



VILLAGE OF WATERFORD PERSONNEL COMMITTEE

Thursday, August 24th, 2023, 4:00 pm
Village Hall, 123 N. River St., Waterford WI

- 1. Call to Order
- 2. Roll Call
- 3. Comments and Correspondence
- 4. Public Appearances
- 5. Reading and Approval of Min: **1/18/22 Personnel Committee**

New Business

- I. Review draft Personnel Handbook; consider an appropriate motion for action.

Adjournment

Public Notice

Questions regarding the nature of the agenda items or more detail on the agenda items listed above scheduled to be considered by the governmental body listed above can be directed to Zeke Jackson, Village Administrator at 262-806-1750 or at zjackson@waterfordwi.org. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Village Staff at 262-534-7912, or by writing to the Village Administrator at the Village Administration Building, 123 N. River St, Waterford WI, 53185 Copies of reports and other supporting documentation are available for review at the Village Administrator's Office, Administration Building, 123 N. River St, Waterford WI 53185 during operating hours. (8 a.m. – 5 p.m. weekdays).

Posted: 8/22/23; 4:00 PM

Village of Waterford
Personnel Committee
Unofficial Minutes January 18th, 2022

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Chair Tamara Pollnow called the meeting to order at 5:00 pm

Present: Tamara Pollnow, Rebecca Bell, Howard Bryant, Kathy Nargis, Adam Jaskie
Others present: Zeke Jackson, Chief Rick Mueller, Colleen Schauer

Bryant motioned to approve 3-19-2021 Minutes, second by Jaskie. All aye. Motion carried.

Fire Chief Rick Mueller gave an update on the staffing changes within the department since the last Personnel meeting. Due to the Covid-19 pandemic emergency services and health care have suffered staffing shortages.

Motion by Bell to approve the new Fire Department pay scale and prepare a related budget amendment. Second by Nargis. All aye. Motion carried.

Bryant motioned to adjourn a 5:25 pm; second by Bell. All aye. Motion carried.

Submitted by
Colleen Schauer, PIO

Village of Waterford

Personnel Manual

~~JanuaryAugust, 2023-2022~~

DRAFT

VILLAGE OF WATERFORD – PERSONNEL HANDBOOK
Draft ~~January~~November 11, 2022

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VILLAGE OF WATERFORD – PERSONNEL HANDBOOK
Draft ~~January~~, November 11, 2022

INTRODUCTION 1

PURPOSE 5

NOT A CONTRACT OF EMPLOYMENT ~~ERROR! BOOKMARK NOT DEFINED.~~

CHANGES IN PERSONNEL HANDBOOK ~~ERROR! BOOKMARK NOT DEFINED.~~

EMPLOYMENT POLICIES AND PROCEDURES ~~ERROR! BOOKMARK NOT DEFINED.~~

EQUAL OPPORTUNITY EMPLOYER ~~ERROR! BOOKMARK NOT DEFINED.~~

VIOLATIONS OF LAW ~~ERROR! BOOKMARK NOT DEFINED.~~

ON/OFF DUTY CONDUCT ~~ERROR! BOOKMARK NOT DEFINED.~~

POSSESSION OR USE OF ALCOHOL OR DRUGS ~~ERROR! BOOKMARK NOT DEFINED.~~

INAPPROPRIATE BEHAVIOR ~~ERROR! BOOKMARK NOT DEFINED.~~

SEXUAL HARASSMENT ~~ERROR! BOOKMARK NOT DEFINED.~~

GIFTS AND GRATUITIES ~~ERROR! BOOKMARK NOT DEFINED.~~

PERSONNEL FILE ~~ERROR! BOOKMARK NOT DEFINED.~~

WORKER'S COMPENSATION ~~ERROR! BOOKMARK NOT DEFINED.~~

PERSONNEL TO OBEY MEDICAL PRACTITIONER'S ORDERS ~~ERROR! BOOKMARK NOT DEFINED.~~

UNEMPLOYMENT COMPENSATION INSURANCE ~~ERROR! BOOKMARK NOT DEFINED.~~

APPEARANCE AND DEMEANOR ~~ERROR! BOOKMARK NOT DEFINED.~~

CONFIDENTIALITY ~~ERROR! BOOKMARK NOT DEFINED.~~

APPROVAL OF REQUESTS ~~ERROR! BOOKMARK NOT DEFINED.~~

COMPENSATION, ATTENDANCE AND REVIEW POLICIES ~~ERROR! BOOKMARK NOT DEFINED.~~

HOURS OF WORK ~~ERROR! BOOKMARK NOT DEFINED.~~

CALL BACK ~~ERROR! BOOKMARK NOT DEFINED.~~

OVERTIME COMPENSATION ~~ERROR! BOOKMARK NOT DEFINED.~~

COMPENSATORY TIME OFF ~~ERROR! BOOKMARK NOT DEFINED.~~

EMPLOYEE EXPENSES ~~ERROR! BOOKMARK NOT DEFINED.~~

PERFORMANCE EVALUATIONS ~~ERROR! BOOKMARK NOT DEFINED.~~

DISCIPLINE & GRIEVANCE PROCEDURE ~~ERROR! BOOKMARK NOT DEFINED.~~

DISCIPLINARY PROCEDURES AND GRIEVANCES ~~ERROR! BOOKMARK NOT DEFINED.~~

BENEFIT POLICIES ~~ERROR! BOOKMARK NOT DEFINED.~~

JURY DUTY / SUBPOENAS ~~ERROR! BOOKMARK NOT DEFINED.~~

PAID TIME OFF – VACATION/SICK LEAVE/PERSONAL DAYS/ADDL BEREVEMENT ~~ERROR! BOOKMARK NOT DEFINED.~~

HOLIDAYS ~~ERROR! BOOKMARK NOT DEFINED.~~

FAMILY AND MEDICAL LEAVE ~~ERROR! BOOKMARK NOT DEFINED.~~

MILITARY LEAVE ~~ERROR! BOOKMARK NOT DEFINED.~~

BEREVEMENT LEAVE ~~ERROR! BOOKMARK NOT DEFINED.~~

BENEFITS ELIGIBILITY ~~ERROR! BOOKMARK NOT DEFINED.~~

VILLAGE OF WATERFORD – COMMERCIAL DRIVERS LICENSE POLICY ~~ERROR! BOOKMARK NOT DEFINED.~~

VILLAGE OF WATERFORD – DRIVER RULES FOR VILLAGE VEHICLES ~~ERROR! BOOKMARK NOT DEFINED.~~

FIRE DEPARTMENT & EMS ~~ERROR! BOOKMARK NOT DEFINED.~~

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VILLAGE OF WATERFORD – PERSONNEL HANDBOOK
Draft ~~January~~November 11, 2022

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VILLAGE OF WATERFORD – PERSONNEL HANDBOOK

Draft ~~January~~, November 11, 2022

INTRODUCTION

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I. PURPOSE

This Handbook is intended to serve as a general reference for all employees of the Village of Waterford. It is intended to provide the employee with a general overview of the benefits, policies, practices and work rules of the Village.

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It is obviously not possible for this handbook to cover each and every aspect of Village benefits, practices, policies and work rules. For this reason, the benefits, practices, policies and work rules described in this handbook are summarized and are not intended to be all encompassing, nor applicable in every situation.

2. NOT A CONTRACT OF EMPLOYMENT

This Personnel Handbook has been prepared for informational purposes only. This handbook and the policies contained in it are not intended to create, nor should they be construed to create, a contract of employment between the Village and any of its employees. All employees are at-will employees, with an undefined period of employment. Termination of employment may occur at any time, with or without notice, and for any reason. An employee signing a statement that he or she has read this Handbook does not constitute a signature meaning a contract of employment exists between the Village and the employee. All employees not subject to a specific contract shall be subject to a one hundred eighty (180) day introductory period, subject to extension by the Village.

Unless otherwise specified by the Village Administrator, new and promoted employees shall serve an introductory period of six months. An introductory period may be extended by request of the department head, with approval of the Village Administrator. Completion of the introductory period does not guarantee continued employment for any specified period, nor does it modify or change the employee's at-will status or require an employee be discharged for cause.

3. CHANGES IN PERSONNEL HANDBOOK

The Village and/or Library Board may, in its sole discretion, modify, add to or eliminate any of the benefits, policies, practices and work rules in the existing Personnel Handbook at any time. This handbook supersedes all previous handbooks, statements, policies, procedures, rules or regulations given to employees, whether verbal or written. The Village Administrator and Library Director are authorized to interpret and administer the provisions of this handbook.

Conflicting Policies: The policies contained in this handbook may cover subjects addressed in other sources, such as collective bargaining agreements, State or Federal Laws, Village Ordinances and Resolutions, or Public Safety/Departmental rules and regulations. Should any provision of this handbook conflict with a valid collective bargaining agreement, the terms of the collective bargaining agreement shall control to the extent that these policies are in conflict with the terms of the collective bargaining agreement. These policies do not grant any additional benefits over and above or in addition to any employment contract.

Employees should be aware that their department may have policies that supplement these policies. Employees are expect to follow both the policies in this handbook and their department's policies. This handbook will control to the extent that the handbook policies are in conflict with department policies. The Village Administrator has authority to overturn or replace any policy put in place by any

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department head, ~~except for the library.~~ The Village Administrator is empowered to make interpretations of the policy manual.

Most employee questions should be answered in this handbook. If there are any questions regarding the handbook or matters that are not covered in it, employees are asked to discuss them either with their supervisor, or department head.

EMPLOYMENT POLICIES AND PROCEDURES

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4. EQUAL OPPORTUNITY EMPLOYER

It is the policy of the Village to recruit and select for employment those individuals who, in the sole discretion of the Village, meet the requirements and expectations of each particular employment position. Recruitment and selection shall be conducted in an affirmative manner, which ensures open competition and provides equal employment opportunity without regard to race, color, creed, religious or political affiliation, national origin, sex, age, handicap or disability, marital, citizenship, military or veteran status, or any other class protected by the discrimination laws of the United States of America and the State of Wisconsin, except where age, sex, or physical requirements constitute bona fide occupational qualification and with proper regard for the privacy and constitutional rights as citizens, and to provide an effective career development plan for qualified employees through promotional opportunities. This applies to all employment decisions including, but not limited to, recruitment, hiring, compensation, benefits, promotions, transfers, lay-offs, discipline, termination, and other conditions of employment.

5. VIOLATIONS OF LAW

Employees whether on or off-duty, shall obey the laws of the United States and of any state and local jurisdiction in which they are present. A conviction for a violation of criminal law (felony) shall constitute evidence of a violation of this section. Employees must notify the Village of violations of law committed by the employee. If there is a connection between the conviction and the employee’s job assignments, such conviction shall be grounds for discipline, up to and including termination.

6. ON/OFF DUTY CONDUCT

Conduct that is otherwise legal shall not be covered by this section. The circumstances under which an employee may be disciplined for on or off duty conduct may include the following:

- ~~1. Conduct that is unbecoming;~~
- ~~2. Adversely affects the morale or efficiency of the Department;~~
- ~~3. Adversely affects employee’s job performance or the willingness of other employees to work with the employee;~~
- ~~4. Destroys public respect for the employee and/or the Department and/or destroys confidence in the operation or the municipal service;~~
- ~~5. Where the conduct substantially relates to the job performance or job duties.~~
- ~~6. Any and all conduct that is problematic as determined at the discretion of the Village Administrator and/or Library Director.~~

7. POSSESSION OR USE OF ALCOHOL OR DRUGS

Employees must report to work free of drugs, intoxicants, alcohol, narcotics, or any other controlled substance. Employees may be disciplined, up to and including termination, for possession, consumption,

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not being free of, being under the influence of, or use of any drugs, drug paraphernalia, intoxicants, alcohol, narcotics, or any other controlled substance, on or about Village premises at any time.

Any medication that affects an employee or could affect an employee's performance should be brought to the supervisor's attention. Such prescription drugs must be given under medical supervision and may not interfere with the performance of job duties.

Under certain circumstances, the Village may require an employee to undergo a drug and/or alcohol test when the Village has a ~~reasonable suspicion~~ probable cause that the employee is violating this rule. The employee will be referred to a certified testing laboratory for completion of the test. Depending on the seriousness and circumstances of the offense, and at the Village's or Library Board's sole discretion, an employee who tests positive for drugs and/or alcohol may be referred to counseling, rehabilitation or an employee assistance program. Refusal to cooperate may result in discipline, up to and including termination. This shall not restrict employees from having alcohol in sealed containers in their private vehicles.

8. INAPPROPRIATE BEHAVIOR

An employee will not do any of the following:

1. Steal or destroy Village property.
2. Willfully, misuse, abuse or damage Village or public property.
3. Disclose statutory confidential materials.
4. Fail to comply with Village ordinances or written departmental rules or procedures.
5. Be disrespectful to coworkers, superior, or the public, ~~superiors or to the public~~.
6. Create a disturbance on work premises by fighting or other conduct, which adversely affects morale, production or maintenance of proper discipline.
7. Sleep on the job.
8. Violate safety rules and practices.
9. Fail to report an on-the-job injury or accident immediately, falsify or refuse to give testimony when job-related accidents are being investigated.
10. Falsify reports, records or time cards.
11. Exhibit poor work performance.
12. Be habitually absent or tardy.
13. Harass fellow employees or superiors.
14. Be insubordinate, including refusing to perform work assignments.
15. Misuse paid time off (PTO) (see section #26).
16. Gamble, or conduct a lottery on or off Village property during work hours.
17. Procure simultaneous legal garnishments.
18. Accept gifts and gratuities as defined.

The above items do not constitute a complete list of the rules employees are expected to conform to and are provided for general reference. Compliance with these rules does not guarantee employment. As stated in Section 2, an employee may be terminated at any time for any reason.

9. SEXUAL HARASSMENT

Sexual harassment is illegal. No employee, male or female, shall sexually harass another employee. All employees have a right to a working environment which is free of intimidation and harassment. Every employee is entitled to be treated with common dignity and courtesy. Any employee having a complaint concerning sexual harassment shall notify the employee's immediate supervisor, or if the supervisor is part of the complaint, the Village Administrator or Library Director. If the Village

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Administrator or Library Director is the accused, the employee shall notify the Chairman of the Personnel Committee. The Village or Library Board will investigate the complaint and the complainant will be notified of the results of the investigation by either the supervisor, the Village Administrator, the Library Director, or the Chairman of the Personnel Committee.

10. GIFTS AND GRATUITIES

No Village employee shall solicit or accept for himself/herself or another person any gift, campaign contribution, gratuity, favor, services, promise of future employment, entertainment, loan, or any other item of monetary value from a person or entity who has or is seeking business activities from, or which are regulated by, the Village. Employees attending meetings, seminars and conventions will be allowed to accept “give-away” items such as key chains, coffee mugs, hats, etc., which are offered to all attendees and do not exceed a value of twenty-five (\$25) dollars. Employees are allowed to maintain separate employment and business relationships with entities in the Village; such activities shall not conflict with their duties on behalf of the Village – if the employee or employee’s supervisor/Village Administrator raises the possibility of a conflict of interest, the duty that creates the conflict shall be temporarily assigned to another employee.

11. PERSONNEL FILE

The Village Administrator or Library Director shall establish and maintain master employee personnel files for all active employees. An employee may request to see the contents of the employee’s personnel file. The employee may, upon making prior arrangements with the Village Administrator or Library Director, inspect the contents of the file in the presence of the Village Administrator or Library Director, if a Library employee, during the employee’s non-working hours. The employee may not remove any document from the file.

- A. The right of an employee to inspect his or her personnel records does not apply to the following situations:
1. Records relating to the investigation of possible criminal offenses committed by that employee.
 2. Letters of reference 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 document.
 4. Materials used by the Village for staff management planning, including judgments or recommendations concerning future salary increases, decreases, promotions, job assignments or other comments or ratings used for the employer’s planning purposes.
 5. Information of a personal nature about a person other than the employee if disclosure of the information would constitute an unwarranted invasion of the other person’s privacy.

12. WORKER’S COMPENSATION

- A. All Village employees are covered by Worker’s Compensation (WC). WC covers those injuries sustained by employees on the job or on Village property. This program is administered by the State of Wisconsin and basically consists of the following types of benefits:
1. Medical and Hospital care
 2. Disability benefits
 3. Death benefits
- B. To qualify for WC, an employee who is injured on the job must strictly follow the Village’s accident reporting procedures, including immediate notification to a supervisor, or the Village Administrator, or Library Director that an accident has occurred. All employees are required to seek physician assistance at Aurora Urgent Care in Waterford, or Aurora Occupational Health Clinic in Burlington, or if closed, the Burlington Emergency Room the same date of the

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incident, unless the employee was transported to another medical facility by the decision of emergency personnel at the scene of the accident. All legal requirements established by the State and Federal Governments must be followed. The time lost from work for a worker's compensation accident shall not be charged against an employee's accrued sick time.

- C. The Village will attempt to provide an employee with light duty work if the employee is able to return to work but unable to perform his or her regular assignment.
- D. The Village's first and foremost objective is to do all that can be done to prevent injury by providing safety awareness, specific safety related skill training, and by continually encouraging each employee's active participation in the mutual quest for a safe work place.

13. PERSONNEL TO OBEY MEDICAL PRACTITIONER'S ORDERS

- A. Employees shall obey their medical practitioner's orders and shall promptly notify their supervisor of any restrictions or instructions by their medical practitioner, or prescribed medications that could affect their ability to perform their assigned tasks.
- B. The Department Head shall have the right to require an employee who has a physical or mental incapacity to submit a report from a licensed medical practitioner verifying that the employee can perform the essential functions of his/her assigned duties without limitations.
- C. The Village may require a medical examination for an employee by a medical practitioner selected and paid for by the Village whenever the Village shall deem it necessary for the safety and welfare of the residents of the Village and the maintenance of standards within the Department. If the results of the examination would affect the employee's ability to work, then the employee may have a second opinion at his/her expense by a medical practitioner of his/her choice. If there is a difference of opinion by the first two medical practitioners, the employee may be examined by a medical practitioner mutually agreeable to the Village and the employee paid for by the Village consistent with the terms of a collective bargaining agreement.

14. UNEMPLOYMENT COMPENSATION INSURANCE

The State of Wisconsin administers Unemployment Compensation Insurance. If an employee is laid off and meets certain qualifications, weekly benefits are available. Employees who voluntarily quit or who are terminated by the Village for cause ordinarily will not be eligible for this benefit. Wisconsin Law determines the amount of compensation received. Application for benefits can be made at the local Employment Security Commission Office.

15. APPEARANCE AND Demeanor

All Village employees who have contact with people in the community who are either residents or visitors, will create lasting impressions with them by their interactions with the community and by the observations of their work performance. All Village employees are encouraged to present a positive image and demonstrate an interest in their work. All employees are expected to be neat and clean in appearance and to dress in a manner appropriate to the nature of their position. Designated employees will wear uniform items provided by the Village during their duty hours.

16. CONFIDENTIALITY

No Village employee shall use or disclose privileged confidential information gained in the course of work or by reason of the employee's official position or activities, unless authorized by law. No confidential information concerning any citizen may be released to an unauthorized person or agency without the signed consent of the citizen. To be deemed confidential information, as defined under State Statutes, the information must be submitted in writing and labeled as either "Trade Secret – Confidential" or "Confidential" by the submitting party.

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17. APPROVAL OF REQUESTS

The following levels of Village authority will provide approval of employee requests:

1. Immediate Supervisor
2. Village Administrator or Library Director
3. Village Personnel Committee
4. Village Board of Trustees or Library Board

COMPENSATION ATTENDANCE AND REVIEW POLICIES

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18. HOURS OF WORK (non-public safety)

As a general rule, the workweek will be forty (40) hours. Actual working hours and days may vary depending upon the individual department requirements and position demands. Deviations from the “normal” work schedule on a short-term basis are permitted subject to the prior approval of the immediate supervisor or the Village Administrator or the Library Director, if a library employee. An employee may be required to work more than forty (40) hours per week if deemed necessary by his/her supervisor to complete duties assigned to the employee. In the event of overtime work, the employee will receive overtime pay as calculated under applicable Wisconsin law. Time spent traveling to training sessions, conferences and seminars shall count towards hours worked in a week.

Overtime at the time and a half rate shall be compensable after 40 hours worked in a week. Paid leave time used shall not count as time worked for overtime compensation.

Work schedules for Village employees, due to the special nature of Village departmental operations, vary throughout the Village. While the Village attempts to maintain consistency in work schedules, changes may occur at any time. Every effort will be made to give at least 24-hour notice, however, the right to determine work hours is at the sole discretion of the Village Administrator, [Library Director](#), or designee.

No person who is employed as an exempt employee, should assume that his or her work schedule is limited to 40 hours per week.

19. CALL BACK (non-public safety)

Compensation for a call back after regular working hours shall be a minimum of two (2) hours pay. All employees are always on call; that is, when emergencies require it, any and all of them may be recalled to work at hours during which they are normally off duty. “On Call” will refer to the order in which employees are contacted, when the need for unforeseen work arises. The order in which employees are contacted will rotate according to a schedule set by the supervisor. The term “On Call” does not imply the need to remain constantly available for contact by phone, or the need to remain in close proximity to the work place. Compensation for calls to work during periods when the employee is at the head of the “On Call” rotation will be normal overtime, but no compensation will be paid in wages or compensatory time for “On Call” periods during which no calls to work are made except for

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Utilities employees. In recognition of the impact that “On Call” status has upon Utilities employees, the Village will pay \$25 per day for a Utility employee “On Call” for Saturday, Sunday and on holidays. This shall be in addition to any call-in overtime or scheduled off time. In the event of emergency situations (determined by the Village Administrator in consultation with the Village President), any Village employee may be subject to being called into work when they would normally be off work. Procedures for call-in will vary by department but must be approved by the Village Administrator or Library Director. Additionally, communications made seeking for employees to be called back to work must be responded to within a time frame of 30 minutes or less.

20. OVERTIME COMPENSATION

Non-Exempt Hourly Employees (non public safety):

Employees who work in excess of forty (40) hours per week may be compensated at a premium rate, straight time rate, or not at all depending upon their employment status and the provisions of the Federal Labor Standards Act (FLSA). An employee is encouraged to receive compensation for overtime in the form of compensatory time. He or she may request to receive overtime pay in lieu of ~~ILC~~ compensatory time, but he or she must request that during the week in which the overtime is earned. The opportunity to earn overtime shall be distributed as equally as practicable among employees in their respective job classifications within each department.

Non-Exempt Equipment and Water Operators:

Employees will be reimbursed at a rate of time and one-half for all hours worked in excess of forty (40) hours per week. In calculating overtime, holidays, sick time and vacation will be counted as hours worked. Compensatory time is not counted as hours worked for purposes of calculating overtime. Operators will be compensated at double the hourly rate if called in on a Sunday or holiday outside of normally scheduled work. Operators will be paid double time on Sundays and holidays with the exception of when they are on call and performing scheduled weekend monitoring assignments (well/lift station checks, other assignments as specified by the Director). Operators that are not scheduled on call will receive two (2) hours minimum call-in pay when called into work at times not scheduled. The Village may require the employee to work the full two (2) hours that they are being paid for a call out.

The Department requires operators to be scheduled on call via departmental directive developed and implemented by the supervisor and approved by the Village Administrator. Every effort will be made to maintain the procedure, however, changes in staffing and other unforeseen circumstances may require the procedure to be changed. In the event, the procedure needs to be amended, every effort will be made to communicate changes as quickly as practical, taking into account hardships such as change may create.

Department of Public Works:

(This policy is subject to change at the Discretion of the Department Head/Supervisor). The scheduled on call employee receives one (1) hour of straight time for each day Monday through Friday the employee is on call and one (1) hour of overtime (at time and one-half) for each Saturday, Sunday and holiday the employee is scheduled on call. An operator who is called in on a day he is scheduled for on call duty will be paid for time worked and not be compensated with a minimum of two (2) hours call in pay. Operators not scheduled on call would receive the minimum two (2) hour call in pay.

21. COMPENSATORY TIME OFF (non-public safety)

Compensatory time off [“Comp Time”] shall be figured at a rate not less than one and one-half hours for each hour of employment for which overtime compensation is required. All overtime must be

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approved by the employee's supervisor prior to the overtime actually being worked. No employee may accrue more than forty (40) hours of Comp Time in one (1) calendar year. If less than one hour is worked, it must be compensated for in overtime pay.

An employee who has accrued Comp Time shall, upon termination of employment, be paid for the unused Comp Time at the hourly rate at which it was earned. An employee who has accrued Comp Time may request the use of such time so long as it does not unduly disrupt the operations of the Village.

Comp Time taken as a cash payout rather than as paid leave time shall not count towards the 40-hour work week. At the end of each calendar year any earned but unused Comp Time will be paid out in cash at the hourly rate at which it was earned.

22. EMPLOYEE EXPENSES

The Village will pay the cost of training and examinations for pre-approved employment related courses. Mileage will be paid for use of employee's personal vehicle to attending training classes if a Village vehicle is not available. Mileage reimbursement shall be paid at the current ~~county~~ federal rate.

23. PERFORMANCE EVALUATIONS

All employees shall have an ~~annual review of performance~~ periodic performance reviews, ~~usually to coincide with Village budget dates and/or salary review.~~ The person conducting the review shall be an immediate supervisor, ~~the Library Director,~~ or the Village Administrator. In the case of the Village Administrator, the Board of Trustees shall designate the rater. In the case of the Library Director, the Library Board shall conduct the review. ~~Each supervisor shall utilize the Village Performance Review Form. The Village Board of Trustees will review these forms annually in closed session.~~

DISCIPLINE AND GRIEVANCE PROCEDURE

24. DISCIPLINARY PROCEDURES AND GRIEVANCES

The Village ~~and Library Board~~ reserves the right to discipline its employees for violation of Village rules or practices, whether contained in this Personnel Handbook, or not. In certain cases, depending on the severity of the conduct, a single violation could result in the employee's discharge. In some cases, where the outcome of employee conduct could be termination, the Village ~~or Library Board~~ may choose instead to suspend an employee, with or without pay, pending the outcome of an investigation. Upon review of all of the circumstances, a final determination on employment will be made.

GRIEVANCES: Grievances are not gripes. Gripes are interpersonal in nature, and need to be resolved between the parties.

Grievances are considered one of the following:

1. A supervisor asked or compelled an employee to perform work or take actions that should be deemed by a reasonable person as unsafe.
2. A supervisor asked or compelled an employee to perform work or take actions that are counter to Village Policies
3. A supervisor asked or compelled an employee to perform work or take actions that are counter to the laws of the United States or State of Wisconsin.

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This policy is intended to comply with Section 66.0509 Wis. Stats. and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This grievance procedure does not apply to employees currently regulated by a statutory grievance procedure or a union agreement grievance procedure. An employee may appeal any level of discipline under this grievance procedure. "Employee discipline" means an employment action that results in disciplinary suspension, with or without pay, disciplinary termination, or disciplinary demotion. "Employee discipline" does not include performance improvement plans, performance evaluations or reviews, documentation of the employee's acts or omissions, administrative leave with or without pay, non-disciplinary wage, benefit or salary adjustments, changes in assignment or other non-material employment actions. For purposes of this policy, "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 the same.

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

Grievances between employees and/or Department Heads:

~~Step 1~~—Written Grievance Filed with Village Administrator or Library Director. The employee must prepare and file a written grievance with the Village Administrator or Library Director within five (5) calendar days of when the employee knows, or should have known, of the events giving rise to the grievance. The Village Administrator or Library Director will act as an impartial hearing officer and investigate the facts giving rise to the grievance and inform the employee of his or her decision, if possible within ten (10) business days of receipt of the grievance. In the event the grievance is against the Village Administrator or Library Director, the grievance shall be filed with the Library Board or Personnel Committee Chairperson. The Village Administrator or Library Director's decisions are final in Grievances not against either the Village Administrator or Library Director. The decision is not subject to a subsequent filing of a grievance against the Village Administrator or Library Director.

Grievances against Library Director and/or Village Administrator:

~~Step 2~~—Review by the Personnel Committee and/or Library Board. If the grievance is not settled at Step 1, the employee may request in writing within five (5) business days following receipt of the Administrator's/Director's decision, a request for review by the Personnel Committee and/or Library Board. The matter will be scheduled for the next meeting of the Personnel Committee and/or Library Board. The Personnel Committee and/or Library Board will review the written request and other information requested, informing the employee of their findings in writing. The Village Administrator and/or Library Director will participate in all Step 2 grievances, unless the Administrator and/or Library Director is the subject of the grievance, and will consult with and aid the Personnel Committee and/or Library Board in reaching its decision. In the event the grievance involves workplace safety, discipline, or discharge, the grievant or the Personnel Committee and/or Library Board may waive this step and proceed directly to Step 3.

~~Step 3~~—Impartial Hearing Officer. If the grievance is not settled at Step 2 the employee may request in writing, within five (5) business days following receipt of the Personnel Committee's and/or Library Board's decision, a request for written review by an impartial hearing officer. The Village Board Attorney or his/her Legal Counsel Designee shall select the serve as impartial hearing officer, but it

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~~will not be a Village employee.~~ The impartial hearing officer shall review the matter, and determine whether the Village acted in an arbitrary and capricious manner. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer shall provide a written decision no later than 60 days after receipt of all requested information, which may be appealed to the full Village Board or Library Board.

Step 4—Review by Village Board. If the grievance is not settled after review by the ~~Personnel Committee and/or Library Board or an~~ impartial hearing officer, either party shall request within five (5) business days of receipt of the written opinion a written review by the Village Board. The Village Board shall not take testimony or evidence; it may only determine whether ~~the Personnel Committee and/or Library Board or~~ hearing officer reached an arbitrary or incorrect result. The matter will be scheduled for the Village Board's next regular meeting. The Village Board will inform the employee of its findings and decision in writing within ten (10) business days of the Board meeting. The Village Board shall decide the matter by majority vote and this decision shall be final and binding.

Any grievance or appeal of a grievance must be in writing and must be filed with the supervisor and with a copy to the Village Administrator or Library Director. The grievance shall contain a clear and concise statement of the pertinent facts, the dates and the incidents occurred, the identities of the persons involved, documentation related to the grievance in possession of the grievant, the steps taken to informally resolve the dispute and the results of those discussions, all reasons why the actions of the supervisor should be overturned, if applicable and the remedy that should be issued. A grievance alleging a workplace safety issue shall also identify the workplace rules allegedly violated, if applicable.

If either party fails to meet the deadlines set forth, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the item will be reviewed at the next possible meeting.

BENEFIT POLICIES

25. JURY DUTY/SUBPOENAS

During any period of jury service, or if subpoenaed for business concerning the Village, an employee shall be paid the difference between the employee's regular rate of pay and any compensation received. Employees are to indicate jury, court or deposition hours on their time cards. The employee will receive his or her regular paycheck and shall endorse any check or other payment for jury, court or deposition appearance to the Village.

26. PAID TIME OFF (PTO) (non-public safety)

PTO includes vacation, sick leave, personal time, time off to care for dependents or elderly parents, or other emergencies. Paid Time Off (PTO) is available to all full time employees (defined as working more than 32 hours per week on a regularly scheduled basis for the calendar year). PTO must be scheduled and approved by the department head in advance (except for cases of illness or emergency)

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and be scheduled in increments of at least one hour. Acceptance of PTO by the department head will be based on seniority, staffing needs and workload. At the discretion of the Village Administrator and/or department head, a doctor’s note will be required for illnesses over 3 days. Long-Term Disability must be applied for when illness is expected to last more than seven days.

The Village Administrator is empowered to negotiate different beginning and ongoing PTO award rates at the time of hire of new employees.

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Employees hired, or in a newly eligible full-time status, on or after January 1, 202~~3~~2 will accrue PTO according to the following schedule:

Completed Service	PTO Days (accrual basis)	Max Accum. Cap
0 – 7 <u>4</u> .99 Years	176 hours ≡ <u>≡</u> 6.77 hours per pay period	320 Hours
8 <u>5</u> – 14.99 Years	216 hours ≡ <u>≡</u> 8.31 hours per pay period	320 Hours
15+ Years	256 hours ≡ <u>≡</u> 9.85 hours per pay period	320 Hours

PTO will accrue and be available on a per pay period basis up to the Maximum Accumulation Cap of 320 Hours. Accrual rates will change on an employees’ 5th and 15th year anniversaries. No accrual above the Maximum Accumulation Cap will be compensable.

Any balance earned but unused up to the Maximum Accumulation Cap will be paid out in cash upon termination or retirement.

Upon termination, 2 weeks’ advance notice must be provided to the department head or supervisor. 80 hours of PTO will be deducted from the final paycheck/s in lieu of two weeks’ notice, if said notice is not provided.

Transition for personnel employed and in full-time status before January 1, 202~~3~~2 (non-public safety)

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Personnel employed in full-time status prior to January 1, 202~~3~~2 will accrue PTO according to the following schedule and will include vacation, sick leave, personal time, time off to care for dependents or elderly parents, or other emergencies:

Completed Service	PTO Days	Max Accum. Cap
1 – 7.99 Years	224 hours ≡ <u>≡</u> 8.62 hours per pay period	320 Hours
8 – 14.99 Years	264 hours ≡ <u>≡</u> 10.15 hours per pay period	320 Hours
15 + Years	304 hours ≡ <u>≡</u> 11.69 hours per pay period	320 Hours

Beginning January 1, 202~~3~~2, PTO will accrue and be available on a per pay period basis up to the Maximum Accumulation Cap. The Maximum Accumulation Cap will include all unused vacation and sick days. No accrual above the Maximum Accumulation Cap will be compensable. Accrual rates will increase on employees’ 8th, and 15th year anniversaries, according to above schedule.

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Any balance earned but unused up to the Maximum Accumulation Cap will be paid out in cash upon termination or retirement.

Upon termination, 2 weeks' advance notice must be provided to the department head or supervisor. 80 hours of PTO will be deducted from the final paycheck/s in lieu of two weeks' notice, if said notice is not provided.

Personnel employed in full time status prior to January 1, 2023~~2~~ with existing sick leave balances (non-public safety) After all accrued vacation days are moved into the accumulation bank for PTO, employees accrued sick days will be used to fill the accumulation bank. If the employee's accumulation bank is maxed out at 320 hours, and there is still accrued sick leave left, the remaining sick leave will be put into a separate account and held. Upon retirement, up to 720 hours of sick leave may be converted to cash at the rate of 50% for each unused sick day. This is only available to full-time employees who have reached retirement age defined by the Village's Retirement Plan.

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Regular Part-Time Personnel (library only):

Regular part-time employees will earn Paid Time Off (PTO) as follows:

- | | |
|----------------|--------------------------------|
| 1 - 7.99 years | 50 hours (1.92 per pay period) |
| 8 + years | 70 hours (2.69 per pay period) |

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Library Personnel Transitioning from one status to another: Should a Library employee transition from PT to FT, the Library Board will determine the amount of PTO the employee will receive immediately after transitioning. The library employee will continue to receive that same amount every year until they reach their 5th year as a FT library employee when they will fall under the first chart above and receive 216 hours per year. If a Library employee transitions from FT to PT the above Part-Time chart will apply and any accumulated PTO as a full time employee will be paid out upon transition.

27. HOLIDAYS

A. **Non-Public Safety** Village employees shall be granted ten (10) paid holidays during the year.

1. New Year's Day
2. Spring Holiday (Friday before Easter)
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. The day after Thanksgiving
8. Christmas Eve
9. Christmas Day
10. New Year's Eve

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B. When a holiday falls on a Sunday, the following Monday shall be observed as a holiday. When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday

C. Village employees who are scheduled for or called into work on a holiday listed in "A" above shall be paid double time for the hours worked.

D. **non-exempt Public Safety Employees shall be paid 1.5x their regular hourly rate for these named holidays.**

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28. FAMILY AND MEDICAL LEAVE

- A. Employees who have worked at least one thousand (1,250) hours in the preceding fifty-two (52) week period shall be allowed:
 1. Up to twelve (12) weeks of unpaid Family And Medical Leave, as stated by Law, over a twelve (12) month period when he or she is unable to work because of his or her own serious health condition, or for the care of a child, spouse or parent with a serious health condition.
 2. Up to twelve (12) weeks of unpaid family leave in a twelve (12) month period for birth of a child, placement of a child for adoption or as a pre-condition for adoption.
 3. Up to twenty six (26) weeks of unpaid family leave over a twelve month period for the care of a child, spouse or parent with a military service connected illness or injury.
- B. All employees intending to use such leave shall give the Village advance notice in a reasonable and practicable manner so that the Village can schedule a replacement, if necessary, and make provisions to adjust the Village work schedules.
- C. If an employee who is out on Family Medical Leave has exhausted all of his or her leave balances, other Village employees may donate their leave, in four (4) hour increments to that person. Each employee may donate up to 24 hours of PTO to the person who is out on leave.
- D. While an employee is on leave, the Village will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.
- E. All paid PTO or other leave runs concurrently with FMLA leave.

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29. MILITARY LEAVE

Any employee who is a member of a United States Military Reserve and who may be called upon for reserve training shall be paid his or her regular weekly (40 hours) earnings upon proof of government compensation. The military compensation amount will be deducted from the employee's regular wages. Benefits due employees while on voluntary or involuntary military leave will be determined by applicable State and Federal laws and only those benefits as required by such laws will be provided. If State and Federal laws are not applicable to a specific benefit no such benefit will be provided.

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30. BEREVEMENT LEAVE

In the event of a death in the family of a regular full time employee, the employee will be paid for the time lost from scheduled work to prepare for and to attend the funeral, as follows:

Immediate Family: An eligible employee will be paid for funeral leave not to exceed three consecutive work days for a death in the immediate family, which is defined as the employee's parent, spouse, brother, sister, child, mother-in-law, father-in-law, step parent, stepchild, grandparent, grandparent of a spouse or grandchild. An employee may take three non-consecutive work days for funeral leave if requested in writing and approved by their supervisor in advance of the leave. The employee may be required to furnish verification of the date of the funeral and relationship of the deceased.

Near Relative: An eligible employee will be paid for funeral leave not to exceed one work day for the death of a near relative, such as brother-in-law, sister-in-law, uncle, aunt, niece or nephew, or for the death of other family like or close friend relationships as approved by their supervisor.

31. BENEFITS ELIGIBILITY

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- A. Every employee hired as a full-time employee must be on the Village's Health Insurance Plan. The Village's health care provider ~~is as of 8/18/23 is~~ Teamcare. Teamcare is a unionized insurance plan and requires **every** full-time employee, regardless of retirement age, to participate in the Plan. The employee is required, through payroll deductions, to pay a percentage of the total cost of the insurance. The Village may change the health plan at any time, and there is no right of any employee to any benefit level for health insurance except as determined by the Village Board.
- B. The Wisconsin Deferred Compensation Program (WDC) is available for all full time Village employees who choose to participate through payroll deductions.
- C. A Flexible Spending Plan is available to all full-time employees to allow for tax free medical expenses over and above what is covered under insurance and tax free child care expenses.
- D. A Pension Plan through Wisconsin Retirement System (WRS) is available for all full time Village employees. Each full-time employee is automatically entered into the plan upon hire. Employees are required to contribute to the plan a small percentage determined by WRS annually.
- E. Employees ~~currently~~ on Family Medical Leave shall be offered continuing coverage for up to a period of four (4) weeks through an alternate plan, such as COBRA, subject to eligibility requirements. The Village will contribute, at its regular contribution rate, towards COBRA, medical, dental, vision, disability and life insurance premiums.

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COMMERCIAL DRIVER'S LICENSE POLICIES

32. COMMERCIAL DRIVER'S LICENSE

Because of State and Federal laws that make it impossible for a person to obtain an "occupational" commercial driver's license, the following represents the Village's Policy with respect to action to be taken by the Village in the event the commercial driver's license (CDL) of an employee is suspended or revoked pursuant to an order of a court, the Department of Motor Vehicles, or the Department of Transportation:

- A. If an employee's CDL is suspended or revoked as the result of conduct when on duty, the employee is subject to disciplinary action, up to and including suspension without compensation for the term of the CDL suspension, or discharge from employment.
- B. If subsection C.2.a applies and the employee is allowed to return to work, or if an employee's CDL is suspended or revoked as the result of conduct when not on duty, the following provisions will apply, subject to the inquiry set forth in sections C.1.b.(1) and (2):
 1. If an employee's CDL is suspended or revoked for less than one year and this is the employee's first and only CDL suspension or revocation in the previous ten years, the employee may be authorized to return to work during all or part of the period of CDL suspension or revocation and to perform duties not requiring a CDL, subject to the availability of work, qualifications of the employee, terms of the order of suspension or revocation, and other circumstances. The following conditions will apply when an employee is returning to work while his or her CDL is revoked or suspended:
 - a. The Village will determine the length of time during which the employee will be assigned to other duties.
 - b. If it is not possible to assign work to an employee which does not require a CDL, the employee will be placed on leave without compensation until work becomes available. During the time(s) the employee is on leave under this section, no Health and Welfare benefits will be paid by the Village under any Labor Agreement, nor shall any benefits

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- or coverage be paid under the Village Personnel Handbook or any other Village policy. This shall not bar the employee from paying his or her own benefits or coverage if allowed by the insurer.
- c. The availability of work for an employee who has lost a CDL will be determined exclusively by the Village Department Head, and the Department Head will not make that determination in an arbitrary or capricious manner.
 - d. The specific work to be assigned is a matter within the exclusive authority of the Department Head.
 - e. Employees will not be assigned work for which they are not qualified. If the work requires a Class D driver's license, the employee must be appropriately licensed (with either a valid Class D or occupational license) before that work will be assigned.
 - f. Regardless of the type of work assigned, the employee's wage rate will not change.
2. If an employee's CDL is suspended or revoked for one year or more, or if the CDL suspension or revocation is a second or greater suspension or revocation in the previous ten years, the employee will be terminated.
 3. If an employee's CDL is suspended or revoked, the employee may be required by a court or by the Village to participate in an assessment for alcohol or other drug abuse, to complete any program of therapy or treatment recommended, and to disclose to appropriate Village officials all records related to participation in the program of therapy or treatment. Failure to participate in recommended or required assessments, therapy or treatment will be a basis upon which to revoke an interim return to work, and to suspend an employee without compensation or benefits until he or she obtains a valid CDL.
 4. If an employee who was not previously terminated has not obtained a valid CDL within one year of the date of the suspension or revocation, the employee will be terminated.
 5. In the event that any employee is unable to perform work requiring a CDL and the Village is in need of the performance of such work but does not have sufficient Department of Public Works employees to perform the work (including, but not limited to, snow plowing), the Village may subcontract the work or hire temporary employees, as necessary.
 6. The Village will enter into a program with the State of Wisconsin to receive automatic updates regarding the status of employees' CDLs. Entry into this program does not absolve any employee from his or her duty under the law to report violations to the Village, and failure to report a violation required to be reported to the Village is grounds for discipline.

33. DRIVER RULES, VILLAGE VEHICLES

Violation of the following rules may result in disciplinary action, up to and including termination.

1. No driver shall operate a Village vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
2. No unauthorized personnel are allowed to ride in Village vehicles.
3. Drivers are responsible for the security of the Village of Waterford vehicles assigned to them. The vehicle doors shall be locked whenever the vehicle is left unattended.
4. Smoking is prohibited in Village vehicles.
5. In Case of an Accident. The driver must prevent further damages or injuries and obtain all pertinent information and report it accurately. Call for medical aid if necessary. Complete the form located in the Vehicle Accident Report Kit.

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- 6. Vehicle Maintenance. Proper vehicle maintenance is a basic element of any fleet safety program, not only to ensure a safe, road worthy vehicle, but also to avoid costly repair expenses and unexpected breakdowns. Inspection is the responsibility of the assigned driver. Drivers of D.O.T. regulated vehicles are required to inspect their vehicle prior to usage, documenting on a maintenance request form and notifying their Department Head of deficiencies found. Drivers are to report any vehicle problems to the Department Head. The Department Head schedules all repairs. Prior approval for all repairs is required from the Department Head.

POLICE, FIRE DEPARTMENT & EMS (PUBLIC SAFETY)

EMPLOYEE CLASSIFICATION:

EXEMPT: AN EMPLOYEE THAT, DUE TO THE NATURE OF WORK, HAS BOTH QUANTITY AND QUALITY OF WORK THAT WILL VARY WITH TIME. THESE POSITIONS ARE PAID A FIXED SALARY, DISPERSED AT REGULAR INTERVALS, AND ARE EXEMPT BY VIRTUE OF THE MANAGEMENT ROLES HELD BY THESE EMPLOYEES. THESE EMPLOYEES MAY BE FULL TIME ONLY. BENEFITS ELIGIBLE

FULL TIME NON-EXEMPT: AN EMPLOYEE THAT IS COMPENSATED FOR EACH AND EVERY HOUR WORKED ON AN HOURLY COMPENSATED BASIS. THESE EMPLOYEES ARE INELIGIBLE FOR SHIFT STIPENDS AS FLAT RATE COMPENSATION FOR COVERING A SET NUMBERS OF HOURS ON A SHIFT, BUT MAY RECEIVE A SHIFT DIFFERENTIAL FOR EACH AND EVERY HOUR WORKED ON A "PER HOUR" BASIS. BENEFITS ELIGIBLE

PART TIME NON-EXEMPT: AN EMPLOYEE THAT IS COMPENSATED FOR EACH AND EVERY HOUR WORKED ON AN HOURLY COMPENSATED BASIS. THESE EMPLOYEES ARE INELIGIBLE FOR SHIFT STIPENDS AS FLAT RATE COMPENSATION FOR COVERING A SET NUMBERS OF HOURS ON A SHIFT, BUT MAY RECEIVE A SHIFT DIFFERENTIAL FOR EACH AND EVERY HOUR WORKED ON A "PER HOUR" BASIS. BENEFITS INELIGIBLE.

STIPEND FOR VOLUNTEERING: A VOLUNTEER THAT RECEIVES A NOMINAL AMOUNT FOR VOLUNTEERING. STIPEND BASED VOLUNTEERS ARE INELIGIBLE FOR LEAVE OR, OTHER FRINGE BENEFITS.

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I. HOURS OF WORK (full time and part time non-exempt public safety)

Police, Fire & EMS employees will work a 28 day duty cycle under the 7k exemption to the Fair Labor Standards Act. Police shall be paid regular time for 171 hours worked during the 28 day duty cycle, and Fire/EMS shall be paid regular time for 212 hours worked during the 28 day duty cycle. All hours worked in excess of the aforementioned specified hours by non-exempt employees are eligible for Overtime pay at a rate of 1.5 times the employee's regular rate of pay.

Actual working hours and days may vary depending upon the individual department requirements and position demands. Deviations from the "normal" work schedule on a short-term basis are permitted subject to the prior approval of the immediate supervisor and the Village Administrator. An employee may be required to work more than regular hours "straight time" if deemed necessary by his/her supervisor to complete duties assigned to the employee. In the event of overtime work, the employee

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will receive overtime pay as calculated under applicable Wisconsin law. Time spent traveling to training sessions, conferences and seminars shall count towards hours worked in a week.

Overtime at the time and a half rate shall be compensable after the specified regular time hours for the applicable department and duty cycle. Paid leave time used shall not count as time worked for overtime compensation.

Work schedules for Village employees, due to the special nature of Village departmental operations, vary throughout the Village. While the Village attempts to maintain consistency in work schedules, changes may occur at any time. Every effort will be made to give at least 24-hour notice, however, the right to determine work hours is at the sole discretion of the Village Administrator and Department Head.

No person who is employed as an exempt employee, should assume that his or her work schedule is limited to 40 hours per week.

2. On Call, Stipend (public safety)

All employees are always subject to a call to return to work to deal with an emergency; that is, when emergencies require it, any and all of them may be recalled to work at hours during which they are normally off duty. In Fire and EMS, there is a need for a “Second Response” core of employees and volunteers that are close by the Village and are readily available to be called in.

“On Call” will refer to employees and volunteers that, when the need for unforeseen work arises will be available to come into work to deal with an emergency. In recognition of the impact that “On Call” status has upon public safety employees, the Village will pay an amount determined by the Village Board through it’s annual budget process for each “on call” day for a public safety employee.

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This shall be in addition to any call-in regular hourly, overtime or volunteer stipend. Exempt employees are not eligible for an On Call Stipend. In the event of emergency situations (determined by the Supervisor), any Village employee may be subject to being called into work when they would normally be off work.

3. Stipend Based Volunteers (Public Safety)

Volunteers that serve in response to particular public safety challenges shall be compensated at rates determined by the Village Board;

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4. OVERTIME COMPENSATION (Public Safety)

Non-Exempt Hourly Employees (public safety):

Employees who work in excess the 7k exemption specified hours for the applicable department on the 28 day duty cycle may be compensated at a premium rate, straight time rate, or not at all depending upon their employment status and the provisions of the Federal Labor Standards Act (FLSA). An employee is encouraged to receive compensation for overtime in the form of compensatory time. He or she may request to receive overtime pay in lieu of compensatory time, but he or she must request that during the week in which the overtime is earned. The opportunity to earn overtime shall be distributed as equally as practicable among employees in their respective job classifications within each department.

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5. PAID TIME OFF (PTO) (public safety)

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PTO includes vacation, sick leave, personal time, time off to care for dependents or elderly parents, or other emergencies. Paid Time Off (PTO) is available to all full time (exempt and non-exempt) Police, Fire & EMS employees and be scheduled in increments of at least one hour. Acceptance of PTO by the department head will be based on seniority, staffing needs and workload. At the discretion of the Village Administrator and/or department head, a doctor's note will be required for illnesses over 3 days. Long-Term Disability must be applied for when illness is expected to last more than seven days.

Completed Service	PTO Days/Hours (accrual basis)	Max Accum. Cap
0 – 7.99 Years	72 hours (3 Days) = Accrue 2.77 hours per pay period	320 Hours
8 – 14.99 Years	96 hours (4 Days)= Accrue 3.69 hours per pay period	320 Hours
15+ Years	120 hours (5 Days)= Accrue 4.61 hours per pay period	320 Hours

The Village Administrator is empowered to negotiate different beginning and ongoing PTO award rates at the time of hire of new employees.

PTO will accrue and be available on a per pay period basis up to the Maximum Accumulation Cap of 320 Hours. Accrual rates will change on an employees' 5th and 15th year anniversaries. No accrual above the Maximum Accumulation Cap will be compensable.

Any balance earned but unused up to the Maximum Accumulation Cap will be paid out in cash upon termination, separation or retirement.

Upon termination, 2 weeks' advance notice must be provided to the department head or supervisor. 80 hours of PTO will be deducted from the final paycheck/s in lieu of two weeks' notice, if said notice is not provided.

34. FIRE DEPARTMENT & EMS – REPAYMENT AGREEMENT

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THIS AGREEMENT is entered into on this ____ day of _____, 20____, ("Agreement Date"), between the Village of Waterford ("Village"), a Wisconsin Municipal Corporation, and _____ ("Trainee") upon the following terms and conditions:

- A. The Trainee has been selected for a position with the Village as a Fire Fighter and/or Emergency Medical Technician (EMT), but is not yet qualified for the position.
- B. The Trainee acknowledges that in order to be qualified for the position, the Trainee must undergo training through Gateway Technical College and pass all required certification exams.
- C. The Village agrees to pay the cost of Trainee's required initial training¹ and certification exams on the following terms and conditions:

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¹ If the Trainee completes Fire Fighter 1 training and becomes certified, the Village may not always have to pay the cost of that

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1. Trainee agrees to complete training and become certified for the position of _____ within one year of today's date. In return for the Village's advancement of the cost of training and/or certification on the Trainee's behalf, the Trainee agrees to fulfill a service obligation to the Village by remaining employed with the Village in this position for a period of three years after the start of training. The cost of training and/or certification paid by the Village shall be considered a forgivable loan from the Village to the Trainee.
2. The Village will not pay the Trainee for the time spent in classes or taking exams. The Village will not pay for more than one initial training course or more than three of the same certification exam under the terms of this Agreement.
3. If the Trainee's employment with the Village is terminated within three years from the date that the Trainee begins the initial training program and the Village paid for the Trainee's training and/or certification, the Trainee promises to reimburse the Village for the training costs and/or certification exams paid by the Village, according to the following schedule:

<u>Employment Period</u>	<u>% Reimbursement</u>
Less than one year:	100%
More than one year but less than two years:	67%
More than two years but less than three years:	33%

This provision shall not obligate the Trainee to reimburse the Village for any wages or premium pay that has been earned.

4. This repayment requirement will also apply if the Trainee applies for a different position that requires new initial training and/or certification for a different position, such as a Fire Fighter who applies to become an EMT, and vice versa.
5. This requirement will apply even if the Trainee fails to complete the training for any reason, or fails to obtain certification for any reason.
6. Exceptions to Repayment.
 - a. Notwithstanding anything to the contrary contained herein, an approved leave of absence caused by medical, military, education, or other reason approved by the Chief shall not be deemed a termination of employment for the purposes of this Agreement. However, if any such leave of absence is granted by the Village, this Agreement shall be deemed to automatically extend accordingly to include the timeframe corresponding with the period of leave.

training. In the event that the Village hasn't paid that cost, the Trainee will not be responsible for repayment of that cost. The Trainee will remain liable for the cost of the certification exam(s).

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- b. This Agreement will not be enforced in the event of the Trainee's death. It will not be enforced in the event that the Trainee is disabled and no longer able to perform the duties required for the position.
 - c. The Chief may waive, in whole or in part, upon receipt of a written request, the repayment required under this Agreement in any case of extreme hardship where the repayment required hereunder would be unconscionable. The decision of the Chief may be appealed to the Village Board.
7. All monies due and owing the Village under the terms of this Agreement may be deducted from the Trainee's final paycheck. The Trainee's final paycheck shall include all minimum and overtime wages as required under the Fair Labor Standards Act and Wis. Stat. s. 109.03. In the event that the residual amount from Trainee's final paycheck is insufficient to cover the amounts due and owing to the Village, or if the Trainee is not otherwise entitled to a paycheck, Trainee agrees to be personally responsible for all monies due and owing the Village under this Agreement. In the event Trainee breaches his or her obligations to reimburse the Village under this Agreement, the Village shall be entitled to use all legal means to recover the amount due, and Trainee agrees that the Trainee will owe the amount due plus interest at the rate of eight-percent ("8%") per annum, along with associated collection costs and reasonable attorney fees.
8. The estimated cost of initial training and certification for the following positions at the time of entry into this Agreement is:
- | | |
|---------------------------------------------------------------------|----------------------------------------------|
| Fire Fighter I Gateway Training: | \$ 307.44 |
| Fire Fighter I Gateway Driver/Operator/
Pump certification exam: | \$ 80.00 to \$ 240.00 (may be taken 3 times) |
| EMT Basic Gateway Training: | \$ 535.24 |
| National Registry NR-EMT exam: | \$ 110.00 to \$ 330.00 (may be taken 3 |

times)

Notwithstanding the dollar amounts listed above, which are estimates provided for the purpose of notification only, the Trainee agrees that he or she shall be responsible for the actual cost of the training and/or certification under the terms and conditions set forth herein.

IN WITNESS WHEREOF, the parties have duly executed this Agreement.

Trainee, Village of Waterford

Date

Date

(Print name)

(Print name)

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For Administrative Use:

Hire Date _____ Training Start Date _____ Cost of Training _____ Cost of Exams _____

ACKNOWLEDGEMENT FORM

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~~33.~~ PERSONNEL HANDBOOK EMPLOYEE ACKNOWLEDGEMENT RECEIPT

I acknowledge that I have received the Village of Waterford Personnel Handbook and read its provisions. I understand that the Village may modify or eliminate the terms described in the Personnel Handbook at any time, with or without prior notice.

I further understand that the Village's Personnel Handbook and any provisions contained in the handbook do not constitute a guaranty of employment, a guaranty of any other rights or benefits, or a contract of employment, express or implied. I understand that my employment may be terminated at any time for any reason, with or without cause, and with or without notice, at the option of the Village or at my option.

Dated this _____ day of _____, 20____.

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Employee Signature

DRAFT