone such as returning customer calls, his or her personal phone number may become accessible to certain members of the public. It is also reasonable to expect that personal numbers may be shared with contractors or vendors.

APPENDIX A

Hours Worked on a Holiday – Public Safety

Police Sergeants

Police Sergeants will be compensated at the rate of eight hours off for holidays, plus half an hour of holiday time off for each hour worked on a holiday, in addition to normal straight time pay for time worked on holidays. If a holiday falls on a sergeant's regularly scheduled day off or vacation day, the sergeant will receive eight hours off in lieu of the holiday.

Sergeants may choose to be paid for the holiday hours earned. If a sergeant's compensatory time accrual is at the maximum level (sixty hours), the holiday time will be paid out.

Police Telecommunicators

Police Telecommunicators will be compensated at the rate of eight hours off for holidays (six hours for part-time telecommunicators), plus half an hour of holiday time off for each hour worked on a holiday, in addition to normal straight time pay for time worked on holidays. If a holiday falls on a telecommunicator's regularly scheduled day off or vacation day, the telecommunicator will receive eight hours off in lieu of the holiday. Telecommunicators may choose to be paid for the holiday hours earned. If a telecommunicator's compensatory time accrual is at the maximum level (sixty hours), the holiday time will be paid out.

APPENDIX B

Street Division Availability and Overtime Policy

Purpose

A fundamental responsibility of the Street Division is to maintain the transportation system and related public works infrastructure. This includes snow removal and responding to emergencies. This policy covers availability and overtime for Street Division employees.

Availability

To meet the mission of the Street Division, employees have a duty to perform work outside of scheduled working hours. Street Division employees are assumed to be available for weekend and evening response during snow/ice season, unless the supervisor has pre-approved an employee's request to be unavailable for response. Only a limited number of employees can be unavailable when the Division is expecting to respond to a weather-related event, and there may be situations when an employee's request is denied to ensure adequate staff coverage. Since the Division works as a team and snow/ice response is a critical function of the team, requests to be unavailable for response should be carefully considered and infrequent in nature due to the burden it places on other team members.

Employees are also required to respond in a timely manner to calls and other communications from the City. Employees must provide all phone numbers at which the employee may be reached when on duty and off duty, including cell phones and land lines.

Overtime

Due to the Division's important responsibilities affecting public safety and the modifications that occur to employee schedules, the City has a more generous overtime policy for non-exempt (hourly) Street Division employees than required by law. Non-exempt employees are eligible for overtime (time and one-half) for hours worked in excess of 40 hours worked in a work week as required under the FLSA. In addition, the City provides overtime in certain circumstances even though the 40-hours worked threshold has not been exceeded. This overtime is not legally required and is at the discretion of and is subject to change by the City. Overtime may be taken in the form of pay or compensatory time, as outlined in the employee handbook.

The overtime-eligible situations under City policy are outlined below:

- Extended/Modified Shifts with Twelve Hours' Notice: An employee who is given twelve hours or more notice of a shift change and works an extended or modified shift differing from the employee's scheduled shift will be eligible for overtime for those hours worked prior to 5am or after 6pm on that work day.
- Extended/Modified Shifts without Twelve Hours' Notice: An employee who is given less than twelve hours notice of a shift change and works an extended or modified shift differing from the employee's scheduled shift will be eligible for overtime for those hours worked prior to 7am or after 6pm on that work day.
- Reporting for Duty During Off Hours: An employee called in to work outside of the employee's scheduled or extended/modified working hours, as determined by the employee's supervisor or Department Director, will generally receive two hours of pay at the overtime rate as a minimum for work performed by the employee as a result of the call-in if the employee reports for duty. The two-hour minimum pay constitutes pay for up to two hours of work. Employees are required to perform any call-in responsibilities in the most effective and efficient manner possible.

By providing overtime pay not required by law, the City does not intend for the pyramiding of overtime to occur, meaning overtime is not earned on top of overtime. The FLSA permits the City to credit these amounts or not count these amounts when calculating overtime required by the FLSA. As such, the non-FLSA overtime will be used to offset FLSA overtime liability to the extent permitted by law, including 207 U.S.C. § 207(e) and (h).

The failure to prepare accurate time records, the failure to perform work responsibilities in an efficient and resourceful manner, and the failure to receive or respond to calls or provide requested contact information will be treated as a performance issue and may result in discipline up to and including discharge.

Employees should direct any questions regarding this policy or any questions about earnings under this policy to the Street Superintendent or Department Director.

Overtime Examples:

Example A: Employee is given at least twelve hours’ notice of a modified shift from 5am to 1pm to salt/plow.

Total Hours Worked	8	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours worked	8	5am to 1pm
Overtime Eligible Hours	0	No policy-based overtime or FLSA overtime is earned

Example B: Employee is given at least twelve hours’ notice to work a modified shift from 3am to 11am to salt/plow.

Total Hours Worked	8	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours worked	6	5am to 11am
Overtime Eligible Hours	2 at overtime	3am to 5am. Two non-FLSA required overtime hours have been earned resulting in the equivalent of three hours pay or comp time.

Example C: Employee is given less than twelve hours' notice to work from 3am to 11am to salt/plow snow and to work their eight hour shift.

Total Hours Worked	8	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours worked	4	7am to 11am
Overtime Eligible Hours	4 at overtime	3am to 7am. Four non-FLSA required overtime hours have been earned resulting in the equivalent of six hours pay or comp time.

Example D: Employee is called in off hours to work at 5pm on a Tuesday after the employee completed the work day and left for the day. The employee works from 5:30pm until 6:30pm.

Total Hours Worked	1	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours worked	0	
Overtime Eligible Hours	2 at overtime	5:30pm to 6:30pm. Two non-FLSA required overtime hours have been earned resulting in the equivalent of three hours pay or comp time (as a result of the two hour minimum).

Example E: Employee is called in off hours to work from 6am to noon on a Sunday which was not a scheduled work day for that employee.

Total Hours Worked	6	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours worked	0	
Overtime Eligible Hours	6 at overtime	6am to 12:00pm. Six non-FLSA required overtime hours have been earned resulting in the equivalent of nine hours pay or comp time.

Example F: Employee works an extended shift from 7am to 8pm on a Wednesday to salt/plow snow after working their typical eight hour day from 7am to 3pm.

Total Hours Worked	13	Hours worked counted towards 40 hours for FLSA overtime
Straight Time Hours	11	7am to 6pm
Overtime Eligible Hours	2 at overtime	6pm to 8pm. Two non-FLSA required overtime hours have been earned resulting in the equivalent of three hours pay or comp time.

APPENDIX C

Family and Medical Leave Act

The City's Family and Medical Leave Act Policy is intended to conform to, and not exceed, the requirements of the federal and, if applicable, the state Family and Medical Leave Act ("FMLA"); however, this policy is intended to comply with applicable laws and does not necessarily incorporate all provisions of such laws directly into the City's personnel policies. This policy does not specifically repeat every provision of FMLA's statutory or regulatory requirements. Posters summarizing the benefits required to be provided under federal and state law can be found with other employment related postings. Family and medical leave taken under this policy may be covered by federal law, by state law, or both.

When leave taken by employees under this policy is governed by both federal and state law, the more generous provision will control in the event of a conflict. However, when leaves are governed by state or federal law, but not both, the applicable law will control under this policy. In this regard, employees should note that certain leave may be covered by both state and federal law for only a portion of the leave. Employees may be required to provide advance notice and certain information as set forth below to be eligible for family or medical leave under this policy. Employees may also be required to submit leave requests in writing when circumstances and applicable law permit. Employees' use of other leave provided by the City for the reasons covered by law, when appropriate, will be treated as use of family and/or medical leave whenever applicable laws allow.

Eligibility Requirements

To be eligible for leave under federal law, an employee must have been employed by the City for at least twelve months and have worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of the requested leave.

To be eligible for leave under state law, an employee must have been employed for more than fifty-two consecutive weeks and have been paid for at least 1,000 hours. The kind and amount of leave available to an employee under this policy, as well as an employee's rights during leave, depends on whether the employee meets one or both of these requirements. Exceptions to these requirements will be made only by separate written policy of the City.

Types of Leave Available

It is City policy to treat use of family or medical leave under this policy as simultaneous use of state and federal leave entitlements whenever appropriate and permitted by law.

The City provides family and medical leave for eligible employees under the following circumstances.

- Birth of the eligible employee's child and to care for a newborn child;
- Placement with the eligible employee of a child for adoption and, under federal law, foster care;
- Care administered to an eligible employee's spouse, son, daughter, parent, parent-in-law and domestic partner (§103.10(1)(ar), Wis. Stat.), with a serious health condition;
- Inability of the eligible employee to perform the functions of his/her job because of a serious health condition;
- Care for a service member – up to twenty-six workweeks (Form WH-385) (29 CFR 825.127(c));
- Leave because of a qualifying exigency (Form WH-384) (29 CFR 825.126);

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- When receiving continuing treatment (29 CRF 825.115): Employee is treated two or more times within thirty days (of the first day of incapacity) and employee is treated on at least one occasion within seven days (of the onset of the condition) and requires continuing treatment;
 - Leave for bone marrow and organ donation. The Wisconsin Bone Marrow and Organ Donation Leave Act provides qualifying employees with the right to take up to six weeks in a twelve month period of job-protected leave, with continued medical benefits, when they need time off from work for the purpose of serving as a bone marrow or organ donor. To qualify for Bone Marrow and Organ Donation Leave an employee must have worked for the City of Platteville for more than fifty-two consecutive weeks and have worked at least 1,000 hours during the preceding fifty-two week period. If an employee intends to take leave for the purpose of serving as a bone marrow or organ donor, the employee must do the following:
 - Make a reasonable effort to schedule the bone marrow or organ donation procedure so that it does not unduly disrupt the City's operations, subject to the approval of the health care provider of the bone marrow or organ donor.
 - Give the City advance notice of the bone marrow or organ donation.
 - Submit a request for Family Medical Leave.

Amount of Leave Available

Under **federal** law, an eligible employee is entitled to a total of twelve weeks of leave during a twelve month period. The twelve month period utilized by the City in applying this policy is defined as the twelve-month period immediately preceding the commencement of the requested leave.

Under **state** law, an eligible employee is generally entitled to:

- In a calendar year, six weeks of family leave for:
 - The birth of the employee's natural child if the leave begins within sixteen weeks of the child's birth;
 - The placement of a child with the employee for adoption or as a precondition to adoption under §48.90(2), Wis. Stat., but not both, if the leave begins within sixteen weeks of the child's placement.
- In a calendar year, two weeks of family leave to care for the employee's child, spouse, domestic partner, or parent, if the child, spouse, domestic partner, or parent has a serious health condition;
- In a calendar year, two weeks of leave to care for the employee's own serious health condition;
- In a calendar year no employee may take more than ten weeks of family leave for any combination of reasons.

Manner in Which Leave Can Be Taken

Leave available under this policy may be taken in full, but may also be taken intermittently (e.g., one week at a time) or on a reduced leave schedule (e.g., consecutive hours at a time) under certain circumstances.

Compensation During Leave

Generally, leave taken under this policy is unpaid, with the following exceptions:

- For leave governed exclusively by federal law, the City does not provide paid leave for leave taken under this policy in any situation where the City would not normally provide such paid leave. Further, in such cases, the City reserves the right to require an employee to substitute or use accrued paid leave for leave taken under this policy whenever permitted by law. However, for leave exclusively governed by federal law, employees may use the following leaves provided by the employer, if available:
 - Vacation or floating holiday, if available, for any family or medical leave;

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- Accrued paid medical or sick leave, if available, to care for a seriously ill family member, or for the employee's own serious health condition.
 - For leave governed by state law, employees may substitute any accrued paid leave or take unpaid leave for leave taken under this policy. This includes paid vacation, sick leave, or floating holiday provided by separate policy of the City, if available. Generally, though not always, this will include leave time that employees earn and accumulate through the course of their employment with the City but does not include leave which is not progressively earned and banked through continuing service to the City. For those portions of FMLA leave covered by state law, employees may substitute accrued paid leave for unpaid leave e.g., substituting accrued sick leave for the care of a newborn.

Continuation and Accrual of Benefits

Employees will remain eligible for health insurance benefits under the City's group health plan during leave taken under this policy under the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave.

During leave taken under this policy, the City will pay any portion of the premiums for coverage that it was responsible for paying immediately prior to the leave. The employee must continue to pay his/her share of health coverage as provided in the City health plan. If paid leave is not substituted for unpaid leave, the employee must pay his/her share of premiums to the Administration Department by the same time payment would have been made for such premiums through payroll deduction. If paid leave is substituted for unpaid leave, the employee's share of the premiums will be paid by the same method used during paid leaves of absence, i.e., by payroll deduction. Employees should check with the Administration Department concerning arrangements for making employee payments for health insurance during leaves.

The City reserves the right to require employees to place up to eight weeks of premiums in escrow prior to leave, pursuant to state law, or to discontinue coverage if premiums are received from employees more than thirty days late, pursuant to federal law, to the extent permitted by law.

Employees will not accrue any employment benefit during leave taken under this policy, except that such benefits will accrue if employees elect to use other leaves provided by the City and if such benefits would normally accrue during that leave. For employees hired before 9/1/2017, vacation banks will be adjusted for vacation which did not accrue due to the leave.

Required Advance Notice

Employees must provide the City with notice in a reasonable and practicable manner before leave taken under this policy is to begin if the need for leave is foreseeable, e.g., an expected birth, placement or adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member. When requesting partial or intermittent leave in connection with child birth or adoption, the employee must provide at least as much notice as the City requires for making other non-emergency or non-medical leave, as well as a definite schedule for the leave. When advance notice is not practicable due to uncertainty as to when leave will be required to begin, a change in circumstances, or medical emergency, notice must be given as soon as practicable. Employees are encouraged to provide a written request for leave, the reasons for the requested leave, and the anticipated beginning date and duration of the leave.

When planning medical treatment, the employee should consult with the City and make a reasonable effort to schedule the leave so as not to disrupt unduly the City's operations, subject to the approval of the employee's health care provider. Employees are ordinarily expected to consult with the City in order to work out a treatment schedule which best suits the needs of both the City and the employee.

When an employee is absent for three consecutive days or more, the Administration Department must be notified so that the employee can be placed on Family Medical Leave.

Medical Information Required

The City requires that an employee's request for leave to care for the employee's seriously ill spouse, domestic partner, son, daughter, or parent, or due to the employee's own serious health condition that makes the employee unable to perform the functions of the employee's positions, be supported by certification issued by the health care provider of the employee or the employee's ill family member. The City reserves the right to require certification consistent with the Department of Labor form related to certification of leave and definition of a serious health condition (Certification of Physician Form). That form is available from the Administration Department.

An employee's failure to make a timely and responsive certification may result in denial of the leave requested until such certification is provided. Further, failure to provide such certification may be the basis for denial of continued leave or qualification of the leave as FMLA leave. The City will be entitled to receive re-certification to the extent permitted by law. An employee on family or medical leave will report, orally or in writing, to the Administration Department every thirty days concerning his/her status and intention to return to work.

Light Duty

Time spent performing light duty is not FMLA leave.

Employer Notice Requirements

General Notice. Must be accessible to applicants and employees, and distribution to employee must be via handbook or each new hire (can be electronic).

Eligibility and Rights and Responsibilities Notice. Must be given within five business days of an employee request for leave for an FMLA qualifying reason. The appropriate certification form should be sent with the notice.

Designation Notice. The designation must indicate that the leave is FMLA qualifying or does not qualify and specify the reasons for not qualifying and must also specify the amount of leave that will be FMLA and must state whether a fitness for duty certification will be required.

Medical Certification Forms. Leave can be denied if certification is not submitted within fifteen days (39 CFR 825.305). If it is incomplete, the employee has seven days to cure the deficiencies (39 CFR 825.305(c)).

Certification of the Need for Leave

The City may contact the employee's health care provider for verification or clarification purposes, using a health care professional, Administration or Department Director, but not the employee's direct supervisor. Permission is not required by the employee to contact the provider for verification purposes. Employee permission must be obtained for clarification of individually identifiable health information.

Leave may be denied to an employee who refuses to release information for a second or third opinion. The City has five days to provide the employee with a copy of the second/third opinion. If the City requires the employee to obtain either a second or third opinion the City must reimburse the employee or family member for any reasonable "out of pocket" travel expenses incurred to obtain the second and third medical opinions. The City may not require the employee or family member to travel outside normal commuting distance for purposes of obtaining the second or third medical opinions except in very unusual circumstances.

Recertification may be requested every six months. The City may seek recertification at any time: if an extension of leave is requested, circumstances described in the last certification have changed, and if

information is obtained that casts doubt on the employee's stated reason for an absence or the continuing validity of the last certification. Employers may request the same information on recertification as is permitted during the initial certification.

Fitness for Duty Certification

Employees must be notified by the City in the designation notice whether a fitness-for-duty certification will be required in order to return to work and whether it must address the ability to perform the essential job functions. The certification does not have to be provided after each intermittent leave absence, but it may be requested every thirty days (if intermittent leave was used during that period) and reasonable safety concerns exist regarding the employee's ability to perform his/her duties.

The City may contact the employee's health care provider for purposes of clarifying and authenticating the fitness-for-duty certification. Clarification may be requested only for the serious health condition for which FMLA leave was taken. The City may delay restoration to employment until the employee submits a required fitness-for-duty certification unless the City has failed to provide the required notice. So long as the City provided the required notice, an employee who does not provide a fitness-for-duty certification or request additional FMLA leave is no longer entitled to reinstatement under FMLA.

Definitions Used in the FMLA Policy

Absence plus treatment means a period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
- Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

Authorized to practice in the State means that the provider must be authorized to diagnose and treat physical or mental health conditions under applicable state law.

Chronic conditions requiring treatments means chronic condition which:

- Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

Continuing treatment means continuing treatment by a health care provider that involves any of the following:

- A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - Treatment two or more times, within thirty days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider;

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- * The requirement in paragraphs one and two is an in-person visit to a health care provider. The first in-person treatment visit must take place within seven days of the first day of incapacity.
 - Pregnancy or prenatal care;
 - Chronic conditions;
 - Permanent or long-term conditions;
 - Conditions requiring multiple treatments.

Extenuating circumstances means circumstances beyond the employee's control that prevent the follow-up visit from occurring as planned by the health care provider.

Health care provider means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; any other person determined by the Secretary of the US Department of Labor to be capable of providing health care services.

Inpatient care means an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

Multiple treatments (non-chronic conditions) means any period of absence to receive multiple treatments (including any period of recovery wherefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Others “capable of providing health care services” include only:

- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
- Nurse practitioners, nurse midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
- Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement;
- Any health care provider from whom an employer or the employer’s group health plan’s benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
- Any health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

Permanent/long-term conditions requiring supervision means a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must

be under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease).

Pregnancy means any period of incapacity due to pregnancy, or for prenatal care.

Qualifying exigency means leave due to a qualifying exigency may be taken on an intermittent or reduced leave schedule basis.

Serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care (defined as an overnight stay in a hospital, hospice or residential medical care facility; any overnight admission to such facilities is an automatic trigger for FMLA eligibility) or continuing treatment by a health care provider.

Regimen of Continuing Treatment includes, for example, a course of prescription medication (e.g. antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

APPENDIX D

Harassment Prevention and Respectful Behavior Policy

The City is committed to providing a work environment that is free from harassment, violence, discrimination or other offensive behavior. Maintaining a respectful workplace is a responsibility shared by all employees.

Inappropriate behavior can be categorized as:

Discrimination: Unlawful conduct, employment decisions or inappropriate remarks that are made based on a person's protected status including race, color, creed, religion, sex (including pregnancy), national origin, ancestry, marital status, sexual orientation (including by definition, gender identity and transgender status), disability, age, genetic information or history, participation in the military reserve and veteran status, arrest and conviction record, declining to attend a meeting about religious or political matters, declining to participate in any communication about religious or political matters, use of lawful products off the employer's premises during nonworking hours, or any other category protected by law.

Harassment: Verbal or physical conduct that is threatening or hostile toward an individual because of a person's protected status.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature when:

- Submission to such conduct by an employee is made, either explicitly or implicitly, a term or condition of employment;
- Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different genders. Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual advances, flirtations or propositions;
- Subtle pressure or requests for sexual favors;
- Sexually explicit or offensive jokes or innuendo;
- Verbal abuse of a sexual nature;
- Commentary about an individual's body, sexual prowess or sexual deficiencies;
- Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects, pictures, cartoons or posters, suggestive or obscene letters, notes or invitations;
- The use of the internet, cell phones or e-mail system to transmit, communicate or receive sexually suggestive, pornographic or sexually explicit pictures, messages or material.

It is important to understand that stories, cartoons, gifts, nicknames and comments of a sexual nature may be offensive to others and will not be tolerated.

Harassment can happen regardless of the individuals' gender, including gender identity or sexual orientation, and can, for example, occur between same-sex individuals as well as between opposite-sex individuals, and does not require that the harassing conduct be motivated by sexual desire. Likewise, these same principles

hold true for harassment based on other protected statuses where the offending party possesses the same or similar protected status as the victim.

The excuses of the offending party, while important, are not necessarily forgiving or tolerable. For example, “I was joking” or “I didn’t mean it that way” are not defenses to allegations of harassment or inappropriate behavior. Nor is being under the influence of alcohol or other substances an excuse for violating this policy.

Retaliation: Harassment, discrimination, or a tangible employment action against any person who complains, reports or participates in an investigation of discrimination, harassment or other misconduct.

Offensive Behavior: Unwelcome work-related actions such as angry outbursts, inappropriate joking, name-calling, bullying or using disrespectful language.

Officeholder: Individuals elected to serve in public office as council members and those persons appointed to serve on a commission or committee.

Violent Behavior: The use of authority, physical force, threats of force or intimidation to cause fear or harm.

This policy applies to conduct at work and at work-related social events, office parties, off-site work-related activities, and other matters where the work environment is affected by such behavior. Employees and elected and appointed officeholders are expected to be particularly careful about what they say and do in these circumstances and when interacting with one another.

Responsibilities of All Employees and Officeholders

Each employee and officeholder is responsible for assisting in the prevention of unlawful harassment, discrimination and retaliation by the following acts:

- Refraining from conduct prohibited by this policy as defined above, including the participation in or encouragement of actions that could be perceived as harassment, discrimination or retaliation based on a protected status;
- Behaving courteously and professionally toward others;
- Reading this policy and fully understanding and complying with its requirements;
- Immediately and thoroughly reporting acts of harassment, discrimination or retaliation or other prohibited conduct through the reporting procedure identified in this policy;
- Encouraging any person who confides that he or she is being harassed, retaliated or discriminated against to report these acts; and
- reporting these acts if they are observed or not reported.

Employees and officeholders are expected to cooperate fully in any investigation, whether or not they are directly involved in the incident. They shall not take any action that would discourage another person from reporting prohibited conduct or cooperating in an investigation of alleged prohibited conduct.

Responsibilities of Supervisors

Each supervisor shall be responsible for preventing prohibited activities as defined above by complying with the above-referenced responsibilities and by:

- Monitoring the work environment for signs of harassment, discrimination, retaliation and other prohibited conduct;
- Informing employees of the types of prohibited behavior, and the procedures for reporting and resolving complaints of harassment, discrimination and retaliation;

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- Stopping any observed behavior that may be prohibited conduct and taking appropriate steps to intervene and report behavior, whether or not the involved employees are within his or her line of supervision; and
 - Taking immediate action to prevent retaliation toward the complaining party or witnesses and to eliminate a hostile work environment where there has been a complaint of harassment, discrimination or retaliation pending the investigation.

Each supervisor has the responsibility to assist any employee who comes to that supervisor with a complaint of harassment, discrimination or retaliation by documenting and filing a complaint in accordance with this policy. Failure to carry out these responsibilities may be grounds for discipline.

Procedures

Any employee or officeholder experiencing or observing harassment, discrimination or retaliation is encouraged, but not required, to inform the person that his or her actions are unwelcome and offensive, and that the person should stop such behavior. This initial contact can be either verbal or in writing. The employee or officeholder should document all incidents in order to provide the fullest basis for investigation if needed.

Any employee who believes that he or she is being harassed, discriminated or retaliated against or who witnesses such conduct is expected to report the incident as soon as possible to any of the following persons so that preventative measures may be considered and taken to end any prohibited harassment, discrimination or retaliation, and so that appropriate investigative and corrective actions may be initiated:

- City Manager;
- Common Council President, Chief of Police, or City Attorney, if such conduct is engaged in by the City Manager;
- Common Council President or City Attorney, if such conduct is engaged in by a Council member/officeholder.

A supervisor who receives this information from a subordinate must report the information to the appropriate individual designated above.

An officeholder with a complaint of harassment, discrimination or retaliation based on protected status against another officeholder should report the incident to the Common Council President or City Attorney. An officeholder with a complaint of harassment, discrimination or retaliation based on protected status against a City employee or third party should report the incident to the City Manager or City Attorney.

The City will determine the appropriate course of action to promptly address the complaint, including any immediate remediation of the behavior. The City may initiate its investigation or have the victim and the accused engage in conciliatory efforts to resolve the matter if acceptable to the victim. The conciliation process is not appropriate for all situations and will not resolve all issues. The conciliation process may be initiated before or after the employee has filed an internal complaint. The conciliation process is voluntary and seeks to resolve problems by allowing the affected parties to present their issues and then assisting them in arriving at effective, reasonable solutions agreeable to all. When solutions have been identified, management will follow up to ensure that the implementation has been carried out and is effective.

Through adoption of this Policy, the Common Council has authorized the Common Council President in conjunction with the City Manager, or the City Manager with the approval of the Common Council President, to initiate an investigation and designate an investigator for any matter involving allegations against Common Council members or any other appointed officeholder who is not also an employee. If the allegations are

against the Common Council President, the Common Council reserves its right to address such allegations in the manner it deems necessary. If the allegations are against the City Manager, then the Common Council may initiate an investigation and designate an investigator with regard to such allegations. The City Manager may initiate an investigation and designate an investigator in other circumstances.

If an investigation is conducted, then the investigator will meet with the victim and other persons having information and document the facts surrounding the incident complained of, including the specific conduct complained of, the persons performing or participating in the conduct, any witnesses to the incident, the dates on which the incidents occurred, and other factual information. The investigator will immediately notify the City Manager or Common Council President, whomever is applicable, if the complaint contains allegations that may rise to the level of criminal activity, such as battery, rape or threats. The investigator will maintain appropriate records of the investigation. Upon completion of the investigation, the investigator will inform the complainant of the outcome of the investigation and will present a reporting of the investigation and its results to the body or person that initiated the investigation. The confidentiality of the investigation will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.

The City will take prompt and effective remedial action designed to end the prohibited behavior, which may include appropriate responsive and disciplinary action, up to and including termination or removal. Responsive action may include, for example, training, referral to counseling, or reassignment. Disciplinary action may include, but is not limited to warning, reassignment, suspension, termination or removal. If the City does not employ the subject involved in the harassing or inappropriate conduct, then that individual will be informed of the City's policy and appropriate remedial action will be taken.

Further, the City will correct any adverse employment action an employee experienced due to conduct prohibited by this policy. In all cases, the City will make follow-up inquiries to make sure the harassment, discrimination or retaliation has stopped. If an employee is not satisfied with the results, or if further harassment or other unacceptable conduct occurs, then the employee should promptly follow the reporting process identified above. If the complainant is an officeholder, or the allegations are against an officeholder, the officeholder may file an appeal with the Common Council President if they disagree with the investigation or disposition.

The complainant or employees accused of harassment may file an appeal with the City Manager if they disagree with the investigation or disposition. If the allegations are against the City Manager, the complainant or City Manager may file an appeal with the Common Council President if they disagree with the investigation or disposition.

Retaliation

Retaliation against any employee for filing a harassment, discrimination or retaliation complaint, or for assisting, testifying or participating in the investigation of such a complaint, is prohibited by the City and may be prohibited by state and federal law.

Retaliation is a form of misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for harassment and discrimination complaints. Employees who are found to have retaliated against a complainant or witness will subject themselves to severe discipline which shall be separate from, and in addition to, any discipline determined to be appropriate as a result of the City's findings on the initial complaint. Because of the City's commitment to

prohibiting retaliatory behavior, employees and officeholders should expect that consequences for retaliation will be severe and will likely result in discipline up to and including discharge or pursuit of removal.

This policy does not protect employees from being disciplined for filing frivolous or fraudulent complaints, or for untruthfulness, misleading behavior or lack of candor, nor does it protect them from personal sanctions stemming from defamation suits.

Training

The City will provide periodic and refresher training concerning the nature of harassment, discrimination and retaliation in the workplace and prohibitions on such actions defined in this policy. Any employee who has any questions or concerns about this policy should talk with his or her supervisor or the City Manager.

Outside Agencies

Employees also have the ability to promptly report any violations of law, including assault, rape, battery or other harm to appropriate criminal law enforcement authorities. Employees may also report their harassment, discrimination or retaliation claims to both State and Federal Agencies. Those contacts are as follows: The Equal Rights Division, Department of Workforce Development, 201 East Washington Avenue, P.O. Box 8928, Madison, WI 53708, Telephone: (608)266-6860; and the U.S. Equal Employment Opportunity Commission, 310 West Wisconsin Avenue, Suite 800, Milwaukee, WI 53203, Telephone: (414)297-1111.

APPENDIX E

FLSA Salary-Exempt Safe Harbor Policy

The City has created this Safe Harbor Policy for employees who are classified as exempt under the FLSA. This Policy's purpose is to:

- Announce the City's "good faith" commitment to comply with the regulations and commitment to reimburse employees for any improper deductions;
- Clearly state and inform employees of the procedures and exceptions surrounding permissible salary deductions;
- Define "actual practice" in relation to improper salary deductions; and
- Inform employees of a complaint mechanism if the employee believes that pay has been improperly deducted.

Good Faith Commitment

The City is committed to complying with the pay practices governed by the Fair Labor Standards Act. Questions about this policy or the regulations defining this policy should be directed to the Administration Department. The City will work with employees to help them understand the regulations and their impact on employees.

Permissible Salary Deductions

Being an exempt employee means not being entitled to receive overtime pay regardless of how many hours are worked each week. Exempt status also means being guaranteed a salary of a "predetermined amount", which amount cannot be reduced because of variations in the quality or quantity of work that is performed.

There are certain instances when the City is allowed to deduct wages from an exempt employee's salary.

These permissible deductions are as follows:

- When an employee is absent from work for one or more full days for personal reasons, other than sickness or disability and the employee has no vacation or personal time off remaining for the year;
- When an employee is absent from work for one or more full days due to sickness or disability if the deductions are made under a bona fide plan, policy, or practice of providing wage replacement benefits for these types of absences, such as Long-Term Disability, and the employee has no vacation or personal time off remaining for the year;
- Proportionate part of an employee's full salary may be paid for time actually worked in the first and last weeks of employment;
- To offset any amounts received as payment for jury fees, witness fees, or military pay;
- Penalties imposed in good faith for violating safety rules of "major significance";
- Unpaid disciplinary suspension of one or more full days imposed in good faith for violations of workplace conduct rules such as insubordination, sexual harassment, workplace violence, or other violations as stated in this Handbook;
- Unpaid leave taken under the Family and Medical Leave Act, including partial day deductions when intermittent leave is used;
- Pursuant to principles of public accountability, under which the employee accrues paid time off and which require the employee pay to be reduced, or such employee to be placed on leave without pay, for absences for personal reasons, illness or injury of less than one work-day when accrued leave is not used by an employee because:
 - permission for its use has not been sought or has been sought and denied;
 - accrued leave has been exhausted; or

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- the employee chooses to use leave without pay;
 - Deductions from the pay of an employee of a public agency for absences due to a budget-required furlough;
 - As otherwise permitted by law.

Actual Practice of Improper Deductions

Isolated or inadvertent improper deductions will not result in the loss of an employee's exempt status if the employer reimburses the employee. However, an "actual practice" of making improper deductions from salary will result in the loss of the exemption:

- During the time period in which improper deductions were made;
- For employees in the same job classifications working for the same managers responsible for the actual improper deductions.

Factors that may suggest an actual practice of improper salary deductions include:

- The number of improper deductions, particularly as compared to the number of employee infractions warranting discipline;
- The time period during which the employer made improper deductions;
- The number and geographic location of both the employees whose salaries were improperly reduced and the managers responsible; or
- Whether the employer has a clearly communicated policy permitting or prohibiting improper deductions.

Filing a Complaint

Improper deductions are a serious violation of this Policy. An exempt employee who feels improper deductions have been made from their paycheck should contact the Administration Department immediately. Once notified, the City will work with the employee to resolve the issue and reimburse them if an improper deduction had in fact been made.

Employees who feel the resolution offered by the City is unsatisfactory or unlawful, may file a complaint with the U.S. Department of Labor, Wage and Hour Division either by mail or in person.

EMPLOYEE ACKNOWLEDGEMENT

I have received a copy of the Employee Handbook. I have read and I understand its contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I understand that it is my responsibility to comply with all City policies, rules and expectations as set forth in this Handbook, as well as policies, rules and expectations that the City may otherwise establish or change from time to time. I further understand and acknowledge that this Handbook provides guidelines and information, but this Handbook is not, nor is it intended to constitute, an employment contract of any kind. I understand that any contract or employment agreement must be in writing, intended to be a contract, and authorized and approved by the Common Council at a duly-noticed meeting. I acknowledge that I have not entered into any such individual agreement or contract by acknowledging receipt of this Handbook or by following any of the provisions of this Handbook. I understand that the contents of this Handbook and my compensation and benefits may be changed by the City at any time, with or without notice to the extent permitted by law.

I understand that, unless I am otherwise subject to an individual employment contract, collective bargaining agreement or statutory provision providing a specific process for discipline or removal, I am an at-will employee and my employment can be terminated at the option of either the City or me, at any time for no reason or any lawful reason.

Supervisor's Signature

Date

Employee's Signature

Date

After you have read and signed this page, please detach the page from the Handbook and return to the City Manager office for placement in your personnel file.