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PERSONNEL POLICY

Sec. 10.01 Purpose

- 1) The purpose of this Chapter is to define and standardize policies and regulations pertaining to employees and other personnel of the Village of Whiting.
- 2) In order to attract and retain competent employees, it is the purpose of the Village to create and maintain a program of Employee Benefits and to observe a program of Personnel Practices which will help further this objective.
- 3) Recognizing the financial constraints placed upon the Village, it is the policy of the Village that superior performance be recognized and rewarded to the extent possible and practical within the budgetary limitations available.
- 4) Recognizing that circumstances differ greatly between municipalities, it is the policy of the Village that as an objective the Village programs be equal to or slightly better than the average of municipalities of our population grouping.

Sec. 10.02 Covered Employees

- 1) For purposes of this Chapter, the Village Clerk-Treasurer is considered a full-time employee.
- 2) Excluded from the provisions of this Chapter are part-time employees who may from time to time perform services for the Village on a part-time basis. Also excluded from this chapter are the members of the Fire and Rescue Department.

Sec. 10.03 Equal Employment Opportunities

- 1) **GENERAL POLICY.** It shall be the policy of the Village of Whiting to recruit and select the most qualified persons for positions in the Village government, including full-time, part-time, and limited term appointments. Recruitment and selection shall be conducted in an affirmative manner to insure open competition, provide equal opportunity, and prohibit discrimination because of race, color, religion, place of residence, politics, sex, and national origin, and age, mental or physical handicap. Goals of this policy are that persons of disadvantaged groups be fairly represented by the Village's work force and that promotional opportunities are provided for qualified employees.
- 2) **DISCRIMINATION PROHIBITED.** The Village Board, as the duly elected legislative authority, and the Village President, as the duly elected executive authority, of the Village of Whiting, reaffirm, endorse, support and are committed to the concept of equal opportunity employment as defined and/or implied under Title VII of the Civil Rights Act of 1964 and Equal Employment Opportunity Act of 1972.
- 3) Equal employment opportunity will be assured in the municipal personnel systems and affirmative action provided in their administration. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, separation, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations, or because of race, national origin, or other non-merit factors is prohibited.
- 4) **EQUAL EMPLOYMENT OPPORTUNITIES.** It is the policy of the Village of Whiting not to discriminate against any employee or applicant for employment because of race, color, religion, creed, age, sex, national origin, or ancestry. This policy not to discriminate in employment includes, but is not limited to the following:
 - a. The Village will employ those applicants who possess necessary skills, education, and experience, without regard to race, color, religion, creed, age, sex, national origin, or ancestry.
 - b. The Village will promote, upgrade, transfer or demote, recruit, advertise or solicit for employment without regard to race, color, religion, creed, age, sex, national origin, or ancestry.
 - c. The Village will train during employment and select for training and apprenticeship programs without regard to race, color, religion, creed, age, sex, national origin, or ancestry.
 - d. No employee shall aid, abet, compel, coerce, or conspire to discharge or cause another employee to resign because of race, color, religion, creed, age, sex, national origin, or ancestry.
 - e. The Village will establish rates of pay and terms, conditions or privileges of employment without regard to race, color, religion, creed, age, sex, national origin, or ancestry.
 - f. The Village will use for job referral purposes, only those employment agencies which do not discriminate on the basis of race, color, religion, creed, age, sex, national origin or ancestry.

Sec. 10.04 False Statement In Application

Any false statement knowingly made by any applicant in their employment application, or made at their request or with their knowledge, in any certificate which may accompany their application, or any other fraudulent conduct, shall be regarded as good cause for excluding that individual from any employment examination or for removing their name from any register or eligible list for consideration for employment.

Sec. 10.05 Pre-Employment Medical Examination

All employees shall, before being placed on the payroll as full-time employees, be examined by a qualified physician. An unsatisfactory report shall be considered as disqualifying for employment. The Personnel Committee will determine the portion of the cost of the examination to be paid by the Village.

Sec. 10.06 Probationary Period

All new employees shall be on probation in the first six months of their employment. The Personnel Committee shall review the performance of the employee at the end of the probationary period and make a recommendation.

Sec. 10.07 Disciplinary And Discharge Procedures

- 1) ORGANIZATIONS AFFECTED. This Section applies to all Village of Whiting employees.
- 2) POLICY. It is the policy of the Village of Whiting to follow a uniform set of procedures when a Village employee is subject to possible suspension or discharge for wrongdoings.
- 3) CAUSES OF SUSPENSION, REDUCTION, OR DISCHARGE. For an employee to face a disciplinary action, the supervisor over that employee files a complaint in writing with the Committee on Personnel, setting forth the specifics. The following discharges, suspensions or reductions may be made for other causes: That an employee:
 - a. Has been convicted of a criminal offense or misdemeanor involving moral turpitude.
 - b. Has been guilty of an immoral or criminal act, but if such act is, at the time the charges are before the Committee on Personnel on hearing, involved in a criminal proceeding before a grand jury or the courts, the officer or employee so charged may request that the hearing be postponed or continued, with their consent, until such time as the criminal proceedings are terminated, and such request shall be granted, provided the employee shall execute a waiver of all right to pay during the period of adjournment. Such employee may have the hearing or investigation proceed before the Committee on Personnel at any time on ten days notice in writing.
 - c. Has willfully violated any of the provisions of this Charter.
 - d. Has been guilty of any conduct unbecoming an employee of the Village.
 - e. Has violated any lawful and reasonable official regulation or order, or failed to obey any lawful or reasonable direction made and given by his superior officer, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or results, or reasonably might be expected to result, in loss or injury to the Village, or to the public.
 - f. Has been intoxicated or under the influence of drugs or alcohol while on duty.
 - g. Has contracted some infectious disease, has some physical ailment, or defect which, in the opinion of the Committee on Personnel, makes the employee unfit for Village service.
 - h. Has been guilty of acts which amount to an act of insubordination or disgraceful conduct, whether such conduct occurred while on duty or off duty.
 - i. Was offensive in their conduct or language towards the public or towards Village officers or employees.
 - j. Is incompetent or inefficient in the performance of their duties of their position.
 - k. Is careless or negligent of the property of the Village.
 - l. Has used or threatened to use, or attempted to use, personal political influence in securing promotion, leave of absence, transfer, change of grade, pay or character of work.
 - m. Has been induced, or has attempted to induce an officer or employee in the service of the Village to commit an unlawful act or to act in violation of any lawful and reasonable departmental or official regulation or order; or has taken any fee, gift, or other valuable thing in violation of this Municipal Code in the course of their work or in connection with it, for their personal use from any citizen, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.

- n. Has induced or attempted to induce any person, firm or corporation doing business with the Village to give employment to any relative of said Village officer or employee, or has induced or attempted to any person, firm or corporation as foresaid to show any material favor or consideration of any kind to any relative of said Village officer or employee, when said officer or employee holds a position in a department, bureau or office having direct contact with such person, firm or corporation.
- o. Has, with respect to political activities and management:
 - 1) Neglected assigned duties and responsibilities or engaged in prohibited political activities.
 - 2) Promised or used influence to secure public employment, or any other benefit financed from public funds as a reward for political activity.
 - 3) Discriminated in favor of, or against, an officer, employee, or job applicant because of their political contribution, permitted political activity, or neutrality.

4) DISCIPLINARY PROCEDURES

- a) Procedure and Considerations. Whenever an employee violates any of the rules and regulations outline in this Chapter, the Personnel Committee may begin progressive disciplinary action in any of the steps listed below, depending on the seriousness of the offense committed and provided that immediate discharge is not warranted by the seriousness and administrative rules of conduct and performance, and will have access to all disciplinary actions recorded in their permanent personnel file. Prior to taking disciplinary action, the Village President, Village Board or Committee thereof reviewing the violation should give full consideration to the following:
 - 1) Does the Village President, Village Board, or Committee thereof know all the facts accurately?
 - 2) Is the rule which has been violated reasonable?
 - 3) Did the employee know the rule or reasonably have known it?
 - 4) Has the rule been strictly enforced in the past? If not, what recent notice to employees warned of enforcement on violations of certain rules?
 - 5) In this instance, is the rule being applied reasonable?
 - 6) In this employee personally guilty of violation or only guilty by association with another?
 - 7) Can the employee's guilt be proved by direct, objective evidence, or is the evidence circumstantial or hearsay?
 - 8) Does the employee have a reasonable excuse for the infraction of this rule or not following a direction of the Village President or Village Board or Committee thereof?
 - 9) What is the employee's record of past violations, warnings, disciplinary action, etc?
 - 10) What is their length of service?
 - 11) Does the discipline fit the offense?
- b) Probationary employees can be discharged without recourse to these disciplinary procedures. Warning notices shall be placed in the applicable employee's personnel file. Should further violations occur, such warnings shall remain as a basis for progressive disciplinary action for a period of twelve months.
- c) Written Verbal Warning.
 - 1) After investigating a minor offense and discussing the matter with the employee, the employee will be given a verbal warning from the Personnel Committee. A notation of this shall be placed in the employee's personnel file.
 - 2) The employee shall be advised that another offense may result in reprimand or suspension. If this does not correct the situation within a reasonable length of time, the second step of this procedure will be followed.
- d) Written Warning/Reprimand. For the second offense shall be in writing, it shall include the nature of the offense and extent of the warning. The employee shall acknowledge receipt of the warning by signing and dating the notice of written reprimand. A copy of the reprimand shall be placed in the employee's personnel file. Second or subsequent violations shall be reviewed by the Personnel Committee.
- e) Suspensions. Any action on the part of any employee which is in violation of the orders of his supervisors or contrary to the policies or rules of the Village, but not serious enough to warrant immediate dismissal, may be disciplined by Suspension without Pay for an indeterminate period. This authority is to be exercised by the Personnel Committee.
- f) Dismissal. The Personnel Committee may dismiss any employee for just cause. Prior to dismissal, the employee shall be given an opportunity to discuss the reason(s) being considered for their dismissal in a meeting with the Personnel Committee. The notice of dismissal shall be in writing and shall state the specific charges with such clarity and particularity that the employee will understand the charges made and will be able to answer them.

- g) Serious Violations. It should be emphasized again that the Personnel Committee is not required to go through all the steps listed above involved in this disciplinary procedure. Discipline may begin at any step in the procedure depending on the seriousness of the offense committed. Any discipline administered by the Personnel Committee should be commensurate with the offense committed. In addition, the Personnel Committee may repeat any of the first discipline commensurate with the offense committed.
- h) Appeal from Disciplinary Action. Village employees may appeal any disciplinary actions as follows:
 - 1) Within three calendar days after being notified of the disciplinary action, the employee must submit, in writing, reasons for appealing the action. Such communication shall be sent to the Personnel Committee for review and consideration. If following such review and action, the employee is still not satisfied, the employee and the Personnel Committee shall forward a report of the case within two days with comments to the Village Board.
 - 2) The Village Board shall arrange a hearing with the employee, the Personnel Committee and any other person deemed necessary to review the cause of an action taken as a disciplinary measure.
 - 3) The final decision on appeal shall rest with the Village Board. The Board's finding shall be set down in writing within five working days and copies sent to the employee, Personnel Committee and for filing in the employee's personnel file.

Sec. 10.08 Employee Records

- 1) PERSONNEL FILES. The Village Clerk-Treasurer shall maintain confidential personnel folders for all personnel and keep on file therein all information pertaining to employment or service records of such employees and officials, such folders and records therein to be kept in locked file and to be retained after termination of employment or service. It is the policy of the Village to follow a uniform set of procedures, in full compliance with state law, in regard to access to employment records. Listed below, are the data, materials and information which may be included in an employee's personnel file:
 - a. Original application and accompanying documents related to the employment processes of the Village, such as resumes, transcripts references or investigative reports and military papers.
 - b. Personnel Action Forms or notices of pay change and any accompanying documents.
 - c. Performance Evaluation Forms and related material.
 - d. Workers' Compensation Forms, correspondence and medical reports related thereto.
 - e. Medical certificates or reports.
 - f. Letters of commendation or complaint connected with employment.
 - g. Promotional opportunity application and related correspondence.
 - h. Forms pertaining to employee benefit programs and related correspondence.
 - i. Tuition reimbursement materials.
 - j. Documents submitted by the employee, such as updated resumes, birth certificates, transcripts, or military papers. In case of death, documents submitted by the survivors, such as death, marriage or birth certificates and related papers.
 - k. Certificates or notices of accomplishment of the employee in the area of training or employee development.
 - l. Skill tests, written examination results, interview results, or materials connected with selection processes.
 - m. Materials submitted as part of the record for an appeal or a decision or other action, and copies of related proceedings.

Sec. 10.09 Access To Employee Records By Employee

- 1) The Village shall, upon the request of an employee, permit the employee to inspect any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. The Village may require the employee to make the request in writing. An employee, under section 103.13 Wis. Stats, may request the inspection of all or any part of their records.
- 2) Under the provisions of Section 103.13, Wis. Stats., the Village at a minimum, shall grant at least two (2) requests by an employee in a calendar year, unless otherwise provide the employee with the opportunity to inspect the employee's personnel records within seven (7) working days after the employee makes the request for inspection. The inspection shall take place at a location reasonably near the employee's place of employment and during normal working hours. If the inspection during normal work hours would require an employee to take time off from work with the Village, the Village may allow the

- 3) inspection to take place at a time other than working hours or at a place other than where the records are maintained, if that time or place would be more convenient for the employee.

Sec. 10.10 Records Inspection By Employee's Representative

Under Section 103.13, Wis. Stats., an employee who is involved in a current grievance against the Village, may designate in writing, a representative to inspect the employee's personnel records which may have a bearing on the resolution of the grievance.

Sec. 10.11 Medical Records Inspections

Under Section 103.13, Wis. Stats., the right of the employee or the employee's designated representative may inspect the employee's personnel records under this policy which includes the right to inspect any personnel medical records concerning the employee in the Village's files. If the Village believes that disclosure of an employee's medical records would have detrimental effect on the employee, the Clerk-Treasurer may release the medical records to the employee's physician or through a physician designated by the employee, in which case, the physician may release the medical records to the employee or to the employee's immediate family.

Sec. 10.12 Statutory Exceptions To Inspection

Under the provisions of state law, the right of the employee or the employee's designated representative to inspect their personnel records does not apply to the following:

- 1) Records relating to the investigation of possible criminal offenses committed by that employee.
- 2) Letters of references for that employee.
- 3) Any portion of a test document, except that the employee may see a cumulative total test score either for a section of the test document or for the entire test.
- 4) Materials used by the Village for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for the Village's planning purposes.
- 5) Information of a personal nature about a person other than the employee, if disclosure of the information would constitute a clearly unwarranted invasion of that other person's privacy.
- 6) Records relevant to any other pending claim between the Village and the employee, which may be discovered in a judicial proceeding.

Sec. 10.13 Corrections To Personnel Files

Under Section 103.13(4), Wis. Stats., if the employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the Village and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The Clerk-Treasurer shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party, as long as the disputed record is a part of the file.

Sec. 10.14 Access By Others To An Employee's Personnel File

- 1) Only the Clerk-Treasurer, Village President, and members of the Committee on Personnel are permitted to have access to personnel records of Village employees.
- 2) Except where otherwise provided in this Municipal Code, the Clerk-Treasurer shall reveal no information to others, without the employee's signature on a release. This applies to requests for information from anyone or any organization, including other government agencies
- 3) Employment information will not be released without the authorization of the individual concerned, except for the following:
- 4) "Directory" information, which consists of verifications of employment or past employment; dates of employment; position held; or, location of employment.
- 5) When required as part of an established statutory reporting procedure.
- 6) To protect the legal interests of the Village when the actions of an individual appear to violate the conditions of employment or threaten physical injury to members of the public, to other employees, or to Village property.
- 7) In response to a court order, administrative summons, search warrant, or subpoena.

- 8) When requested as part of an appropriate governmental inquiry into the Village's employment practices.

Sec. 10.15 Filing Of Personnel Data

All personnel, classified or unclassified, shall furnish the Clerk-Treasurer their current addresses and telephone numbers.

Sec. 10.16 Break Periods

Workload permitting, each employee shall be allowed to take two fifteen minute breaks during the course of the work day, the time of such breaks to be determined by the employee's supervisor.

Sec. 10.17 Holidays

- 1) Each full-time Village official or employee, with 30 days prior continuous employment by the Village of Whiting, shall be entitled to the following paid legal holidays in each year as follows:

New Year's Day	Memorial Day	Independence Day
Labor Day	Thanksgiving Day	Christmas Day
Personal Holiday (1 per Year)	Martin Luther King Day	Easter
- 2) When such holiday falls on a Sunday, the following Monday shall be considered the paid holiday. When any such holiday falls on a Saturday, the preceding Friday shall be considered the paid holiday.
- 3) In the event that a paid holiday falls within a period when an employee is on sick leave, it shall be charged as a paid holiday, and not deducted from the employee's sick leave.
- 4) In the event that a paid holiday falls within the first three (3) months' absence due to occupational injury, it shall be charged as a paid holiday and the additional compensation over Workmen's Compensation benefits shall be extended an additional day.
- 5) Any Village employee required to work on a holiday shall be compensated at the employee's time and one-half (1-1/2) rate. When an employee is required to work a holiday that employee shall be allowed to schedule that holiday time off within 10 working days following that holiday.

Sec. 10.18 Paid Vacations

- 1) Paid vacations shall be provided as follows:
 - 40 hours after 1 year of employment
 - 80 hours after 3 years of employment
 - 120 hours after 6 years of employment
 - 160 hours after 11 years of employment
 - 200 hours after 17 years of employment
- 2) The first year's vacation shall be based on twelve months employment and thereafter will be based on the calendar year.
- 3) Vacations shall be taken in the absence of emergency conditions.
- 4) Vacation days may be carried into the next year up to a maximum of 80 hours.
- 5) It is the policy of the Village to not pay the financial equivalent of a vacation not taken.
- 6) Upon termination or retirement, payment shall be made for any unused vacation days. Less than a year shall be pro-rated.

Sec. 10.19 Health Insurance

- 1) The Village may pay 100% of the health insurance premiums.
- 2) The Village will provide health insurance and retains the right to change insurance carriers.

Sec. 10.20 Life Insurance

- 1) Group Life Insurance on employees shall be provided through the Life Insurance provisions of the Wisconsin Retirement Fund. The Village shall furnish one unit of Group Life to the employee at Village expense.
- 2) Employees may purchase additional units of Group Life coverage for themselves.

- 3) One unit of Group Life coverage in the amount of \$7500 is provided on the employee's spouse and one unit of coverage in the amount of \$3750 is provided on each of the employee's dependent children at no cost to the employee where the employee is insured under this chapter.
- 4) A second unit of Group Life coverage in the amount of \$7500 on the employee's spouse and \$3750 for each dependent child may be provided at the employee's option and expense.

Sec. 10.21 Income Continuation Insurance

Income Continuation Insurance for employees shall be provided through the Income Continuation Insurance provisions of the Wisconsin Retirement Fund at the employee's expense.

Sec. 10.22 Workweek

The workweek shall be 40 hours and shall start at midnight Sunday and runs to the following Sunday midnight. Compensation for time worked over 40 hours shall be paid at time and one-half. The employee's supervisor shall schedule the starting and quitting times.

Sec. 10.23 Travel Pay

Whenever an employee is required to leave the County as a condition of their employment, they shall be entitled to reimbursement for meals. When a meal is provided as part of the registration fee for a meeting/conference/training, the employee is expected to partake in the provided meal and not charge the Village for an additional meal. A day shall be defined as that twenty-four (24) hour period which commences at the start of the employee's assigned shift. When an overnight stay is required, a suitable accommodation will be afforded the employee and the Village will be responsible for the cost of said accommodations. Any time an employee is required to use their personal vehicle, they shall be reimbursed by the Village at the standard Federal Rate.

Sec. 10.24 Compensation

1. Overtime compensation is paid to all nonexempt employees at one and one-half times their straight time rate for all hours worked in excess of 40 hours per week.
2. Employees who have not met the forty (40) hour requirement but are required to work on the weekend will receive overtime pay after the forty (40) hours has been met. Hours paid but not worked, will not be used to calculate the forty (40) hours.
3. The employee has the discretion of receiving overtime in pay or choosing compensatory time off (one hour of overtime equals one and one-half (1½) hour of compensatory time). The employee is allowed to bank no more than 24 hours in a calendar year. All banked compensatory time not used by or scheduled off by December 15th of that calendar year shall be paid out on the December 15th payroll date of that year.
4. Call Time - A set rate of two hours of call time pay at time-and-one-half (1½) is to be provided to any employee called into work after hours or weekends to deal with any problems that may arise. The two hours pay would be over and above the actual time put in by the employee.

Sec. 10.25 Deferred Compensation

The Wisconsin Deferred Compensation Plan is managed by the Wisconsin Department of Employee Trust Funds under the supervision of the State Deferred Compensation Board. Information on this plan is available through the Village Clerk.

Sec. 10.26 Retirement Program

- 1) Retirement shall be provided under the provisions of the Wisconsin Retirement Fund program.
- 2) Wisconsin Retirement System Contribution Rate. (As of January 1, 2014 the rate is 6.8% which is paid by the employee with a 6.8% match paid by the employer).

Sec. 10.27 Uniforms

- 1) Uniforms are supplied and cleaned by a local vender with five (5) clean sets delivered weekly to each full-time employee who by nature of their job may require them. The Village shall pay the full amount for such uniforms and cleaning including any additional clothing requirements.

- 2) The Village shall provide employees with one (1) jacket suitable for wear during fall, winter, and spring of the year and one (1) jacket suitable for winter wear. The Director shall approve all jackets before ordering.
- 3) Any fulltime employee required to wear a uniform during the performance of their duties shall receive a clothing allowance of \$300.00 annually for the purchase of clothing necessary to perform their duties. (Ex. Steel toed boots, coveralls, and winter boots.)

Sec. 10.28 Longevity Bonus

- 1) Each full-time Village employee with five years' continuous service to the Village of Whiting shall receive \$35.00 for each year worked as a longevity bonus.
- 2) The bonus shall be paid to qualified employees who are employed with the Village as of December 1st of each year and shall be paid following the December Village Board meeting.
- 3) It is not the intent of the Village to pay for a partial year worked or to any employee not employed by the Village on December 1st.

Sec. 10.29 Leaves Of Absence

- 1) Any full-time employee, who wishes to absent themselves from their employment for any reason not otherwise provided for in this Chapter, must make application for a non-paid leave of absence from the Village. Such application shall be made in writing at least fifteen (15) days prior to the start of such leave, unless emergency conditions make such prior notice impossible.
- 2) The granting of such leave of absence and the length of time for such leave shall be discretionary with the Committee on Personnel.
- 3) No leave of absence shall be granted for seeking other employment.
- 4) Should an employee overstay a leave, unless an extension is granted for a serious personal reason, or accepts employment elsewhere during a leave of absence, their employment shall be deemed to have terminated.

Sec. 10.30 Funeral Leave

- 1) When there is a death in the immediate family A full-time employee shall be entitled to time off with pay up to a maximum of three (3) work days when necessary to arrange for or attend the funeral. Immediate family shall mean spouse, children, mother, father, mother-in-law, father-in-law, brother, sister, stepparents, stepchildren, grandparents, or significant other and up to a maximum of one (1) workday for the funeral of the employee's co-worker. The leaves provided for in this Section shall apply only to days that the employee is regularly scheduled to work, and shall not apply to overtime hours or days when the employee is on vacation, off for a holiday, on sick leave, military leave or on any other type of paid or unpaid leave of absence. The chairman of the Committee of Personnel may limit the number of co-workers allowed bereavement leave.
- 2) Time off without pay may be allowed to full-time employees by the chairman of the Committee on Personnel up to a maximum of three (3) work days when necessary to arrange for or attend the funeral of more remote members of the family listed herein and the chairman may further allow such additional time off without pay as he may deem necessary in special circumstances in connection with the provisions of this Section.

Sec. 10.31 Emergency Leave

It is the policy of the Village that other leaves of an emergency nature be deducted from vacation time.

Sec. 10.32 Military Leave

- 1) A leave of absence without pay shall be granted to any full-time or part-time employee, who enlists, or is called to duty, in the armed forces of our country. Re-employment rights of such employees shall be governed by state and federal law.
- 2) Employees who are members of the National Guard or United States Military Reserve shall be granted temporary leaves of absence for required hours of duty or training. The Village agrees to pay to full-time employees the differential between the military pay for such required duty or training and the employee's regular straight time earnings for such period, but such differential pay shall be limited to a maximum of two weeks' pay, less military pay, in any one (1) year.
- 3) Should a full-time employee elect to use his vacation time for military training, vacation pay will be paid for the vacation period instead of differential pay.

Sec. 10.33 Sick Leave

- 1) Sick leave shall be accumulated at the rate of eight (8) hours per month with no limit on accumulation.
- 2) When an employee is off sick, the time off will be deducted from the employee's accumulated total.
- 3) It is the intent of the Village that paid sick leave days are to help provide income only where an employee is not able to work because of illness or accident but while on the regular Village payroll.
- 4) It is not the intent of the Village that any unused sick leave days be considered as a form of separation pay or as an adjunct to vacation pay or as a form of retirement pay. It is the policy of the Village to not pay the financial equivalent of any unused sick leave upon separation or retirement.
- 5) Doctors' certificate may be required if off work more than three (3) days before returning to work.

Sec. 10.34 Maternity Leave

- 1) **POLICY.** It is the policy of the Village of Whiting to follow a uniform set of procedures in regard to maternity. Maternity is considered the same as medical disability and will be treated by the Village in the same manner as an illness.
- 2) **PROCEDURES.**
 - a. The point at which an employee's pregnancy is considered a disability shall be determined by a physician. The employee shall provide a written statement from her physician evidencing such status.
 - b. The Village may request a written authorization from the employee's attending physician for the employee to continue working during her pregnancy.
 - c. It is mandatory that the employee have a written permit from her doctor in order to return to work.
 - d. The period of maternity leave may be extended, for medical reasons, by a physician after the patient/employee receives a medical evaluation, usually six (6) weeks following delivery.

Sec. 10.35 Political Activities By Village Employees

- 1) Village employees shall not engage in political activities to such an extent that their participation distracts from the performance of their employment duties, nor should they engage in political activities in such a way that would lead members of the electorate to conclude that Village departments or employees in their official capacity were taking a position in an election. No Village employees, during the hours that they are on duty, may engage in political activities. Village employees engaged in political activities while off duty should clearly act as private individuals and not convey the impression that they are acting in their official capacity as Village employees.
- 2) **CAMPAIGN MATERIALS.** Employees are prohibited from wearing a campaign button or badge while on duty; carry stickers, signs, and other electioneering materials affixed to a privately owned vehicle. However, the use of such materials on Village owned vehicles, equipment, buildings, or other Village property is prohibited.
- 3) **CONTRIBUTIONS.** An employee may voluntarily contribute money or service to a candidate, campaign, party, group, or cause. Solicitation of contributions of money or service during working hours is prohibited.
- 4) **CAMPAIGN WORK.** An off-duty employee may voluntarily circulate nomination papers, petitions, distribute campaign literature, type, stuff envelopes and perform other clerical services, telephone and convey voters to the polls, and participate in a political convention, meeting, rally, demonstration, or parade. Campaign work of the nature listed under this heading is prohibited during working hours and is further prohibited off duty by any employee in a Village uniform or wearing a Village badge. Use of Village property for campaign work is prohibited.
- 5) **MEMBERSHIPS AND APPOINTMENTS.** An employee may belong to a political party, group, club, or civic organization; hold memberships in "Citizens for _____," or similar organizations; serve on political meetings or social functions of a political nature. The employee may accept appointments to non-elective boards, committees, and commissions, provided there is no conflict of interest.
- 6) **EXCEPTION.** Those employees whose salaries are partially financed by Federal funds may be subject to the restrictions of the Federal Hatch Act. Questions about these employees engaged in the permitted activities listed about should be referred to Village Attorney's Office for clarification.

Sec. 10.36 Worker's Compensation; Accidents And Injuries

- 1) **WORKER'S COMPENSATION.** The Village may pay full-time employees, eligible for Workmen's Compensations payments for temporary partial or temporary total disability, the difference between their

regular pay and the amount paid by Workmen's Compensation, for such purposes for a period not to exceed three months. Loss of time extending beyond the first month will be compensated only as provided by Workmen's Compensation benefits.

- 2) ACCIDENTS AND INJURIES.
 - a. All accidents are to be reported immediately to the Clerk-Treasurer however minor.
 - b. The supervisor will arrange for first aid treatment or for a doctor's care, if necessary.
 - c. The supervisor will make a record of the injury for future reference, in case of later complications.
- 3) RELEASE FOR WORK AFTER INJURY. In all cases of injury requiring the service of a physician, it is the responsibility of the employee to obtain from the physician a release authorizing his return to work. No employee shall be allowed to return to work without a properly signed release from a physician.
- 4) LIGHT DUTY PROGRAM.
 - a. Village employees recovering from injury or personal illness, who cannot yet return to full duty status, may be eligible for the light duty program.
 - b. The light duty program is designed to permit employees with medical restrictions to perform limited duty at the employee's regular pay for a temporary period.
 - c. Any employee not eligible to return to full duty status because of temporary medical restrictions may be assigned by the Committee on Personnel to light duty status on the recommendation of a physician.

Sec. 10.37 Jury Duty

- 1) All employees shall be given time off without loss of pay when performing jury duty, when subpoenaed to appear in court, public body or commission, in connection with Village business. When an employee is chosen to fulfill their lawful obligation to serve on jury duty the Village will pay the employee the difference between the amounts of jury duty or witness compensation received.
- 2) A leave of absence without pay shall be granted an employee, upon the employee's request, to appear under subpoena or on the employee's own behalf, in litigation involving personal or private matters.

Sec. 10.38 Safety

- 1) POLICY. It is the policy of the Village to provide for the safety of its employees during hours of their employment.
- 2) RULES. Each supervisor shall be responsible for establishing and enforcing sound safety rules for all employees under their jurisdiction. Such rules shall be in writing. Supervisors shall make reasonably frequent observations of employees who work under their charge to ascertain that they continue to work in a safe manner, and in accordance with the safe practices covering the specific work. All O.S.H.A. regulations, including confined entry regulations, shall be followed.
- 3) SAFETY EQUIPMENT AND PROCEDURES.
 - a. When work assigned to any employee requires safety equipment, such equipment shall be furnished to them and they shall wear or use the same as a condition of employment. Failure to utilize required safety devices, clothing, or equipment and to follow safe work practices may subject the offending employee to disciplinary action.
 - b. Employees shall not remove, displace, destroy, damage, or carry off any safety device, safeguard, or warning, unless instructed to do so by their supervisor.
 - c. Employees shall use safety equipment appropriate to the job, such as safety glasses, gloves, ear protection, safety vest, and hard hats.
 - d. Only authorized persons shall operate power equipment such as cranes, lifts, hoists, and trucks.
- 4) UNSAFE CONDITIONS. If, at any time, any employee, classified or unclassified, shall know or believe an unsafe condition to exist; they shall report the same immediately to their supervisor.
- 5) INJURIES REPORTABLE. In order to qualify as compensable, all injuries due to assigned work shall be reported promptly to immediate supervisor. Those injuries requiring more than first aid attention shall be attended to by a physician. Injury reports shall become a part of an employee's personnel record.

Sec. 10.39 Terminations

- 1) SEPARATION PAY.
 - a. It is the policy of the Village to not provide separation pay.

- b. Where an employee is terminated at the convenience of the Village, it is expected that the employee will be eligible for benefits under the Wisconsin Unemployed Compensation Fund.

2) RESIGNATION.

- a. An employee shall file a written letter of resignation to the Village President stating the reason(s) and the effective date of the resignation. Employees shall provide written notice a minimum of fourteen working days prior to their termination date.
- b. The workdays required for proper notice shall exclude vacation, holidays, and any other paid time off. Failure to provide the proper notice of resignation as identified in this Section shall cause the employee's personnel record to indicate that the employee did not leave the Village in good standing. The Village President retains the right to waive the resignation notice requirement if it is in the best interest of the Village to do so.

Sec. 10.40 Job Appraisal, Recognition, and Performance

- 1) Prior to budget time each year, the Personnel Committee may, but is not required to review each employee's evaluation of the past year.
- 2) All Village Employees who voluntarily leave employment shall have an exit review conducted by the Village President and presented to the Personnel Committee for their review and possible action.
- 3) It is the policy of the Village to recognize any employee with five or more years of service, who leaves Village employment in good standing, with a recognition plaque suitable for wall hanging.