



**THE CITY OF ASHLAND
HANDBOOK OF TERMS AND CONDITIONS OF
EMPLOYMENT**

Effective June 1, 2023
This document is not a contract

ABOUT THIS HANDBOOK

We are pleased to present you with this Employee Handbook containing information in summary form about our workplace, the major benefits available to you, and your obligations as an employee.

This Handbook is provided as a guide you may use to familiarize yourself with the City of Ashland.

As with any job change, you will experience a period of adjustment. You will want to know what you can expect from the City and what will be expected from you. You may have questions about your job duties, your benefits, and general City operations. We have prepared this Handbook to assist you in finding the answers to many of these questions. However, we do not expect this Handbook to answer all of your questions. Your supervisor will be your primary source of information.

THE HANDBOOK IS NOT, NOR SHOULD IT BE CONSIDERED TO BE, AN AGREEMENT OR CONTRACT OF EMPLOYMENT, EXPRESS OR IMPLIED, OR A PROMISE OF TREATMENT IN ANY PARTICULAR MANNER IN ANY GIVEN SITUATION. THIS HANDBOOK STATES ONLY GENERAL CITY GUIDELINES. TO THE EXTENT ANYTHING CONTAINED IN THIS HANDBOOK CONFLICTS WITH AN APPLICABLE COLLECTIVE BARGAINING AGREEMENT, THE COLLECTIVE BARGAINING AGREEMENT GOVERNS. THE CITY'S POLICY IS THAT EMPLOYMENT IS "AT WILL." YOU ARE FREE TO LEAVE THE CITY AT ANY TIME, WITH OR WITHOUT A REASON AND WITH OR WITHOUT NOTICE. THE CITY ALSO HAS THE RIGHT TO END YOUR EMPLOYMENT AT ANY TIME, WITH OR WITHOUT A REASON AND WITH OR WITHOUT NOTICE. ALTHOUGH THE CITY MAY CHOOSE TO END YOUR EMPLOYMENT FOR A CAUSE, CAUSE IS NOT REQUIRED.

Further, the City has the right to manage its work force and direct its employees. This includes the right to hire, transfer, promote, demote, reclassify, lay off, terminate, or change any term or condition of employment at any time, with or without a reason and with or without notice unless otherwise required by law. The City may, at any time, in its sole discretion, modify or vary anything stated in this Handbook—except as required by law, and except for the rights of the parties to terminate employment at will, which may only be modified, on an individual or collective basis, by an express written agreement signed by the City Administrator.

This Handbook supersedes all prior handbooks, manuals, policies, and procedures issued by the City of Ashland. Any violation of the policies and/or procedures set forth in this Handbook may result in disciplinary action, up to and including termination.

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1. Introduction

1.01. Introduction

The “City of Ashland Employee Handbook” hereinafter referred to as “Employee Handbook,” sets forth employment policy, guidelines, rules of conduct and guidance regarding general expectations of professional behavior and conduct which employees are to follow. The Handbook informs employees about what the City of Ashland may generally expect from employees in order to guide employees in their professional duties and in fulfilling their responsibilities in serving the City of Ashland and its residents.

None of the statements or policies outlined in the Employee Handbook are meant to create any contract of employment, nor do they imply that the City is guaranteeing employment for any person or changing the at-will relationship in any manner. This Employee Handbook is not, nor is it intended to be construed as an employment contract or to guarantee any rights to employees. This Employee Handbook applies to all City of Ashland employees.

To the extent this Employee Handbook conflicts with specific language in applicable collective bargaining agreements covering certain personnel, the specific language of the collective bargaining agreement shall control over the language of this Handbook when required. However, application of these policies to members of bargaining units neither contemplates nor allows for the extension of fringe benefits or other compensation beyond that which is provided in the specific labor agreements. Additionally, any wages, hours and working conditions referenced in this Employee Handbook that are subject to the mandatory duty to bargain are not binding on those parties unless permitted by the collective bargaining agreement or upon fulfillment of the duty to bargain between the Union and City of Ashland or upon waiver.

Final interpretation and implementation of any of the policies or rules in this Employee Handbook are vested solely with the City. The policies included herein are subject to change at any time by the City and will be reviewed and revised periodically.

To the extent this Employee Handbook conflicts with any controlling state or federal statute, regulation, or common law, the requirements of such state or federal law shall substitute for the conflicting language in the Handbook to the extent necessary, but only to the extent necessary, for conformity of this Handbook with the law.

1.02. Welcome to the City of Ashland

Welcome to the City of Ashland! We are pleased to have you join our team of highly dedicated and committed public servants. It is our hope that our employees will find their work with the City of Ashland ((hereinafter the “City”)) to be not only fulfilling, but

rewarding as well. As City employees, we are challenged to work together to provide the best service possible to the citizens of the City. Employees will be given the opportunity to grow, develop and utilize their skills, within a City that values honesty, integrity, and most importantly excellence in customer service. The rewards for success will be great in terms of recognition, a sense of accomplishment and service.

A position with the City is more than a job; it is an expression of the trust that the public places with us. You are now a member of a team dedicated to delivering exceptional municipal services in accordance with the highest ethical and professional standards.

Again, we welcome you to the City and wish you much success in your employment!

1.03. City History

Ashland was incorporated as a City on March 25, 1887. It is located on Chequamegon Bay of Lake Superior. Before being settled by Europeans, this area was home to the Ojibwe Nation, a Native American tribe. The Ojibwe people in our area are known by two tribal bands; the Bad River Band of Lake Superior Ojibwe and the Red Cliff Band of Lake Superior Ojibwe. Both bands, their members and descendants remain important demographic, cultural and governmental contributors and partners in the area. The first Europeans to come to this area, French and British fur traders and French Missionaries, came via Lake Superior. Lake Superior is known by the Ojibwe people as Gichi Gamii (gi-chee gumee) or Big Lake.

Asaph Whittlesey was the first European to build a home and settle in what is now Ashland. When he felled the first tree, he said, "This will be the site of a great city." Whittlesey later served in the Wisconsin Legislature. At the time, the nearest train station was Chippewa Falls and the only way to get there was to walk one hundred and fifty (150) miles. The photograph of Whittlesey, in his winter garb and snowshoes, has become locally famous.

Lake Superior helped Ashland grow as a City, with logs shipped to and processed lumber and iron ore shipped out from our port. Ashland became the trading, wholesale, medical, and educational center of northern Wisconsin. Except for an occasional shipment of coal, Ashland is no longer used as an industrial port. Chequamegon Bay is now used for recreational boating, fishing, swimming, jet-skiing and sail boarding. In the winter, the ice hosts ice-fishing, ice-racing, and cross-country skiing.

Railroads were also important in Ashland's development. Ashland was first connected to the nation by rail in 1877. The "Rails to Trails" program provides Ashland with a ten-mile walking and biking loop, and connects the City to an impressive recreational trail system used for biking, ATV riding, and snowmobiling. Ashland is still served by rail, however, including a spur to the southern portion of our Industrial Park. For more historical information, visit the Ashland Area Chamber of Commerce's website.

The City embraces its rich and unique history. We acknowledge the land we inhabit as belonging to generations of many different people, but do give special acknowledgement to the indigenous people who were caretakers of this land for thousands of years. We welcome people of all ethnicities, races, creeds, and backgrounds. We are a beautiful fabric of people woven together as a community.

1.04. City of Ashland Employee Operating Statement

The philosophy of public service held by employees and elected officials affects the attitudes, morale, work environment and ultimately the quality of municipal services. The City's operating statement articulates the values and philosophy governing the operation of the city.

Our Vision

Our vision is to help the City become a more exceptional place to live, work, and recreate.

Our Values

1. Greet our customers with enthusiasm and a helpful attitude.
2. Be open and honest with customers, elected officials, and other employees, welcoming opinions and ideas of others.
3. Be results-oriented individuals actively engaged in providing quality services, finding ways to improve city operations, and striving toward the most efficient delivery of services.
4. Respect the quality of our environment and seek opportunities to improve it.
5. Resolve disputes and answer inquiries quickly and accurately.
6. Understand that failure is to be learned from rather than feared.
7. Respect citizen opinions regardless of whether we agree or disagree with those opinions.
8. Be innovative and creative in working toward solutions to community issues.
9. Expect to be held accountable and be willing to accept responsibility for our actions.
10. Capitalize on opportunities for teamwork with other departments, employees, government agencies, civic groups, and individuals.
11. Continually strive to increase customer satisfaction and add value to our community.

1.05. Administrative Responsibility

The City Human Resources Director is responsible for the administration of the content of the Employee Handbook, except as otherwise provided. The City Human Resources Director directs the implementation of human resource policies, specifies such administrative procedures, forms, records, reports and audits as deemed necessary. All City employees assist in implementing the policies, procedures and guidelines contained in this handbook.

1.06. Role of Management

The role of management includes:

- A. Direct and manage the department workforce, and determine its composition, organization standards of workmanship and structure;
- B. Hire, promote, transfer and assign employees;
- C. Maintain a positive and safe workplace environment
- D. Evaluate employee job performance annually;
- E. Lay off and recall employees;
- F. Discharge employees or take disciplinary action;
- G. Determine the extent and schedule of its operations subject to law;
- H. Schedule hours and overtime as necessary;
- I. Develop and update job descriptions;
- J. Assign work duties;
- K. Schedule process and distribution of work;
- L. Introduce new or improved processes or facilities;
- M. Contract out for goods and services;
- N. Direct the operations of the City.

2. Employment

2.01. Equal Employment Opportunity Policy

The City is an equal opportunity employer. The City enthusiastically accepts its responsibility to make employment decisions without regard to race, religious creed, color, age, sex, sexual orientation (including gender identity and expression), national origin, ancestry, citizenship status, religion, marital status, disability (including pregnancy and childbirth), military service or veteran status, genetic information, or any other classification protected by applicable federal, state, and local laws and ordinances. The City is dedicated to ensuring the fulfillment of this policy with respect to any term, condition, or privilege of employment.

Any violation of this policy will not be tolerated and will result in appropriate disciplinary action, up to and including termination. If an employee believes someone has violated this policy or otherwise has questions regarding this policy, the employee may bring the matter to the attention of the City Human Resources Director. The City will promptly investigate the facts and circumstances of any claims this policy has been violated and take appropriate corrective measures.

No employee will be subject to, and the City prohibits, any form of discipline or retaliation for reporting perceived violators of this policy, pursuing any such claim, or cooperating in any way in the investigation of such claims.

2.02. Employment “At-Will”

Employment with the City is “At-Will”. Under Wisconsin law, unless there is an agreement to the contrary, “At-Will” employment means employees are not obligated to work for the City for any specific time period and that employees may quit at any time for any reason, with or without cause. The City has the same right to terminate the employment of any employee at any time, with or without cause. This Employee Handbook does not create an employment contract between the employee and the City. No one at the City is authorized to make promises of continued employment or assurances of benefits or other verbal agreements of any kind. Any agreement other than “at-will” must be approved by the Common Council, and must be in writing and signed by both the employee and the City Administrator/designee.

At-will status does not apply to elected officials.

2.03. Orientation Period

Unless otherwise specified, all new and promoted non-elected persons shall serve a six (6) month orientation period. During this time, the supervisor will determine the suitability of

the employee for the position. The orientation period may be extended at the discretion of the supervisor for a newly created position, a highly skilled position, or a position which has been inadequately supervised. During this orientation period, an employee may be terminated, without recourse to the grievance procedure of this “handbook”, if the City, in its discretion, determines the employee is not suited and/or qualified for the job. Upon completion of this orientation period, the employee shall be notified in writing of successful completion of the orientation period. Represented employees may have different orientation periods up to one year depending on their position and the specific union contract.

Employee Orientation – During the initial period of employment, the employee will participate in an orientation program conducted by the City Human Resources Director and department head or a designee. During this time, the employee will receive important information regarding performance requirements for his/her position, basic city policies, benefit programs, safety orientation and training.

New employees are encouraged to use this orientation time to familiarize themselves with the City and its policies and procedures. The City encourages new hires to ask any questions they may have during this time, so they will understand all the guidelines that affect and govern the employment relationship with the City.

For all new and promoted/laterally transferred persons, the first six (6) months of employment are considered to be within the orientation period. This period provides the employee and the City the opportunity to decide whether the employee is suitable for the position. Upon completion of this six (6) month period, the employee shall be notified in writing of successful completion of the orientation period. However, this does not change the at-will employment status. (Represented employees need to consult their contract for the probationary and promotion guidelines, if any.) Please note, an orientation period may be extended if the employee fails to meet the conditions of employment at the discretion of the Department Head and in consultation with Human Resources and the City Administrator. Only a Department Head or Human Resources can extend an employee’s orientation period.

Supervisors are encouraged to make an evaluation of an employee who is classified as being in an orientation period after three (3) months and at the six (6) months within the position. Evaluations may also be made at any other time. An unsuccessful orientation period may result in termination. However, the orientation period may be extended by a department head in concurrence with the City Human Resources Director and/or City Administrator for an additional period of time if it is determined that additional time may be needed for proper assessment of skills.

Although the City hopes that new hires will be successful, the City may terminate employment at any time, either during the orientation period or afterwards, with or without cause and with or without notice. Employees are also free to resign at any time for

any reason. Successful completion of the orientation period does not guarantee a job for any period of time or in any way change the at-will employment relationship.

Medical and Psychological Evaluations - Medical and psychological evaluations may be required for specific City positions (i.e. police officer, firefighter) and will be given to all entering employees in the same job category regardless of disability after a job offer has been made. Physical agility tests and tests for the use of illegal drugs are not considered medical examinations under the ADA. However, the City may require new employees to submit to drug testing and physical agility tests as determined by the nature of their position within the City. Police and Fire employees should refer to their specific union contract and conditions of employment.

2.04. Recruitment

The City understands we are only as good as our employees; the City searches as widely as possible for talented and motivated individuals to fill vacant positions. The City provides equal employment opportunity in its employment practices by recruiting and selecting employees based on their relative ability, knowledge and skills for positions regardless of age, race, gender identity, color, religion, national origin, disability, veteran status, sexual orientation or any other status protected by state, federal, or local law.

All recruitment activities are coordinated through the City Human Resources Director and the department head. The filling of vacant positions must be authorized by the City Administrator and the Common Council as deemed necessary by the Personnel Recruiting/Requisition process.

2.05. Hiring Practices

The City will seek to recruit and select the best-qualified persons for open positions with the City. The City Human Resources Director and the department head are responsible for developing and conducting an active recruitment and selection program designed to meet current and projected City employment needs. The procedure will be consistent with the City's Equal Opportunity Employment policy and will comply with applicable contracts, state and federal laws.

In general, the City Council must budget for, and the City Administrator must approve the filling of any full-time City vacancy before starting the recruitment process. All new or additional positions must be approved by the Common Council. Under most circumstances, new or additional positions will be considered at budget time or at other times if budgeted funds become available.

When a full-time or regular part-time position is vacated, the department head must notify the Human Resources Director, complete a Personnel Requisition Form that includes a complete justification for filling the position, submit a current or updated job description,

direction on how the position will be advertised, estimated costs to recruit and an estimate of salary and fringe benefits. The City Human Resources Director will review the completed form and seek City Administrator and Finance approval or the Common Council if the position is not currently budgeted for.

The department head and/or City Human Resources Director will be responsible for the administration of the recruitment and selection policy. The City may deviate from the recruitment and selection policy as the City deems necessary and in its sole discretion. Deviations from the recruitment and selection policy must be approved by the City Administrator and/or the City Human Resources Director.

The City, at its discretion may develop eligibility lists to fill positions as is necessary to minimize recruitment costs and fill positions in a timely manner.

Seasonal/Limited-Term Positions: If the seasonal position is recurring and has been budgeted for in the current year, the department head must submit a Personnel Requisition form to the City Human Resources Director for review and approval by the City Human Resources Director and the City Administrator. After the City Human Resources Director and the City Administrator approve the filling of a season/limited-term position the positions may be posted without further approval.

Emergency Appointments: Whenever there is a need to fill a vacancy and the City Human Resources Director is unable to provide names of eligible candidates, the department head must submit a Personnel Requisition form to the City Human Resources Director who will review the form and determine if further approval is necessary. If a true emergency situation exists, the department head and/or City Human Resources Director may begin the recruitment process with prior approval by the City Administrator. In emergency situations, prior authorization of Council is waived if the position has already been budgeted for.

Employment of volunteers, interns, and seasonal employees:

No department shall employ or use volunteers, interns, seasonal employees, temporary employees, co-op students or participate in other wage sharing programs without prior discussion and approval by the City Human Resources Director. While such programs appear on the surface to have little or no cost associated with them, there may be liability and training issues that should be reviewed before the City uses this type of help. If such positions/programs are authorized the department will coordinate the employment conditions, offer letters, approvals and paperwork with the City Human Resources Director and the City Administrator.

The following is the general procedure for recruitment and selection in the City, although the City Human Resources Director and the City Administrator may vary from this procedure at their discretion.

Internal Recruitment or Internal Promotion/Lateral Transfer – The City recognizes the importance of promoting qualified employees to fill vacancies within the organization. Vacancies therefore will generally be posted for a minimum of ten (10) business days within the City before open recruitment. Internal posting of the position may be done concurrently with open recruitment at the City’s discretion.

Open Recruitment – All regular, full and part-time jobs not filled internally, will be advertised at a minimum of one (1) time through a locally known job search resource. In addition, the local and state Job Service office will be notified of any vacancies along with any other public or private agencies deemed appropriate or necessary and also posted on the City Website and other social media as appropriate. Applications for positions will generally be accepted for a minimum of ten (10) days following the first publication.

The City Human Resources Director will issue a job announcement to publicize vacancies deemed appropriate for announcement. This should be coordinated with the department head in the department in which the vacancy exists to ensure the community is aware of job openings.

Applications will be valid for consideration when:

1. The application and any other required documentation is received or postmarked on or before the deadline date. Faxes and emailed copies of application materials will be accepted.
2. The application is filed on the prescribed form.
3. The application is signed and substantially complete.
4. The application has not in any way been falsified.
5. The application reflects that the applicant meets other valid and lawful employment requirements for the vacant position.

Screening – The department head and/or the City Human Resources Director, and when appropriate the City Administrator, will conduct all appropriate applicant screening and ranking procedures including but not limited to: review of education and experience, work sample and skills testing and background criminal and reference checks. The department head and/or City Human Resources Director will confer with supervisory staff, members of the governing committee and others familiar with the knowledge, skills and abilities necessary to fulfill the duties of the vacant position. Applicants may be rejected if the applicant, among other things:

- Has falsified the application
- Does not meet the minimum qualifications for the position
- Is not within the legal age requirements for minors and minor employment law as applicable or as prescribed for the City position
- Is found unsuitable for the position vacancy based on job related factors

Interviews – Applicants selected for final consideration will be scheduled for a personal interview. The department head and/or City Human Resources Director will be responsible for scheduling interviews and the preparation of interview questions. The Interview Committee responsible for the actual conducting of the interview will be determined on a case by case basis and may include the department head, supervisory staff, members of the governing body and the City Administrator. All interviews must be carried out in accordance with applicable state and federal law.

Appointment – Upon the completion of the interview and evaluation of the certified candidates, the department head will make the selection based on the advice and recommendations of the Interview Committee. If no appointment is made, a decision to re-post the vacancy and begin the search process again will be made. After the position has been offered and accepted, candidates not selected will be notified by the City Human Resources Director that the position has been filled.

2.06. Physical Examinations

Physical Examinations may be required in the following situations:

- Pre-employment Physicals - after a conditional offer of employment has been extended to an applicant and before an individual begins working for the City, a physical examination may be required depending upon the position. The full cost of the examination will be provided for at the City's expense. An offer of employment may be conditioned on the results of the examination, as provided for below.
- Fitness for Duty Examination - where there is a need to determine whether an employee is still able to perform the essential functions of his or her job, the City will require a physical examination. The full cost of the examination will be provided at the City's expense.

A job applicant or an employee will be required to sign a release so that the medical provider conducting the examination will be permitted to disclose the examination results and recommendations.

If the physical examination reveals that a job applicant or employee has a disability that impacts the applicant's or employee's ability to perform the essential functions of the job, the City will consult with the employee or applicant regarding reasonable accommodations, if any.

The results of any physical examination performed by or on behalf of the City will be maintained in separate secure files and will be treated as confidential.

2.07. Required Paperwork

1. Offers of Employment/Letters of Hire: The City Human Resources Director/designee may give offers of employment orally or in writing. If given orally, a formal written job offer letter in writing will follow. The City Human Resources Director will coordinate with the department head to establish a start date, as well as the appropriate time for the paperwork to be completed. After the candidate has received the appropriate approval(s), a letter is sent noting salary, start date and conditions of employment to be completed. All offers of employment shall be contingent upon successful passing of criminal background checks, drug and alcohol testing requirements when necessary as determined by the position, as well as any other appropriate tests or verifications.

2. Hiring Folder: Human Resources Director shall keep a hiring folder for each opening which shall contain the following: job description, recruitment ads or notices, applications, tests, a list of all staff involved in the hiring process, interview questions/rating sheets, responses to reference questions, and EEOC data. The results of a medical or psychological exam, obtained after an offer of employment has been made, shall be kept in a separate medical file.

3. Onboarding: The City Human Resources Director shall conduct new employee onboarding in a timely manner and is responsible for ensuring enrollment in applicable benefit programs. The department head will be responsible for coordinating department, safety, timesheet preparation and other onboarding programs as deemed appropriate.

4. Employment Eligibility Verification: The Employment Eligibility Verification form (Form I-9) must be completed by all newly hired employees to verify their identity and eligibility to work in the United States. Employees are considered hired as of the actual commencement of employment for wages. The employee must fill out Section 1 of the form and present documents establishing both identity and employment eligibility within three (3) days of hire.

5. New Hire Reporting: All new hires must be reported to the Department of Workforce Development within 30 days from the date of hire. Reports must include the employee's name, address, date of birth, social security number, date of hire, and the City's name, address, and federal employer identification number.

Employees are responsible for keeping the City informed of changes in address or contact information. There is a specific address change form employees are required to fill out to make address changes. Please contact Human Resources for the form.

2.08. Outside Employment

City employees may not hold another full-time job, or the equivalent, in addition to their regular full-time position with the City. Employees may hold supplementary, part-time employment as long as they meet the performance and attendance standards of their

position and their outside employment does not create a conflict of interest or hinder the impartial, objective or effective performance of their public duties. Supplementary part-time employment must be approved by the Department Head prior to the start date of the outside employment. Employees should consider the impact outside employment may have on their mental health and physical endurance. Full-time employment with the City shall be considered an employee's primary occupation and take precedence over all other occupations. Full-time employees shall not have other employment which present a "time conflict". A time conflict exists when the working hours of a secondary job directly conflicts with an employee's scheduled working hours or mandatory overtime obligations, if any, or when the demands of a secondary job prohibit adequate rest or otherwise affect the employee's job performance or when an employee takes leave from the City to perform secondary work.

No employee, regardless of employment status, shall have other employment, as an employee or as an independent contractor or as a self-employed individual, which presents an "conflict of interest" with their municipal position. A conflict of interest exists when an employee engages in any secondary employment which tends or may appear to compromise the employee's judgment, actions, or job performance or conflict with the policies, objectives and operations of the City. If you are uncertain if there is a conflict, please consult your department head or the City Human Resources Director. All employees will be judged by the same performance and attendance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements. It is the employee's responsibility to notify their supervisor of any outside employment.

Employees must submit a written request and obtain permission from their department head prior to accepting any secondary part-time employment. Department heads must submit a written request and obtain permission from the City Administrator prior to accepting any secondary part-time employment. Copies of the request and the approval or denial are sent to the City Human Resources Director to be placed in the employee's personnel file.

2.09. Employment of Relatives

The City does not permit any members of the immediate family of any employee to be hired or to work under the supervision of, or in the same department as, the employee, unless special approval for this hire has been obtained from the Common Council, prior to the employment of the family member. Immediate family for the purposes of this rule shall mean spouses, parents, children, or siblings, including step relationships and in-laws.

2.10. Residency

The City encourages, but except as permitted by State law does not require, residency within the City limits for any city positions. Employees working in positions with residency

or response time requirements must meet the residency requirements within the six (6) month orientation period.

Each member of the police or firefighters union should check his or her collective bargaining agreement for specifics.

2.11. Employment of Appointed Officials

City Attorney - The regular term of the office for City Attorney shall be two (2) years and shall commence on the third Wednesday of January of the odd-numbered years. The City Attorney is a position that is appointed by the Mayor and approved by the Council. This appointed position receives full benefits for the duration of the term.

Other Appointments - The terms of the office of any other appointed official shall continue without limitation until any of the positions shall be eliminated from the budget of the City or shall be vacated by termination for cause, resignation, or retirement.

3. Employee Conduct and Practices

3.01. Standards

Certain standards of conduct are expected of all employees. Any conduct of an employee which adversely affects the reputation, health, safety, or welfare of the City; its employees, customers, or residents; will be subject to appropriate disciplinary action, up to and including termination.

The following are standards of conduct which are not acceptable in the workplace. This listing is not meant to be all-inclusive but rather representative of reasonable rules, regulations, and expectations.

1. Stealing - Certain positions may require the City to look beyond the workplace if a theft conviction occurs especially in Finance.
2. Misuse or destruction of the City or other public property as well as any personal property belonging to fellow co-workers.
3. Fraudulent claims for hours worked, reimbursement, or for any benefits.
4. Neglect of duties; disorderly or improper conduct, including the use of profanity in public; or unsafe conduct such as horse-play which could cause harm or injury to oneself, another employee, or public property.
5. Physical or verbal abuse of other employees or citizens.
6. Neglect or incompetence in the performance of assigned duties.
7. Gambling while on duty.
8. Sleeping while on duty. (Except Fire Department employees working 24-hour shifts.)
9. Failure to report accidents occurring on City time or with City equipment.

10. Misappropriation of City equipment, tools, supplies, or funds.
11. Reporting to work in a condition unfit for work, including but not limited to being visibly intoxicated or under the influence of any illegal substance.
12. Conduct violating the City's Equal Employment Opportunity or No Harassment policies:
13. Off-duty misconduct that harms the City's reputation, disrupts the ability of the City to operate effectively, or makes the individual unfit for their position.
14. Failure to follow smoking restrictions in the workplace, on workplace grounds and in all City owned vehicles.
15. Abuse of break times or lunch periods.
16. Driving any City vehicle or equipment while under the influence of an intoxicant and/or illegal substance.
17. Purchase of items for personal use using the City sales tax exemption.
18. Unauthorized absences (unauthorized absence for three (3) or more consecutive days) may be considered a voluntary resignation. Chronic tardiness or absence from duties without good cause may also be grounds for disciplinary action and possible termination
19. Failure to follow the chain of command. See Section 3.02 for the Chain of Command policy.

Violations of these employment rules will result in disciplinary action according to the City's disciplinary policy which may include termination.

Some conduct may result in immediate termination. Some examples include:

- Theft or misappropriation of City property;
- Excessive tardiness or absenteeism, Unauthorized absences (unauthorized absence for three (3) consecutive days may be considered a voluntary resignation.);
- Arguing or fighting with customers, co-workers, or supervisors;
- Carrying an unauthorized weapon at work;
- Threatening the physical safety of customers, coworkers, supervisors, department heads, city administrators, and/or elected officials;
- Physically or verbally assaulting someone at work;
- Any illegal conduct at work and any breach of confidentiality;
- Using or possessing illegal drugs or alcohol at work- the manufacture, dispensation, distribution, transportation, or being under the influence of illegal drugs or alcohol while operating City equipment or vehicles or while on duty or performing assigned job duties;
- Insubordination or willful misconduct;
- Conviction of a felony;
- Making a false statement on a job application or in securing appointment;
- Violating City rules, standard operating procedures, and/or regulations, including failure to observe safety rules and regulations;

- Unlawful discrimination and harassment related to an individual as included in a protected class under Wisconsin Fair Employment Law;
- Neglect of duty, incompetence, inefficiency, dishonesty, negligence or damage to public property;
- Loss of driver's license if required for the job;
- Abuse of sick leave.

Of course, it is impossible to compile an exhaustive list of the types of conduct that will result in immediate termination. The above examples illustrate the severity of actions that could result in immediate termination of employment.

Represented employees should consult their contract for the disciplinary process that may apply to them.

Any employee absenting themselves from employment with the City without authorized leave, or failing to report after a leave of absence has expired, was not authorized, or was revoked or canceled shall be subject to disciplinary action, up to and including termination. An employee absent from work without authorization for a period of more than three (3) consecutive days shall be deemed as having voluntarily terminated employment, unless a good reason, as determined solely by the City, can be shown.

The City will maintain personnel records including disciplinary action according to the Wisconsin Open Records law.

3.02. Chain of Command

Operation of any organization depends on an effective chain of command. The ultimate decision concerning policy in the City rests with the City Council and Mayor. The City Administrator and department heads of the City are part of the City's management team. The City Administrator reports to the Mayor and Council. Department heads report to the City Administrator. Supervisors are subordinate to department heads and employees are subordinate to supervisors. This system represents a means of establishing orderly lines of organization and communication as management personnel unite with the City Council and Mayor to promote effective service delivery for the community.

Each employee of the City is to keep their direct supervisor informed of the employee's activities by whatever means the supervisor deems appropriate. Issues or questions that arise in the day to day operations of the City or any aspect of his or her job, opinions, or suggestions must be directed through the chain of command.

The City recognizes many employees handle directives or requests from the public on a daily basis as part of their positions. The City expects employees to use sound judgment and common sense to determine which directives or requests are inappropriate and should be reported to a supervisor. If an employee is unsure of whether a directive or request

should be reported, the employee should discuss it with their supervisor. Any employee who receives inappropriate directives or requests for special treatment from an individual citizen, business representative or elected or appointed official must immediately report such directive or request to their supervisor. No specific directives or requests should be fulfilled unless permission to do so is given by an employee's supervisor.

Generally, if an employee has a problem with an individual, then the employee is encouraged to approach the person first and attempt to resolve the conflict. If that does not resolve the problem, then the employee must address the problem through the employee's immediate supervisor and onward through the chain of command.

If an employee has an issue with a direct supervisor and after speaking with the supervisor to try and resolve the issue, the employee may go to the next individual in the chain of command or speak to Human Resources to try and resolve the issue. An employee, acting under this policy, will not be reprimanded for breaking chain of command.

The City recognizes that employees who are also residents of the City have a right to express their opinions about policy matters to their elected representatives. Generally, personnel matters should be handled through the chain of command, and the City asks each employee to exercise judgment as to what matters are most appropriately discussed with a supervisor, and what matters should be discussed with a Council member.

3.03. Public Contact

Because the City employs you, you have a critical public contact role. Your work, attitude and appearance are all subject to close inspection by the public. Individuals and their friends base their total judgment of the efficiency and character of their City's government on the way you perform. To them, **YOU** are the City.

If you take pride in doing your job well, others will catch the same spirit. The reputation the City enjoys depends largely on what you and your co-workers say about it.

When asked for information, do not give the questioner the "runaround". You cannot possibly know all the answers, but you can make sure you refer people seeking information to the right sources. Be courteous in your dealings with the public. Show a sincere interest in the problems that are directed to you. Never lose your temper or give a "short" answer no matter how seriously you may be tempted to do so. Whether you want it or not, you are on public display at all times when you work for the City.

3.04. Relationship with Media

Social Media: The City uses social media to disseminate time-sensitive information as quickly as possible, and to increase the City's ability to communicate with the widest

possible audience. Departments may use social media to conduct departmental business, provided they follow the policies outlined below.

- Social media accounts must be approved by the Department Head prior to implementation. Unless approved otherwise, departmental use of social media will be for one-way communication only, unless offering essential information on project/event date, time, location, etc.
- The City website shall remain Ashland's primary and predominant internet presence. Where possible, content posted to social media sites will also be posted to the City Ashland website.
- Social media sites shall comply with all other applicable policies and standards, including but not limited to, the Technology Policy - Section 3.10, Employee Conduct & Practices - Section 3.0, Anti-Harassment and Discrimination Policy, and Confidential Information Policy.
- Social media sites are subject to the State of Wisconsin public records laws. Any content maintained in social media format related to City business, including a list of followers, subscribers, etc. and all posted communications, is a public record.
- Additional requirements for social media use are set forth in the City's Information Technology policy, which is accessible from [identify position or department].
- Personal use of social media is prohibited during work hours. Personal social media use on City-owned technology/equipment are subject to the State of Wisconsin public records laws.

Contact with the press: Staff members contacted directly by media outlets should refer the caller to their department head. Employees are encouraged to first discuss newsworthy items with their department head before contacting the media directly. Prepared news releases shall be approved by the City Administrator or their designee.

3.05. Punctuality and Attendance

An employee's attendance and punctuality are essential to the effective operation of the City's services. An employee's attendance and punctuality is considered, along with his or her work performance, in granting pay raises, promotions, or transfers. Absenteeism or tardiness that is excessive in the judgment of the City will not be tolerated.

If an employee is going to be absent or late, the employee is required to let their supervisor know as soon as possible prior to the beginning of the scheduled shift. Leaving messages with other employees is not acceptable. Employees should check with their supervisor on the acceptable protocol and who the designated contact person is for receiving department call-ins.

Excessive tardiness/absences as determined by the department can result in discipline up to and including termination. Failure to call in when absent for three (3) consecutive days will be treated as a voluntary resignation of the employee.

A pattern of excessive or unexcused absences or tardiness may result in disciplinary action, up to and including termination.

3.06. Inclement Weather

Citizens depend on the City during inclement weather; therefore the City is always open for business regardless of weather conditions. While the City recognizes weather conditions may prevent employees from getting to work or cause them to arrive late, many employees must be on duty to provide essential municipal services. Employees are expected to make every reasonable effort to get to work during inclement weather. When severe weather conditions exist, it will be the responsibility of each employee to contact the employee's supervisor before the start of each shift if they are unable to report to work on time.

The Mayor, City Administrator or department heads are authorized to dismiss those employees or close departments not considered essential municipal operations during periods of inclement weather. In this case, the employee will be paid for the full day and will not be required to use their own leave time.

In general, work time missed due to inclement weather is unpaid time; this refers to times when the Mayor or City Administrator have not closed departments or dismissed employees. However, employees may request to use vacation or personal leave time for lost time due to inclement weather. The department head has the discretion of allowing an employee to "make up" lost time by working alternative hours within the immediate or following pay period provided those hours are earned at a straight time rate. Under no circumstances will employees be permitted to make up lost time caused by inclement weather at an overtime rate.

If a department head determines an employee has abused the provisions of this policy, the City may take appropriate disciplinary action up to and including termination.

3.07. Camera Phones and Other Recording Devices

Many cell phones today come with built-in recording capabilities, including camera, video, and/or audio recording devices. Although these features are fun for personal use, using them in the workplace can lead to violations of privacy and breaches of confidentiality; therefore its use is prohibited.

The only authorized individuals allowed to record via video or audio are the Human Resources Director, City Administrator, and the Mayor. These instances must be for documenting important events and personnel meetings as seen fit by the named positions.

A department may provide video or audio recording devices for employees to document daily activities or events which promote a positive representation of the City. The devices will be at the discretion of the department and will be required to be allocated from the specific department budget.

3.08. Official Communications

Employees: City email is the City's official way of keeping employees informed about policies, procedures, special events, and information concerning local, state and federal guidelines.

Public: Public information requesting to be posted is at the discretion of the Department Head. All information should be in compliance with the City policy.

Bulletin Boards: It is the City's policy to keep employees informed about City activities and to provide a bulletin board for use by employees for the posting of various communications. Bulletin boards are generally located in break rooms and other common areas. Authorization for employees to use the bulletin board must first be obtained from the Department Head or designee. All persons who post notices, letters, and the like on City bulletin boards without first obtaining authorization will be subject to disciplinary action, including termination.

3.09. Use of City Property

The City provides supplies, uniforms, equipment, vehicles and materials necessary for employees to perform their job. These items are to be used solely for City related business. Employees are expected to exercise care in the use of City equipment and property and use such property only for authorized purposes. Loss, damages or theft of City property shall be reported to the employee's supervisor immediately.

3.10. Technology Policy

Computers, telephones, fax machines, copy machines and other office equipment provided to help employees perform their official work duties may also be used by employees for personal use within the following guidelines:

Personal use during normal work hours should be kept to a minimum. After work hours or during approved break times, employees may use office equipment and

computers, including Internet and email access. Employees are discouraged from using their City email address for personal communications, but may use City computers and the City's internet connection to access a personal email account.

Because the equipment is publicly-owned and publicly-funded, employees must not use office equipment inappropriately including use for personal gain. Accessing Internet sites considered pornographic or otherwise inappropriate is prohibited. These same standards also apply to email, computer software, photocopy machines, etc.

All office equipment is the property of the City and, consequently, all documents and records created by said equipment are subject to examination by City management and technology staff members and may also be subject to the open records law. Employees should not have any expectation of privacy rights for electronically created and/or stored records. This is the case for all records, whether they were created for city-related work or personal use. Employees should be aware that computers create electronic records even when information is not saved and the record is stored in a "personal directory" available through the computer's network system. Any records created or stored on the City's computer system may be deleted at any time without prior notice to the employee.

Personal use of city-owned office equipment is considered a privilege and it may be revoked by the City if it is abused by an employee.

Please see Sections 4.09 and 4.10 of this Handbook for additional rules regarding use of City computers.

The City reserves the right to change this policy for the personal use of office equipment at any time.

3.11. Use of Personal Property at Work

Employees may wish to bring personal property to work either for reasons associated with their professional responsibilities or for use during off-duty hours. This practice is permitted provided it is understood that the City will not be responsible for any loss, damage, or misuse of such property.

3.12. Personal Appearance

Dress Code Policy: Employees should dress in business casual attire, which could include casual slacks and skirts, dresses, collared shirts, blouses, or sweaters. Inappropriate attire includes, but is not limited to, active sportswear, shorts, T-shirts or apparel with messages or commercial advertising, as well as unkempt or inappropriately revealing clothing. Employees are expected to exercise good judgment. Exceptions to the business casual policy can include those situations when an employee is representing the City to an external audience.

- Employees with positions which require physical labor - Above all else, employees with positions whose jobs involve physical labor or working in a dangerous environment should wear comfortable clothing that not only allows them to perform their jobs efficiently, but protects them from hazards. Though clothing should still be neat, clean, and well-maintained. Employees should avoid torn, frayed and dirty clothing, and anything with words, logos, or pictures that may be deemed offensive.
- Uniforms - Employees issued uniforms by the City are required to wear the uniforms in the performance of their duties.
- Casual Fridays - On Fridays, employees are free to dress in casual attire, which could include jeans and tennis shoes. Clothing should still be neat, clean, and well-maintained. Employees should avoid torn, frayed and dirty clothing, and anything with words, logos, or pictures that may be deemed offensive.

Violations: Department Heads will inform employees in a timely manner should they violate the above dress code. Any employee coming to work in attire that is deemed inappropriate by their Department Head may be asked to leave work and return appropriately dressed.

3.13. Keys and Building Access

Selected employees will be assigned a key and given access to buildings as necessary to their job. Employees given keys and building access have an understanding that they are not to make any copies of City keys. If an employee loses a key, it must be reported immediately. Employees should only access the building during scheduled working hours or with prior approval from a department head and/or supervisor. Employees are expected to return all keys when leaving employment with the City.

3.14. Progressive Disciplinary Policy

In order to maintain an orderly and fair working environment for all, the City has implemented a progressive disciplinary policy to document undesired behavior and to use it as a corrective action plan to improve the employee's overall work performance.

Any employee conduct that, in the opinion of the City, interferes with or adversely affects City business is sufficient grounds for disciplinary action.

Disciplinary action can range from verbal warnings to immediate termination. The general policy for all employees is to take disciplinary steps in the following order:

- Verbal Constructive Advice- The supervisor will provide verbal correction to the employee. A written record of this constructive advice will be placed in the

employee's personnel file. This will include an explanation of the problem and what corrective action the employee should take within a specified time limit.

- **Written Corrective Action**- If the employee does not correct his or her behavior; the supervisor will consult with the department head and prepare a written corrective action. The employee will be asked to sign the written corrective action form, indicating they have received a copy, and a copy will be placed in the employee's personnel file. This step will include a performance improvement plan (PIP) in which the specific behavior is documented; actions to correct the specific issue are outlined with a time frame to make the improvements.
- **Suspension**- {time off with or without pay} A meeting will be held with the employee in which the employee will be given a written explanation of the problem and what corrective action the employee should take within a specified time limit. The employee may be accompanied by a representative at any such meeting. The original document is placed in the employee's personnel file and a copy given to the employee. This documentation shall include all documentation from the verbal constructive advice and the written corrective action and will indicate to the employee that any further offenses will result in termination.
- **Termination**- When all means of disciplinary action have been used, or when the offense justifies the action, the employee may be terminated. The employee will be notified of their termination in writing at a meeting or by certified mail. This written notification of termination will include a reiteration of all offenses and action taken at all steps.

However, the City reserves the right to alter the order of any of the steps described above, to skip disciplinary steps, to eliminate disciplinary steps, or to create new/additional disciplinary actions.

In choosing the appropriate disciplinary action, the City may consider the following:

- Seriousness of the misconduct
- History of misconduct
- Employment record
- Length of service
- Ability to correct the action
- Actions taken for similar instances that may have occurred with other employees.

3.15. Employee Complaint/Grievance Procedure

It is the City's policy to deal promptly and fairly with employee's complaints and grievances. All employees may seek resolution to grievances arising from their employment with the City. Employees have the right to file such grievances without prejudice. No employee shall

be disciplined, harassed or dealt with unfairly as a result of filing a grievance or testifying in a grievance hearing. The Employee Complaint/Grievance procedure is explained in more detail as an attachment to this manual.

3.16. Campaigns/Elections and Solicitation of Contributions

Employees are free, on their own time and away from any office of the City, to participate in all federal, state, and local campaigns and to openly express views and support for a candidate. Employees while on duty will refrain from any political activities which give the appearance that the City endorses any particular candidate or position or which interfere with the performance of normal job duties. The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither hired nor retained on the basis of their political affiliations or activity. That being stated, all employees are allowed to join political organizations, civic groups, and/or associations and to become involved in political activities within the following guidelines:

1. City employees are not prohibited from supporting candidates for office or from contributing labor to candidates and organizations that endorse candidates. However, Section 66.0501(2) Wisconsin Statutes prohibits employees from holding an elected office for the City. Employees are not permitted to make public endorsements of a candidate for a City elective office while on duty or otherwise acting in an official capacity.
2. If an employee is successful in seeking City elective office, they will be required to resign their employment before taking office.
3. Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. Employees also are not permitted to display political badges, buttons, or signs related to City elections on City property, or to wear political badges, buttons, or signs related to City elections while on duty or otherwise acting in an official capacity.
4. Employees are not permitted to solicit another employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.

Applicants for employment and City employees are not required to contribute to any political fund nor perform any political service to any person or party at any time. No person, or employee shall be hired, promoted, suspended, demoted, or terminated for off duty political affiliation or activities.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected concerted activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the National Labor Relations Act. To the extent that conduct is protected under the National Labor Relations Act, this policy does not prohibit or dissuade it.

4. Employment Policies

4.01. Open Door Policy

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents will resolve themselves naturally; however, if a situation persists that is believed detrimental to employees or the City, free discussion with your immediate supervisor, department head, or a member of the human resources department is encouraged. These individuals will endeavor to work out a satisfactory solution to the problem.

Whistleblower Policy: The City does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting or delaying the City from taking disciplinary action against any individual, in circumstances (such as those involving problems of overall performance, conduct, attitude, or demeanor) where the City deems disciplinary action appropriate.

4.02. Anti-Harassment and Discrimination Policy

The City strives to maintain a positive work environment. The City does not tolerate harassment of its job applicants, contractors, or employees by another employee, supervisor, vendor, customer, or any third party. This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, job applicants, consultants, etc. Employees are cautioned to consider their behavior and comments from the perspective of anyone who might see and hear them.

Harassment may take many forms, including but not limited to offensive language and behavior regarding an individual's age, race, sex, gender identity, color, religion, national origin, disability, veteran status, sexual orientation, political affiliation or any other legally protected status.

Harassment Defined. Harassment as defined in this policy is unwelcome verbal, visual or physical conduct, based on an individual's protected characteristic, creating an intimidating, offensive, or hostile work environment that interferes with work

performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails or other social media posts) or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Sexual Harassment Defined. Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal or physical conduct of a sexual nature.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, posters, or comments
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies
- propositions, or suggestive or insulting comments of a sexual nature
- derogatory cartoons, posters, and drawings
- sexually-explicit e-mails or voicemails
- uninvited touching of a sexual nature
- unwelcome sexually-related comments
- conversation about one's own or someone else's sex life
- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or other conduct directed toward a person because of the person's gender

All such conduct is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor, or other third party.

Reporting Procedures - the City is committed to maintaining a positive work environment free of unlawful harassment and is sensitive to the diversity of its employees. In doing so, the City prohibits harassment as identified above.

The City requires the reporting of ALL incidents which violate this policy regardless of who the offender may be. Any person who believes the policy has been violated, whether to themselves or another individual, should report it immediately to his or her supervisor, department head, or City Administrator. If the accusation of harassment is against a person in a supervisory position, the report should be made to that person's supervisor or to the City Human Resources Director. If the employee has an accusation of harassment against the City Administrator, they should report it to the Mayor. If an employee has an accusation of harassment against the Mayor, the employee should report the offense to the City Administrator.

The individual may be asked to put the complaint in writing. The City encourages all individuals to report suspected violations of this policy as close to the date of the alleged occurrence as possible so that the City can respond to the complaint in a prompt and adequate manner. Regardless of when the alleged harassment or unlawful discrimination occurs, the City will investigate all reported violations of this policy. All complaints are investigated and handled as promptly and as confidentially as practical. The City will review the findings of the investigation with the complainant at the conclusion of the investigation. If the investigation reveals that the complaint to be valid, immediate and appropriate corrective action up to and including termination may be taken. If the City finds after a thorough investigation that an employee knowingly made a false accusation of harassment or discrimination, that employee may be subject to appropriate corrective action up to and including termination, if necessary.

Any form of retaliation that is taken against any employee or individual that has reported or complained of harassment or discrimination, or against any employee who cooperates in the claim of harassment or discrimination, is prohibited. If an employee perceives any form of retaliation for making a complaint or for participating in an investigation, they are strongly urged to bring the matter to the attention of their supervisor or the City Human Resources Director immediately.

Investigation Procedures - The City will promptly investigate the facts and circumstances of any claim of harassment. To the extent possible, the City will endeavor to keep the reporting employee's concerns confidential; however, confidentiality cannot be guaranteed. Employees must cooperate in all investigations. During the investigation, the City generally will:

- interview the complainant and the alleged harasser
- conduct further interviews as necessary
- document the City’s findings regarding the complaint
- document recommended follow-up actions and remedies, if warranted
- inform the complainant of the City’s findings
- monitor the implementation of remedial actions and modify as necessary.

Every supervisor who learns of any employee’s concern about conduct in violation of this policy, whether in a formal complaint or informally, must immediately report the issues raised to senior management or to the City Human Resources Director.

Upon completion of the investigation, the City will take corrective measures against any person who has engaged in conduct in violation of this policy, if the City determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the City determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination.

Investigation Procedures - No employee will be subject to, and the City prohibits, any form of discipline or retaliation for reporting perceived violations of this policy in good faith, pursuing any such claim, or cooperating in any way in the investigation of such claims in good faith. If an employee believes someone has violated this no-retaliation policy, the employee should bring the matter to the immediate attention of the City Human Resources Director. Anyone, regardless of position or title, whom the City determines has engaged in conduct that violates this policy against retaliation will be subject to discipline, up to and including termination.

We cannot remedy claimed harassment or retaliation unless you bring these claims to the attention of management. Failure to report claims of harassment and/or retaliation prevents us from taking steps to remedy the problem.

4.03. Workplace Violence Policy

The City is committed to a safe workplace free of violence. Any behavior that creates a climate of violence, hostility, or intimidation will not be tolerated regardless of its origin. The City has a “zero tolerance” policy toward violence in the workplace. Threats or intimidation of employees, vendors, customers, or others with whom the City has contact is prohibited. Violating rules regarding the handling of dangerous materials in the workplace is also a violation of this policy.

The workplace is defined as all property including parking lots, public areas such as lobbies, rest rooms, break rooms, and vehicles as well as any location where the employee is assigned to perform work.

Examples of behaviors prohibited by the City's Workplace Violence Policy include:

- Making threats with words or gestures
- Intimidating others physically, verbally, or in writing
- Acting in a hostile manner whether physically, verbally, or in writing
- Physical contact
- Physically blocking another person's freedom of movement
- Brandishing, displaying, or possessing a weapon
- Stalking
- Nuisance telephone calling, emails, or social media posts
- Sabotaging another person's work
- Harmful misuse of City equipment or property
- Causing or maintaining high levels of conflict or tension within a work unit or between co-workers

The City recognizes that violence can be brought into the workplace by outsiders. Employees must report to their direct supervisor, Department Head, Human Resources Director, or City Administrator any action, behavior, or perceived threat by intruders, customers, vendors, outside contractors, and family members and/or acquaintances of employees. Reporting such actions may include filing of a police report if required by the supervisor.

Domestic violence can lead to acts of violence against an employee at the employee's workplace and may injure not only the targeted employee but co-workers in the area at the time of the incident. If an employee is aware of a troubled relationship that may lead to violence in the workplace, the employee should report it to their immediate supervisor, department head, or Human Resources Director so appropriate preventative measures can be taken. The City understands the sensitivity of such situations and will handle the information discreetly and confidentially to the extent practical to maintain employee privacy while at the same time investigating or taking precautionary measures.

The City requires the reporting of all incidents regardless of who the offender may be and regardless of who the victim may be. Anyone who has observed or becomes aware of such behavior—whether it is to themselves or another individual—is to report it even if the person who observes the behavior is not the target of it. This policy also prohibits retaliation against any person who reports violent or intimidating behavior or helps in investigating such a complaint.

Depending upon the circumstances, the outcome of the investigation will be communicated to the appropriate persons, and action may be taken up to and including termination and/or legal action such as seeking a restraining order, arrest, and prosecution. Any employee who has been found in violation of this policy by committing a violent act, or to have deliberately falsified a report of violence will be subject to disciplinary action up to and including termination.

4.04. Weapon-Free Workplace Policy

In the interest of maintaining a workplace that is safe and free of violence, the City of Ashland prohibits the possession or use of “dangerous weapons” on City property, regardless of whether or not the person is licensed to carry the weapon. This policy applies to all City employees, contractors, and temporary employees on City property. Please note that law enforcement officers may carry a weapon as required by their position.

“City Property” This term includes all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the City’s ownership or control. This policy also applies to all City-owned or leased vehicles and all vehicles that come onto City property.

“Dangerous Weapons” This term includes but is not limited to handguns, firearms, explosives, knives, and other weapons further defined by Wisconsin statute and/or local ordinance. If an employee has a question regarding whether an item is covered by this policy, he or she should contact the City Human Resources Director. It is the employee’s responsibility to make sure that any item not specifically listed above that is possessed by the employee is not prohibited.

4.05. Confidentiality

City employees may have access to confidential, customer, personnel or other sensitive information. This may include, without limitation, information concerning a client’s or employee’s financial status, a client’s or employee’s medical status and condition as well as the City’s business practices including purchasing and negotiating strategies, and employee records (collectively “confidential information”).

This confidential information cannot be disclosed to any City personnel who do not have a legitimate business need to know such information or to persons outside of the City without the express authorization of the City Administrator or department head. There may be special circumstances in which the information may be released only with specific signed releases that may be time sensitive. All employees are responsible for protecting the confidentiality of this information.

Likewise, no information concerning the internal operations of the City, including but not limited to the release of records of the City, may occur except through, and with the permission of, the City Administrator or individual department heads. If requests for information are received by employees, whether on or off duty, from any person, the employee is required to politely decline to provide such information and to direct that individual to the City Human Resources Director or department head for a response to that inquiry. The City’s custodian of records is responsible for the disclosure of records pursuant to requests for records under Wisconsin’s Public Records Law. Unless directed

by the City's custodian of records, employees shall not act as the City's custodian of records or disseminate information.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected concerted activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the National Labor Relations Act. To the extent that conduct is protected under the National Labor Relations Act, this policy does not prohibit or dissuade it.

4.06. Gifts and Gratuities

Employees cannot solicit or accept, from any person or organization directly or indirectly, gifts, gratuities or anything of substantial value without full payment, if it could reasonably be expected to influence their governmental actions or judgments, or if it could reasonably be considered as compensation or a reward for any governmental action or inaction. It is not a conflict of interest for an employee to receive an unsolicited item of \$25.00 or less or anything that is given to them independent of their position as an employee. Employees are advised solicitation and acceptance of gifts, gratuities, offers of employment, or other items of value may constitute a violation of Wisconsin law, including, without limitation, chapters 19 and 946 of the Wisconsin statutes, City of Ashland Ordinance 80 and is not permitted. Violation of this rule will result in disciplinary action and may result in criminal prosecution.

Employees are required to report to their immediate manager any goods, services or other forms of compensation or favor received from a supplier to the extent that:

- their fair market value exceeds the values specified above;
- the employee is uncertain whether their fair market value exceeds the values specified above;
- they take the form of season tickets;
- they are in the form of cash, gift certificates or other cash equivalents regardless of their value; or
- they are provided frequently, regardless of their value.

Employees violating this policy will be subject to disciplinary action, up to and including termination.

4.07. Personal Telephone Calls

Employees are discouraged from making or receiving personal calls during working hours unless it is an emergency.

Non-emergency calls should be made during break or lunch periods when possible.

4.08. Duty to Maintain Records

In accordance with City Ordinance 133 all employees have the following duties related to maintenance of public records: “Except as otherwise provided by law, each officer and employee of the City shall safely keep and preserve all records received from his or her predecessor or other persons and required by law to be filed, deposited or kept in his or her office or which are in lawful possession or control of the officer or employee or his or her deputies, or to the possession or control of which he or she or they may be lawfully entitled as such officers or employees“

An employee should never destroy a record without approval of a supervisor. An employee in a supervisory role should never destroy a record or permit the destruction of a record without the approval of the City Clerk.

Employees should consult with their department head or immediate supervisor to determine applicable filing and maintenance procedures for their particular department.

4.09. Electronic Mail (e-mail)

All hardware and software used to create and receive Internet and City electronic mail (e-mail) is municipal property.

All messages composed, sent, or received on the internet and City's e-mail systems shall remain the property of the City and are governed by the Wisconsin Public Records Law. Such messages are not the private property of any employee(s) and employees have no right or expectation of privacy in messages. The same applies if the employee uses a private email account through the City's internet system.

The City's internet and e-mail systems shall not be used for the creation or distribution of materials for personal gain, solicitation, or for any other personal use or business purpose.

The internet and City e-mail systems shall not be used to create, modify or forward any offensive or disruptive messages. Offensive or disruptive messages include, but are not limited to, any messages which are sexually explicit or contain sexual implications, racial slurs, gender offensive comments, profanity, or any other comment that offensively addresses someone's age, race, creed, color, handicap, marital status, sex, national origin, ancestry, sexual orientation, arrest or conviction record, or any comment which in any way defames another person, or is intended to frighten, intimidate, threaten, abuse, annoy, or harass another person. In the event an employee receives an offensive or disruptive message, the procedures outlined in the City Sexual Harassment Policy shall be followed.

The City reserves the right to monitor e-mail activities and monitor, review, audit, access, disclose, and delete all messages created, received, stored, or sent over the City's internet

and email systems with or without notice. The City may require an employee to disclose any password-protected or encrypted material created, received, stored, or sent over the City's internet and e-mail systems.

The confidentiality of any message should not be assumed. The use of passwords for security does not guarantee confidentiality of the message. Notwithstanding the City's right to retrieve and read any email messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any City employee's e-mail messages to another employee without the latter's permission. The City may at its discretion block any threatening or harassing emails from any external source.

Sending broadcast emails that are not related to City business is prohibited. Broadcast email messages should be used judiciously to communicate within a City department, committee, Council or division or to all members of an interdepartmental work group and then only in support of City business. Examples of broadcast emails that would be inappropriate are: offers to sell or give away personal property; expressions of personal views on political, religious or controversial issues; comments which are derogatory and destructive towards individuals, organizations or City policies.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected concerted activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the National Labor Relations Act. To the extent that conduct is protected under the National Labor Relations Act, this policy does not prohibit or dissuade it.

Please see section 3.10 of this Handbook for additional rules.

4.10. Internet Use

No employee should have any expectation of privacy as to his/her internet usage while using City equipment.

The City reserves the right to inspect any and all files stored in private areas of its network or any device attached to the network in order to assure compliance with this policy. The City may require an employee to disclose any password-protected or encrypted material created, received, or stored on the City's computer system or any part of that system.

It is a violation of this policy and the City's harassment policy to display any kind of sexually explicit or offensive image or document on any City system except for approved investigations by law enforcement or City personnel. In addition, sexually explicit or offensive materials shall not be printed, archived, stored, distributed, edited or recorded using City network or computing resources.

The City may block access from within its networks to any website. If an employee finds himself or herself connected accidentally to a site that contains sexually explicit or offensive material, the employee shall disconnect from that site immediately.

The City's internet facilities and computing resources shall not be used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, or other local jurisdiction in any way. Use of any City resources for illegal activity will result in termination, and the City will cooperate with any law enforcement investigation into such illegal activity.

Software may not be downloaded onto City property without authorization. Any software or files downloaded via the internet into the City network become the property of the City. Any files or software however received and installed shall be used only in ways that are consistent with licenses or copyrights.

No employee shall use City facilities to download or distribute pirated software or data. No employee shall use the City's internet facilities to create, propagate or distribute any computer virus.

No employee shall disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user. Each employee using the internet system of the City shall identify himself or herself honestly, accurately, and completely (including one's City affiliation and function when requested) when participating in an authorized chat or newsgroups or when conducting any City business using the internet system.

Only those employees or officials who are duly authorized to speak to the media or in public gatherings on behalf of the City may speak for or write in the name of the City. When speaking to the media or in public gatherings or chat rooms, authorized individuals shall refrain from any political advocacy and shall refrain from endorsing or appearing to endorse any commercial product or service.

If an individual is speaking to the media or in public gatherings or chat rooms and the individual is identified as an employee or agent of the City, but the individual is not authorized to speak on behalf of the City, the employee must clearly state that the statements or opinions expressed by the individual are his or her own and not those of the City.

The City retains the intellectual property rights to any material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his or her duties.

When speaking in public forums, employees shall not reveal confidential or privileged City or client information. Employees disclosing confidential or privileged information will be subject to discipline up to and including discharge.

Internet resources are for business purposes only. However, limited personal use is permitted in accordance with the office equipment use provisions of this handbook and is allowed only during regularly scheduled breaks during normal working hours and only as long as such use does not adversely affect the system, the employees work duties or City operations. Such personal use must be in accordance with all City policies and procedures. Please see section 3.10 of this Handbook for additional rules.

Employees with internet access shall not use City internet facilities to download entertainment software or games, or to play games against opponents over the internet.

Instant messaging and social networking sites are popular means of communications but pose a significant security risk to the City network. Therefore use of these web-based services is prohibited unless the sites are used for City business and approval is given by the employee's department head and the technology department.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected concerted activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the National Labor Relations Act. To the extent that conduct is protected under the National Labor Relations Act, this policy does not prohibit or dissuade it.

4.11. Enforcement and Violations of the Email and Internet Policies

The email and internet policies are intended to be illustrative of the range of acceptable and non-acceptable uses of email and internet facilities and are not necessarily exhaustive. Questions and specific uses or to report unacceptable uses should be directed to the employee's supervisor or department head. Violations of the policy will result in disciplinary actions as appropriate, up to and including discharge.

Nothing in this policy is intended to interfere with the rights of any employees to engage in or refrain from protected concerted activity (including lawful communications about wages, hours, and other terms and conditions of employment), either with co-workers or others, or any other rights provided under the National Labor Relations Act. To the extent that conduct is protected under the National Labor Relations Act, this policy does not prohibit or dissuade it.

4.12. Cellular Phone Policy

The City provides cellular phones for employees when phones are necessary to perform their job responsibilities.

The City will contract for basic cellular services for use by those employees that require it for their job. Any options or exceptions to the base plan will need approval from the department head and governing committee. Employees are responsible for seeing that the phones are used in an efficient, ethical and lawful manner. Employees should keep in mind that any text messages sent or received on City-provided cellular phones are public records, and employees should have no expectation of privacy with respect to any such messages.

Any unauthorized use, excessive personal use, or inappropriate use may result in the cancellation of this privilege as well as possible disciplinary action.

4.13. Cellular Phone Use While Driving

Employee's should not use a personal or City provided cellular phone while driving a City-owned vehicle or a personal vehicle on City business due to safety concerns. Instead, employees should legally and safely park the vehicle to make or receive calls. If an employee is unable to pull over or stop before receiving a call, they may use the hands-free adapter for increased safety. It is recommended that employees should keep the conversation brief, and immediately locate a legal and safe area to park their vehicle to complete the call.

4.14. City Vehicle Use

Purpose

The Purpose of these regulations is to outline the City's policies regarding the use of City-owned vehicles.

Responsibility

All employees authorized to use City-owned vehicles are required to adhere to these regulations. Disciplinary action may be taken against employees that violate these policies.

Fleet Managers

Each department head shall be responsible for the vehicles under his/her jurisdiction. In this capacity, they are responsible for ensuring the inspection, maintenance, service and efficient operation of vehicles in the department. They will also ensure that employees receive proper vehicle operation training and that vehicles are safely operated. Department heads may adopt departmental vehicle use policies that are more detailed and more restrictive than this policy.

Private Vehicle Use

City vehicles will be used to the maximum extent possible for City business. All City employees are required to submit their Driver License to the City Clerk for insurance purposes. However, there may be occasions when an employee will be required to use their own private vehicle on City business. Use of a private vehicle must be approved prior to the trip by the department head. In these cases, the City will pay mileage reimbursement in accordance with established City mileage rates if use is authorized by the department head in advance of departure. Occupants of private vehicles utilized on City business shall utilize seat belts at all times.

Vehicle Acquisition

No Department may acquire a vehicle without approval of the Common Council. The Police Department shall notify the Common Council following successful acquisition of vehicles through forfeiture proceedings. The Common Council shall determine whether vehicles acquired through forfeiture proceedings will be retained as part of the vehicle fleet or sold as surplus property.

Marked Vehicles

All City vehicles will be marked to indicate that the vehicle is property of the City of Ashland except unmarked squad cars. Any exception to this policy must be approved by the City Council.

Vehicle Use Restrictions

It shall be the general policy of the City to restrict City vehicle use to official City business only.

The use of city-owned vehicles for traveling to and from an employee's personal residence is not permitted, except for very rare or infrequent circumstances that are outlined in the rules and regulations section below. This provision shall apply to all City employees including, but not limited to department heads, the Police Chief, and Fire Chief.

Rules and Regulations

- After balancing the resources of the City with the needs of the operations of the department, the department head has the discretion to permit or withhold the incidental personal use of a municipal vehicle during work hours.
- Personnel are responsible for appearance and cleanliness of their vehicles, both interior and exterior. Personnel shall also ensure the general maintenance, including preventative maintenance, of City vehicles is undertaken.
- Window decals, ornaments hanging from the windshield mirror, bumper stickers, or other signs, pictures, or ornaments visible to the public attached to a City vehicle are prohibited.
- Unattended vehicles will be locked at all times.

- Police Officers shall secure all weapons while the vehicle is unattended. All weapons will be removed from the vehicle while it is being serviced.
- Except when required by Police Officers involved in official police business, alcoholic beverages and/or illegal drugs will not be transported in City vehicles nor will vehicles be operated by personnel who have consumed alcoholic beverages within the previous six hours or who have illegal drugs in their system.
- Use of tobacco products shall be prohibited in City vehicles.
- Personnel shall use the seat belt installed by the vehicle manufacturer in a properly adjusted and securely fastened manner when operating or riding in any City vehicle. The driver of the vehicle is responsible for ensuring compliance with all safety restraint laws by occupants in the vehicle they are operating.
- Except in specific ambulance intercept situations, no one except City employees may operate City vehicles. In the case of Paramedic Intercepts, drivers from other ambulance providers may drive/operate vehicles owned by the City of Ashland. In no case, however, shall the intercept vehicle be operated in an emergency mode. Once the intercept has been completed, all emergency-warning systems shall be deactivated and the driver shall proceed directly to the receiving hospital following all applicable rules of the road. It shall be the responsibility of the ambulance provider requesting the intercept to ensure all drivers are licensed to operate motor vehicles in the State of Wisconsin.
- Drivers will carry a valid license when operating a City vehicle.
- Non-City personnel may ride in a City vehicle if on City business, including parade activities if pre-approved by the Department Head, with a City employee. Hitchhikers will not be picked up.
- All City personnel will drive and park legally.
- Drivers of municipal vehicles will be responsible for any citation received.

Accidents

All accidents involving City vehicles shall be investigated by the Police Department from the jurisdiction in the municipality or county where the accident occurred. Accidents involving Police vehicles shall be investigated by the Chief of Police or his designee.

The following actions shall be taken by employees involved in an accident:

- Stop as soon as possible.
- Leave the vehicle where the accident occurred, except that such a stop should be made without obstructing traffic more than necessary.
- Call the local Police or 911 to report the accident.
- Do not leave the scene of the accident until the Police have arrived and have told you that you may leave.
- Do not admit fault. Do not discuss the accident with anyone except the Police or representatives of the City's insurance company.
- Obtain from other drivers or witnesses involved in the accident their name; address; telephone number; registration number of the vehicle(s), the name of their insurance company, agency, and policy number; and ask to see their operator's license.

- Produce your operator's license for all other drivers.
- Give to each driver your name and address and information concerning the City's insurance. An insurance card is in the glove compartment of City vehicles, is on file with the Ashland Police Department, or is available from the City Clerk.
- Give to each driver the name, address, and phone number of the City:
City of Ashland
601 Main Street West
Ashland, WI 54806
(715) 682-7071
Contact person: City Clerk
- Immediately notify the department head and the City Clerk and Human Resources/Safety Director of the accident. All accidents must be reported immediately regardless of severity.

4.15. Drug and Alcohol Policy

The City has a vital interest in maintaining a safe and productive work environment. Employees who work while under the influence of drugs or alcohol pose a serious safety and health hazard to themselves, their co-workers, and third parties.

The City has developed the following policy on drug and alcohol abuse:

Alcohol - The sale, purchase, or use of alcohol on the City's premises, and/or in City vehicles, or while on City time is prohibited with the exception of City organized events and with City Administrator approval.

Prescription Medication - Because prescription medication can also affect an individual's demeanor and job performance, such prescription drugs must be taken under medical supervision and may not be used in any way or in any dosage not approved by the employee's physician. Any such legal drug usage while on City time or while on the City premises and/or City vehicles may be allowed as long as the use of the prescription or legal drug does not adversely affect the employee's safety and/or job performance or the safety and/or job performance of other employees. It is the employee's personal responsibility to ensure medication they are taking does not violate this policy.

Illegal Drugs - The possession, sale, purchase, or use of any illegal drugs, or the illegal use of any legal drug, while on City premises and/or in City vehicles or while on City time is strictly prohibited. Employees may not report to work or be on City time or premise while under the influence of any illegal drug.

Any employee who violates the above procedures may be immediately discharged.

The City can require a drug test if there is *reasonable suspicion* that the employee is under the influence of alcohol or has legal or illegal traceable drugs in his or her system. Testing

may be conducted by a breath, blood, or urine sample. Refusing to consent to the drug testing will be cause for disciplinary action up to and including termination.

If the City has reasonable suspicion that an employee involved in an accident or an injury on the job is under the influence of drugs or alcohol, that employee will immediately be drug tested after any necessary medical treatment. Any employee who refuses to consent to such testing will be subject to immediate termination. If an employee tests positive, the City has the discretion to discipline up to and including termination, and/or recommend rehabilitation and to institute unannounced testing for the employee. If the employee refuses to comply with the City's recommendations, the City has the right to terminate employment.

The City also will conduct pre-employment testing, after a conditional offer of employment has been made, which may include drug testing, and which will be paid for at the City's expense. An applicant who tests positive for illegal drugs will not be hired.

4.16. Maintaining a Valid Driver's License

If specified as a requirement in the job description, it is a continuing requirement of employment for employees to maintain a valid Wisconsin Driver's License with all appropriate endorsements necessary for the position that is held. It must be stated in the employee's letter of hire as a part of conditions of employment.

4.17. Americans with Disabilities Act

The City prohibits discrimination against a person with a disability, i.e., persons with a physical or mental impairment that substantially limits one or more major life activities who, with or without an accommodation, is qualified to perform the essential functions of the job. In accordance with the law, the City will reasonably accommodate qualified individuals with disabilities. Because each individual is different, the City will discuss specific situations with the individual and undertake an investigation of the specific circumstances involved. Individuals requiring additional information or reasonable accommodation may consult the City Human Resources Director.

Reasonable Accommodation of Individuals with Disabilities – The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known physical or mental disabilities who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees with known physical or mental disabilities, unless doing so would impose an undue hardship on the City or pose a direct threat of substantial harm to the employee or others.

An applicant or employee who believes they need a reasonable accommodation of a disability should discuss the need for possible accommodation with the City Human Resources Director or their direct supervisor.

Reasonable Accommodation of Individuals' Religious Beliefs and Practices – The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with sincere religious beliefs or practices who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees, unless doing so would impose an undue hardship on the City.

An applicant or employee who believes they need a reasonable accommodation of a sincere religious beliefs or practice should discuss the need for a possible accommodation with the City Human Resources Director or their direct supervisor.

5. Employment Status, Practices, and Records

5.01. Required Employee Notifications to City

It is the responsibility of the employee to notify the City of any changes in personal data. The City Human Resources Director is responsible for maintaining the employee's records. However, these records are only as good as the information that has been provided by the employee.

It is very important for employees to notify the City Human Resources Director of all of the following, and of any changes to any of the following:

- Your home address
- Phone number
- The name and number of dependents that you are designating for income tax withholdings for births, adoptions, insurance coverage, etc.
- Marital status
- Emergency contact information
- Any restrictions that you may have had affecting your driver's license status (specifically as it relates to driving any City vehicles) must be reported to the City Human Resources Director immediately.

5.02. Personnel Records

Maintaining accurate personnel records is critical to effective human resource management and in satisfying the City's legal responsibility. The City Human Resources office maintains a secure personnel file on each employee. The content of the files

maintained by the Human Resource's office shall be consistent with the requirements of state and federal law and sound principles of human resource management. Medical and I-9 records shall be maintained in separate files for each employee. Department heads and supervisors should not maintain files containing an employee's personnel records, payroll, I-9, or medical records.

Employees of the City may view the contents of their personnel file no more than once per calendar quarter with three business days' notice from the date of the receipt of such notice. Review of the file will be permitted with a representative of the City present at all times. Employees are not permitted to remove or alter information contained within the personnel file. The file itself may not be removed from City Hall but employees may request copies of the information contained within.

Any individual who reviews personnel records will sign and date a log, which shall be kept in a secure location.

It is the City's policy to respect individual privacy and to maintain in confidence all information and records pertaining to employees to the extent practicable in keeping with the City's best interest. Information in an employee's personnel file and all other employment-related files will not be disclosed to any third party without an employee's written consent, except to meet the legitimate business needs of the City or as required by law. Upon a written request from a third-party for disclosure of a personnel record, the City will determine whether or not the public interest in disclosure is outweighed by the privacy and reputational interests of the employee. If the City determines that the record should be released, it will first notify the employee so that the employee has an opportunity to oppose the release.

The disclosure of health records is strictly limited under federal and state law.

While the blanket withholding of all personnel records related to City police officers is not allowed under the law, there are special circumstances applicable to law enforcement officers that may limit release of some of such records. The City Human Resources Director will consider any such circumstances prior to any such release.

An employee may designate a representative to inspect the employee's personnel records. The designation shall be in writing. Upon receipt of such authorization, the City will allow the designated representative to inspect that employee's personnel records in the same manner as the employee is permitted to inspect them under this guideline. All written designations shall become a part of the personnel file.

The following exceptions apply to the employees' right to inspect his or her personnel records:

1. If the City Human Resources Director believes that disclosure of any medical records could have an adverse effect on the employee, the City Human Resources Director may release those records to the employee's physician.

2. The employee's inspection right does not apply to records related to the investigation of possible criminal offenses; letters of reference; tests, except for cumulative scores for either a section of the test or the entire test; staff-management planning documents as per Wis. Stat. sec. 103.13(6)(d); personal information about another person, if the release of that information would invade the privacy of that person; and records concerning any pending claim between the City and the employee that may be discovered in a judicial proceeding.

If an employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the City and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The City 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 part of the file.

5.03. Verification of Employment

The City may receive calls from prospective employers, financial institutions and other businesses seeking employment related information. The City's policy for verification of employment is to ensure consistency and documentation of responses; only the City Human Resources Director will process these written requests for information. Supervisors are required to refer any such requests for information to the City Human Resources Director immediately. The City will only respond to verification inquiries that are submitted in writing. All requests for written employment verification must contain the employee's signature for release of such information. The City will only provide limited phone verification.

5.04. Employee Classifications

The designated classifications do not constitute a guarantee of work or status for any period of time. Please direct any of your questions regarding your employment classification to the City Human Resources Director and/or the Accounting Assistant/Payroll Specialist.

The Common Council specifies the number and classifications of all regular positions authorized for each department through the budget approval process. In addition to regular positions, the City may approve other types to meet business needs. Current

position types include the following groups of employees within the City in terms of benefits and policy and procedures:

Regular Full-Time (FT): employees are generally expected to work a 40 hour work week, as specified on the work schedule. Full-time employees are eligible to enroll in the City's employee benefit plan once they have met the requirements for each benefit. Any full-time employee working under 40 hours per week, but 30 or more hours per week will have their leave time, benefits, and other payroll deductions prorated.

Exempt or Salaried Position - employees are expected to work the number of hours necessary to get the job completed professionally. As defined by the Fair Labor Standards Act (FLSA), full-time exempt employees are not eligible for any overtime pay. However, upon supervisor approval exempt employees may accrue compensatory time at a rate of 1:1 for any hours worked over 40 hours. Supervisor approval must be given prior to any overtime work being completed.

Non-Exempt or Hourly Wage Position - employees work regularly scheduled hours. All non-exempt employees are eligible to receive overtime compensation at a rate of time and a half for all hours worked in excess of forty (40) hours in a defined work week. Employees must have prior approval before working any overtime hours. Note: Police and fire employees may have different FLSA overtime schedules and therefore, overtime eligibility requirements are different based on their union contract. Applicable employees should consult their contract for further information.

Part-Time (PT): Employees scheduled to work 30 hours or more are eligible for pro-rated benefits. Any part-time employee working less than 30 hours is not eligible for the city's benefit program.

Part-Time Manager: Employees who are seasonal and/or work hours that are flexible due to the nature of the position. These employees are eligible for City benefits on a prorated schedule

Temporary/Limited Term: Employees hired as interim replacements, to temporarily supplement the workforce, or to assist in the completion of a project in a given time period. If a temporary employee is hired through an agency, the individual is not a direct employee of the City and will not receive any benefits through the City; instead the agency will handle payroll, social security, and workers' compensation insurance for the temporary employee. A temporary employee's time card must be signed off by their supervisor or department head before it is sent to the agency for payment.

Seasonal: Employees who are employed to work on a regular and/or recurring basis during a specific season or portion of any one calendar year. Seasonal employees receive all legally

mandated benefits (such as social security benefits and workers' compensation insurance); however, they are ineligible for the City's employee benefits program.

Paid On-Call Firefighter/EMS (POC)

APOC firefighter/EMS is defined as anyone performing firefighting or EMS tasks and duties for the City and is not a member of the IAFF Union or a full-time member of the fire department on their one year probationary period. POCs receive all legally mandated benefits (such as social security benefits and workers' compensation insurance); however, they are ineligible for the City's employee benefits program.

Independent Contractors - in addition to the five employment classifications above, some individuals are employed by the City as independent contractors and are not considered 'employees' of the City. Payment is through a contractual agreement and the individuals are not eligible for any benefits offered to City employees. Elected officials would be defined as the aforementioned and therefore the City does not offer any benefit provisions.

6. Employee Benefit Programs

6.01. Introduction

The following benefits apply to all employees of the City except where noted or except where an individual employment contract or a collective bargaining agreement provides otherwise. If the general descriptions in this Handbook do not conform to the language found in any contract or in any plan document, the language in the contract or plan document takes precedence. Employees are encouraged to familiarize themselves with and take advantage of all their benefit opportunities. Since benefits are likely to change from time to time, this section of the Handbook, like the rest of the Handbook, does not create any expressed or implied contractual obligation on the part of the City.

Council Members and seasonal limited term employees are not eligible for benefits. Full-time employees working more than 30 hours/week but less than 40 hours/week and part-time employees are eligible for pro-rated benefits. The percentage of time worked, as compared to full-time employment of 2080 hours/year, is the percentage applied to all benefits, including prorated vacation and sick time.

If two employees are in dependency status to each other, only one of the employees may carry the family plan(s).

Employees who are in non-pay status, i.e. on leave of absence or layoff, are required to pay the full cost of the medical, dental and life insurance programs.

6.02. Eligibility

Regular full-time employees may choose to be included in the City's group insurance programs. All such insurance programs shall be selected by and may be changed by the employer. Regular part-time employees who work at least 30 hours per week on a permanent basis may elect to participate in the plans in accordance with the policy of the City. Employees electing to participate in either the health insurance or dental insurance plans shall be eligible for coverage pursuant to the requirements of the plan.

Eligible employees who decline health or dental insurance benefits may in the future be able to enroll in the plan(s), provided that the conditions of the specific plan are met.

Detailed benefits and provisions of the group health and dental insurance plan(s) are explained in the Summary Plan Description provided to the employees by the Administrator of the Plan. These documents are available for review in the City Human Resources Director's office.

6.03. Medical and Dental Insurance

Currently, regular full-time and part-time employees are eligible for medical, dental and a prescription drug plan based on the number of scheduled hours worked. (See Section 5.04 to determine correct eligibility) Employees are strongly encouraged to check with the City Human Resources Director for their specific eligibility information. The City currently pays approximately 85% of the cost (depending on the plan an employee chooses) of the health insurance premium and approximately 90% of the premium for dental insurance. The remaining percentage of the premium is the responsibility of the employee. The City reserves the right to adjust the percentage of premium payments based on renewal rates and budget limitations.

To obtain health and dental coverage, employees must apply for coverage within thirty (30) days from the date of employment. Health and dental insurance coverage will be effective on the first (1st) day of the month following a thirty (30) day waiting period. The rules, regulations, and conditions of the insurance program as set forth by the insurance carrier selected by the City, are incorporated by reference into this section. Any employee failing to apply for coverage within thirty (30) days will be required to provide evidence of insurability as required by the insurance company if they desire to obtain coverage at a later date or follow the City's Open Enrollment rules including IRS qualifying life event circumstances.

DOMESTIC PARTNERSHIPS

The City of Ashland acknowledges the need for inclusion and fairness in providing benefits to our employees. Therefore, domestic partners will receive the same medical and dental benefits that are available to spouses of City employees.

Domestic partners are those individuals who meet the following criteria:

- At least 18 years old and mentally competent to consent to a contract;
- Not legally married to anyone;
- Not related by blood to a degree of closeness that would prohibit legal marriage in the State of Wisconsin;
- Have entered into the domestic partner relationship voluntarily and without reservation;
- Are jointly responsible for each other's common welfare and shared financial obligations; and
- Intend to continue the domestic partner relationship indefinitely, with the understanding that the relationship can be terminated at any time by either partner.

Employees who wish to apply for domestic partner benefits must complete a statement of domestic partnership. The original form will be kept in the human resources department. The employee and the domestic partner will both be furnished a copy of the statement of domestic partnership for their records.

This original form will be kept on file indefinitely with human resources and will be deemed effective until one of the following occurs:

- The employee changes the partner designation by completing a new statement of domestic partnership and returns the new form to human resources.
- The employee requests removal of the document and completes the termination of domestic partnership. Benefits coverage for domestic partners and their dependents will terminate at the end of the month in which the relationship ended.

The fair market value of benefits for domestic partners is required by the Internal Revenue Service to be reported as taxable income to the employee.

6.04. Benefit Continuation

In the event that an employee and/or their dependents are no longer eligible for City benefits (as a result of the voluntary or involuntary termination of the employee, a change in employee classification, or as a result of the separation, divorce, or death of the covered employee) then an individual may have the right to continue the same group health coverage at group rates. An individual's cost for coverage may be higher than what the individual was paying before, but generally the cost is lower than private, individual health insurance. Under the Consolidated Omnibus Budget Reconciliation Act of 1985, or "COBRA", the City will offer the qualified persons the opportunity to apply for temporary extension of health coverage (also known as benefit continuation coverage). Benefit continuation coverage typically lasts for eighteen (18) months; longer periods are available in specific circumstances and are solely at the employee's expense. A representative of the City will meet with the employee prior to the last day of employment or send information to the employee regarding rights to continue benefit coverage.

6.05. Basic Life insurance and Dependent Life Insurance

Through our carrier, the City offers each employee Basic Life Insurance and the opportunity for the employee to purchase dependent Life Insurance. Life Insurance becomes effective the 1st of the month 30 days after hire.. Basic Premiums will be paid for the employee only by the City. Employees have the option to choose spouse, dependent and additional life insurance coverage at their own expense. A plan summary is available from the City Human Resources Director.

6.06. Section 125 Premium Conversion Plan

The City has approved an IRS Section 125 premium conversion plan available to all employees who have a health or dental insurance contribution. This plan enables you to pay your insurance contributions with pre-tax dollars rather than after tax dollars.

6.07. Wisconsin Retirement System

All eligible employees will be covered under the Wisconsin Retirement System (WRS) and all employees shall contribute the employee's share as established by law or, for those members of the police and fire bargaining units hired before July 1, 2011, by collective bargaining agreement. The City shall pay the required employer contribution.

6.08. Voluntary Benefits

The City offers a variety of voluntary benefits such as accident insurance and deferred compensation programs. Complete details of these plans will be available to new employees and at various times throughout the year. The employee pays 100% of the premiums for these plans.

6.09. Longevity Pay

All regular full time and part-time employees who have completed continuous uninterrupted service will receive longevity pay as follows:

- After five (5) continuous years 1% of base salary
- After ten (10) continuous years 2% of base salary
- After fifteen (15) continuous years 3% of base salary
- After twenty (20) continuous years 4% of base salary
- After twenty-five (25) continuous years 5% of base salary

As a general rule, longevity is based on an employee's date of hire.

6.10. HIPAA Compliance

The Health Insurance Portability and Accountability Act (HIPAA) was enacted primarily to provide improved portability of health benefits and greater accountability in the area of healthcare fraud.

As a plan sponsor of fully insured group health plans, the City is required to comply with the HIPAA requirement to maintain the privacy of personally identifiable information (PII). PII refers to any health information which may be identifiable including but not limited to demographic information collected from an individual that relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care; future payment to an individual; and the identification of an individual in relation to overall physical or mental condition.

In offering benefit plans to its employees, the City is obligated to provide a Notification of HIPAA procedures to all employees enrolled in the plans. This notice will advise employees of the procedures in place to assure regulatory compliance.

The City also reserves the right to make any amendments to the Notification of HIPAA procedures as allowed by law.

6.11. Unemployment Compensation

The City participates in the State of Wisconsin unemployment benefits if an employee becomes unemployed through no fault of his or her own. Eligibility for benefits is an individual determination made by the appropriate state agency.

6.12. Medicare

The City is required to deduct a portion of each qualified employee's pay to Medicare. The employee pays a percentage of his or her gross income each pay period. The City matches the employee's Medicare payroll deduction.

6.13. Workers' Compensation Insurance

The City maintains workers' compensation insurance coverage for work-related employee injuries and illnesses. Workers' compensation insurance will provide for payment of an employee's medical expenses and for partial earnings continuation in the event of a work-related injury or illness. The amount of benefits payable and duration of payments depends upon the nature of the injury or the illness. In general, however, all medical expenses incurred in connection with the injury or illness are paid in full and partial earnings payments are provided as covered by the law.

In the event an employee is injured on the job, and as a result is eligible for Worker's Compensation Disability Pay, the City agrees to continue the employees' normal base salary for a period of time not to exceed ninety (90) working days. As a result of the continued payment of base salary, the worker's compensation disability payment for the worker's compensation carrier will be paid directly to the City. An employee may not receive, or if received may not keep, both the City payment of normal base salary and the Workers' compensation disability payment and is required to return one or the other to the City.

Employees unable to return to regular or modified duty due to an injury or illness will be placed on medical leave of absence as stated in this Employee Handbook. Medical leave of absence runs concurrently with workers' compensation insurance.

6.14. Employee Assistance Program (E.A.P.)

The City is concerned with the total employee, their family and the community in general. For this reason, an Employee Assistance Program (EAP) may be provided which offers direction to appropriate community resources for information and/or treatment. This program covers any illness or personal problem which repeatedly interferes with the individual's health, safety, and/or job performance.

An employee may self-refer to EAP for any appropriate reason. A referral by a supervisor will be based only on unsatisfactory job performance, which is the only criterion for a supervisory referral. The City believes that job performance is the responsibility of the employee, with or without treatment. If after referral, the job performance does not improve to an acceptable level, the case will be handled as any other case of unacceptable job performance. It is the policy of the City that EAP, when appropriate, should be used at appropriate steps of the disciplinary process and will be documented.

The confidential nature of any employee's participation in the EAP will be maintained. Any records generated through the EAP are confidential and will not be maintained by the City in the employee's personnel file.

7. Compensation Policies

7.01. Compensation Program

It is our objective to compensate employees for their performance and contribution to the City's goals and objectives. In setting compensation levels, the City considers a number of factors including overall organizational effectiveness, the need for attracting and retaining qualified and talented employees, and the City's financial position. Three main tools are currently utilized to determine salaries:

Job Descriptions- The majority of the City's jobs have been defined in a written job description. These typically identify the purpose, responsibilities, qualifications, and accountabilities of the job.

Wage/Salary Ranges- The City has implemented a formal salary structure for non-exempt and exempt positions in an attempt to keep salaries aligned with comparable markets. These ranges are developed by blending the City's compensation philosophy, salary survey data, and current economic business conditions.

Performance Appraisal- Performance appraisals measure an employee's demonstrated job performance and results achieved. How well a job is performed is the most important factor in determining eligibility for a merit increase. Performance evaluations may be held at any time, but are scheduled annually. If you do not receive an annual evaluation, please talk to your supervisor.

7.02. Pay Procedures

The City pays its employees on a bi-weekly basis. A pay period consists of two (2) 40-hour work weeks beginning Sunday and ending Saturday. All timekeeping is based on a 40-hour work week and contained within that week. The checks will include all work hours within the previous payroll period. Employees are paid bi-weekly on the Thursday following the end of the pay period. If the regular pay day occurs on a holiday or when the banks are closed for a holiday, employees are paid on the last working day prior to the regular payday.

On each payday, employees receive a statement showing gross pay, deductions, and net pay. Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans and individual savings plans may be arranged through the City Human Resources Director. Please remember it is the employee's responsibility to review their pay stubs every payroll period to insure accuracy and contact the Payroll Specialist with any discrepancies.

The City also offers and encourages the option of having the employee's paycheck automatically deposited into the employee's personal bank account(s). In order to participate, the employee must complete an authorization form and provide a canceled check or official proof from the employee's bank of routing and account numbers during orientation. Direct Deposit authorization can be changed at any time by submitting a request in writing to the Payroll Office at City Hall.

7.03. Pay Corrections

It is the City's policy and practice to accurately compensate employees and to do so in compliance with all federal and state laws. Employees are encouraged to discuss any questions regarding the calculation of their pay with their supervisor. Employees must

bring any pay errors, underpayment, or overpayment to the attention of their immediate supervisor. If the employee's paycheck is short due to a payroll error, the employee will receive the amount on the next scheduled payday. Any deviation from this procedure requires a written request to the Department Head. Errors made as a result of an employee's omission will be corrected on the next scheduled payday. Overpayment corrections will be made on the next payroll following the discovery of the error.

7.04. Pay Procedures and Time Sheets

All City Hall union and non-union employees, department heads, and Enterprise employees are required to record their hours worked, vacation, sick leave, holiday leave, and compensation time in a standardized timekeeping system which will be provided by the department head for review and approval.

Each employee is required to document working hours via the timekeeping system. Failure to accurately record time may result in delayed issuance of an employee's paycheck. Employees who repeatedly submit timekeeping inaccuracies will be required to attend timekeeping training. Ongoing timekeeping issues which arise after the employee has had corrective training may result in disciplinary action. Each employee should record their time only. Each employee will be required to verify the hours on the employee's time card record are complete and accurate prior to submitting the card to the supervisor at the end of each pay period. To accommodate direct deposit, it is necessary to have all time cards to the Accountant's office no later than 4:00 p.m. on the Monday following the close of the pay period. Employees should never assume a supervisor or the payroll specialist will notice or edit any time discrepancy, as this is the employee's responsibility.

Each employee's timesheet will be signed by the employee and contain the statement "I hereby certify that the hours on this time sheet are a true and correct record of the actual hours worked for the week shown." Failure to submit a timesheet when required may result in a delay in issuance of the employee's paycheck unless there is cause. Submission of a fraudulent timesheet will result in disciplinary action up to and including termination. All requests and authorizations for time-off will be submitted with the timesheet for the bi-weekly payroll.

Record keeping to track Compensatory time, Sick Days, Vacation Time and Personal Days shall be kept in one central location within each department.

7.05. Payroll Deductions

A paycheck reflects total employee earnings for the pay period adjusted for any mandatory or voluntary deductions. Mandatory deductions are deductions that the City is legally required to take; such deductions include federal income tax, social security tax (FICA), and any applicable state and local taxes. Voluntary deductions are deductions authorized by the employee. Such deductions might include health and dental insurance, retirement accounts, etc. Employees with questions regarding deductions or who wish to change their

federal withholding (Form W-4) are required to contact the Payroll Specialist and notify the Human Resources Director for notation in the employee's personnel file.

Any changes to federal or state taxes or payroll deductions in general must be filed with the Payroll Specialist in order to confirm the change and filed in the employee's personnel record.

By January 31 of each year, employees will be supplied with a Wage and Tax Statement (W-2) form for the previous working year. This statement summarizes employee income and deductions for the year. Employees may direct questions regarding these deductions to the Payroll Specialist.

7.06. Wage Garnishments

A wage garnishment is an order from a court or a government agency directing the City to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or money owed as a result of a judgment in a civil lawsuit. If the City is instructed by a court or agency to garnish an employee's wages, the employee will be notified of the garnishment at once. The City is legally required to comply with these orders. An employee with disputes or concerns about the amount of a garnishment must contact the court or agency that issued the order.

7.07. Meal Times/Breaks

Meal and rest break times are currently provided to relax and refresh an employee for the day's work. The employee will need to coordinate with their supervisor as to department needs and the rest break and lunch schedule for the department. Employees are granted two (2) paid 15-minute rest breaks in each full working day. Typically, these break times are to be taken mid-morning and mid-afternoon. Deviations from this practice must be approved by the employee's direct supervisor and documented in writing.

A meal break is considered unpaid and cannot be considered as paid time off, nor can missed breaks accumulate as any form of time paid. Rest periods are included in an employee's paid work time. When breaks must be skipped due to the volume of work, any flexing of the work day requires the approval of a supervisor.

7.08. Lactation Accommodation

The City will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, to the extent required and in accordance with applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run

concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, to the extent permitted by applicable law.

The City will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall for the employee to express milk in private. This location may be the employee's private office, if applicable. The City may not be able to provide additional break time if doing so would unduly disrupt the City's operations. Please speak to the City Human Resources Director if you have questions regarding this policy.

7.09. Hours of Work

Scheduling of the 40-hour workweek for full-time City employees will be determined at the discretion of the City. Employees are scheduled as needed by the department head. The City will provide employees with an unpaid half (1/2) hour meal period per work day unless circumstances require otherwise. The Department Head must approve all extended meal periods.

7.10. Flexible Work Schedule and Remote Work

The City encourages its managers to consider flexible and remote work arrangements when appropriate for an individual staff member and the City. A restructured work arrangement should focus on results, with the understanding that many types of work require an employee's presence on a predictable, and sometimes standard, schedule.

Recognizing it is sometimes mutually beneficial for the City and the employee, generally work schedules can be altered at the manager's discretion.

7.11. Overtime

On occasion, an employee may be required to work beyond the regular 40 hour work week. The City will attempt to give advance notice when overtime work is necessary; however, it may not always be possible to notify employees in advance.

Exempt (salaried) employees will not be paid for working beyond regularly scheduled hours, instead they will be allowed to request 1:1 compensatory time for any hours worked over 40. Whenever possible comp time accrual requests and approval should be made in advance.

Non-exempt (hourly wage) employees are entitled to time and a half for all authorized hours worked over forty (40) hours in a defined work week. (Note: Police and Fire Department employees should see their contract for designated hours and FLSA pay calculations.) All overtime must be approved in advance by the employee's department head. It is advised, whenever possible, to obtain approval for all overtime hours in writing.

Overtime is calculated only based on actual hours worked - meaning hours the employee spent time performing services for the City - within a work week. The normal work week is Sunday – Saturday unless otherwise provided by union contract. The City considers vacation and holiday pay ‘hours worked’ and will be included in overtime calculation.

Jury duty, funeral leave, personal leave, and sick leave are not considered ‘hours worked’ for the purpose of calculating overtime payments.

7.12. Compensatory Time

Compensatory Time is defined as time off in lieu of overtime pay. All compensatory time will be granted in accordance with the Fair Labor Standards Act (FLSA). Compensatory time in lieu of overtime is at the discretion of the City.

Non-represented Employees:

Compensatory time is accumulated at the rate of an hour and a half (1 and ½) for each hour worked in excess of forty (40) hours per week. Qualifying “hours worked” to accrue compensatory time in a 40-hour work week will include holidays and vacation time. Sick and other previously earned compensatory time will not be included.

Executive and Administrative Employees:

The classification includes elected and appointed officials and department heads who are exempt (salaried) from the Fair Labor Standards Act (FLSA) are permitted compensatory time off at the rate of one hour off for every one hour worked (1:1) in excess of forty (40) hours per week. This is subject to approval from the employee's supervisor.

In General:

The accrual of compensatory time must be approved in advance, whenever possible, by the immediate supervisor or department head. Employees will be required to use their compensatory time by the first payroll in December. If the compensatory time is not used it will be paid out on the final pay period check of the calendar year. It is important for employees to plan accordingly when they have accrued compensatory time. It is also important for department heads to manage the amount of compensatory time any one individual is accruing.

Compensatory time earned for conference or for training attendance or any travel will be in compliance with the FLSA and this handbook.

Employees should request compensatory time off from their department head at least two (2) days in advance. If the employee is a department head, the leave request should be submitted to the City Administrator. The employee may choose to use compensatory time

for emergency medical or dental appointments or when there is a serious illness or injury in the employee's immediate family instead of using sick leave.

In case of termination, lay-off, retirement, or death of an employee, the following requirements apply:

1. Non-exempt (hourly wage) employees classified under the Fair Labor Standards Act will be paid for any accumulated compensatory time.

Use of compensatory time as time off in lieu of payment is at the discretion of the department head and should be strictly monitored to adhere to the policy within this section.

For further information on compensatory time, contact the City Human Resources Director.

7.13. Training/Meeting Travel Reimbursement

If an employee is required to travel for work-related training/meetings, the City will reimburse all approved business-related travel expenses as outlined below. Changes to the standard mileage rate or meals and incidental reimbursement rates will be made annually, if needed, by the City Administrator referring to this section in the Handbook and per the State of Wisconsin Department of Administration Division of Personnel Management Pocket Travel Guide and IRS guidelines.

An employee must obtain training/meeting travel authorization from his/her department head. Department heads must receive training/meeting travel authorization from the City Administrator. This authorization must include the work-related connection for the training or travel. Use the travel and approval form provided.

The City will pay for all business-related training/meeting travel expenses including lodging, meals and any transportation requirements such as airline tickets, rental cars, train, taxi-cabs, etc. When required, as outlined below, a receipt must be submitted for reimbursement. The City will not pay or reimburse employees for room tax on in-state travel. Appropriate tax-exempt forms should be requested prior to travel. The employee is expected to document all travel expenses.

City Credit Card: Whenever possible, employees should use the City credit card for all expenses related to the cost of travel, food, and lodging and save all receipts. Use of the City credit card does not relieve an individual from turning in receipts for expenditures. Under no circumstances should any expenses other than the employees be charged to the City.

Expense Reports: Employees shall submit expense reports with receipts, as outlined below, to the Department Head for approval within 7 days of the conclusion of the trip to substantiate the expenses. All reports must include details regarding the date, place, name of person visited or entertained, and business or training purpose. Any excess reimbursement or advances are to be returned to the City with the expense report. This is necessary to meet IRS regulations. When possible attach a flier or agenda documenting a conference or workshop attended.

Please Note: When using a City credit card for purchasing meals employees MUST keep a receipt to reconcile the credit card statement. Employee meal and incidental expense (M&IE) reimbursements are at a set rate and do not deviate from that rate unless approved by the Department Head and Finance Director. The employee will be responsible for any meal costs exceeding the daily M&IE rate for City travel.

City Vehicle Use/Mileage Reimbursements-Personal Vehicle: Whenever possible, employees should use a City vehicle for business travel. Mileage will not be paid for the use of a personal vehicle if a City vehicle is available. Employees who use their personal vehicle for business travel will be reimbursed by the City at the rate of \$0.51 per mile. Employees are not entitled to separate reimbursement for gas, maintenance, insurance, or other vehicle-related expenses as the reimbursement rate is intended to encompass all of these expenses. Mileage for any business travel is based from the office to the business-related location. The IRS does allow mileage expense from home directly to the designated training/meeting location to be reimbursed if the travel is done on a regularly scheduled off day (i.e. Sunday). The mileage will be reimbursed at the State of Wisconsin Department of Administration Division of Personnel Management's Travel Guide rate. The table included further down in this section gives a breakdown for mileage reimbursement rate of .51/mile or as authorized and approved by the Common Council.

Lodging/Other Transportation: The City will pay the actual amount of the hotel/motel stay less room taxes. Employees need to acquire a tax-exempt letter from the City Clerk prior to departure. The employee should always request a government discount when making reservations or checking in to the hotel. There will be no reimbursements for lodging or business travel without a receipt. Any entertainment during overnight stays, including in-room movies and food/beverages from the hotel room refrigerator, will be paid for by the employee and are not reimbursable by the City. Taxes on in-state lodging will not be paid by the City nor will they be reimbursed to the employee.

The following travel policies apply to an employee authorized to make his or her own travel arrangements:

- Transportation should be scheduled using the most economical mode of transportation available at coach rates with the most direct route.
- Mileage will not be paid for the use of a personal vehicle if a City vehicle is available.
- Airline tickets should be purchased in advance to maximize any discounts offered by the airlines. All points/mileage accumulated for the travel will belong to the employee when the employee uses their personal credit card to purchase the tickets.
- The City may allow an employee to add additional days to a trip. However, it is the responsibility of the employee to make up the financial difference to the City. If the additional time off is on a scheduled work day, the time off must have prior approval in accordance with procedures identified in this Handbook.
- The City occasionally allows for another person to travel with an employee as long as it is done at their own expense and with prior authorization. If traveling with another person, such travel must be approved by the Department Head prior to the trip. The City will assume no cost for the additional person. Additionally, the City assumes no liability for the additional person and will not be responsible for any negligent acts by the non-employee.
- The City may utilize a specific vendor for rental cars because of the vendor's rates. Employees are permitted to contract to rent a compact or mid-sized car when traveling. Additional charges for rental insurance are not reimbursable. An employee must have valid insurance including collision damage on their existing vehicle insurance policy. If an employee is involved in an accident with a rental vehicle, they will need to file a claim with their own insurance or insurance purchased at the time of securing a rental vehicle, and must also provide a report of the accident to the City.

Same Day Travel/Training & Overnight Travel/Training without Per-Diem Request - Meal & Incidental Expenses (M&IE) Reimbursements: The City will reimburse employees for meals for approved business training/meeting travel. Meals will be reimbursed per the table below. Receipts are required for meals purchased with cash or a personal credit card, or with a City credit card. Tips for meals are included in the M&IE rate. Receipts are also required to reimburse expenses related to business travel such as public transportation, parking fees, etc. If employees are out of town for a portion of the day, meal reimbursement (including tips) will be paid at up to nine dollars (\$9.00) for breakfast; fourteen dollars (\$14.00) for lunch; and eighteen dollars (\$18.00) for dinner. **Receipts must be presented for**

reimbursement. Reimbursement for travel that is not overnight is **taxable to the employee** and will be included in taxable wages per IRS guidelines.

Until a travel authorization and approval process is implemented the following rules will apply:

Overnight Travel Per-Diem Requests - Meal & Incidental Expenses (M&IE) Reimbursements: The requirements for requesting an M&IE per diem meal allowance for overnight travel is as follows:

- The City will provide advance M&IE per-diem for meals for overnight business-related travel and training only.
- See the table below for current approved M&IE rates. The per diem is \$41 per day for meals including tips.
- The day of departure and the day of return will be prorated at 75% $\frac{3}{4}$ of the M&IE for these days per diem or \$30.75 for each of these days.
- For travel outside of the state or the Midwest Region, the M&IE rate per diem rate may be increased up to the maximum federal M&IE per diem rate as approved by the Department Head and Finance Director.
- Per diem expense reports are required to be submitted to the department head within seven days of the conclusion of the trip to substantiate the use of the M&IE and are to include the following:
 - Dates, time, place, and purpose of the trip which substantiates the use of the per diem. Note: Receipts are not required to be attached for meals unless a City credit card is used. In that instance, receipts must be kept to reconcile the credit card statement. M&IE expenses are paid to the employee regardless of the actual expense incurred for the meals purchased while on travel.
 - Employee signature and department head signature.
 - Receipts for purchases with the City Credit Card are **REQUIRED** to be attached to the report - this includes meal receipts when meals are purchased with the City credit card.
 - Unsubstantiated M&IE per diem advanced to the employee **IS REQUIRED** to be returned to the City and attached to the expense report.

- A standard authorization and reconciliation form will be provided to be used across the workforce. Until a standard form is created the current forms may be used.
- Failure to submit a per diem expense report within 7 days of the conclusion of the trip will result in the per diem amount be included as taxable wages to the employee as required by the IRS. The employee will also relinquish the right to the per diem meal option for future travel.

The following table is a quick reference guide for M&IE:

Type of Travel	Supervisor Approval	Expense Form	Mileage	Meals (Includes Tips)	Meal Per Diem (Includes Tips)
Same Day or Overnight without Per Diem	Required	Required - Must be submitted within 7 days of conclusion of the travel with receipts attached.	Use of City Car-Preferred. Personal Car use - mileage reimbursed at .51/mile	Breakfast \$9 Lunch \$14 Dinner \$18 Taxable for same day travel. Taxable for overnight travel if receipts not attached.	Not applicable
Overnight Per Diem advance	Required	Required: Must be submitted within 7 days of conclusion of the travel.	Use of City Car-Preferred. Personal Car use - mileage reimbursed at .51/mile	Not taxable if expenses are substantiated by expense form submitted within 7 days after travel	\$30.75 each for the first and last day. \$41for full days without travel.

7.13. Uniform and Clothing Reimbursement Policy

The City shall provide to employees, or reimburse employees, for the costs of uniforms the employee is required to wear in connection with employment with the City. An article of clothing shall be defined as a uniform only if it meets each of the following criteria established by the IRS:

1. Be specifically required as a condition of employment by the Department for which the employee works;
2. Not be adaptable to general usage or ordinary clothing; and
3. Not be worn for general use.

The provision or reimbursement of uniforms to employees shall be non-taxable benefit to such employees.

The City shall not provide to employees; nor reimburse employees, for the cost of any clothing that is not a uniform unless the expenditure or reimbursement for non-uniform work clothes is approved by the City Administrator and the employee's Department Head. Current approved positions include Facilities Maintenance, Humane Officer, and Public Works staff. The provision or reimbursement for non-uniform work clothes shall be a taxable fringe benefit to the recipient employee.

8. Time-off Benefits

8.01. Introduction

The City recognizes our employees need to take time off occasionally to rest and relax, enjoy a vacation, or attend to personal matters. Paid time-off benefits are granted based on the number of hours in the employee's standard workweek. The City's standard workweek for non-represented employees is defined as Sunday through Saturday and consists of 40 hours. Paid time off benefits are based on actual hours worked within a given workweek. For the purposes of calculating time off benefits like overtime and compensatory time the City will include Holiday and Vacation time as actual hours worked. All other paid time-off benefits, such as sick leave, bereavement leave, jury duty, and other time-off benefits as defined in this section will not count towards actual hours worked within a given work-week and will not be used to calculate overtime or compensatory time accrual.

SPECIAL CONSIDERATION: For emergency call-back situations for all non-represented employees' overtime and compensatory time accrual will be allowed regardless of actual hours worked outside of regularly scheduled hours.

Ex: EE's regular work week is Monday through Friday at 40 hours. EE calls in sick on Monday but is called back one day during the weekend for an emergency work task. The EE will keep the sick leave for Monday and accrue as follows for the emergency weekend work:

1. An exempt employee will accrue compensatory time at one hour for each hour worked for the emergency work required on a Saturday or Sunday.
2. A non-exempt employee will accrue overtime or compensatory time at the rate of one hour and a half for every hour worked for the emergency work required on a Saturday or Sunday.

Note: Non-Exempt employees who receive prior approval to voluntarily work a Saturday or Sunday will not be allowed to accrue overtime or compensatory time at the one hour and a half rate. They will receive straight time for any voluntary hours worked on a Saturday or Sunday up to the 40 hours. In this case, time and a half rules will apply to non-exempt employees for any hours worked over 40.

UNION EMPLOYEES; Please refer to your union contract for specific information regarding time-off benefits.

Additional informational resources not to be included in the amendment:

DEPT. OF LABOR WAGES AND FLSA POINTS OF REFERENCE:

<https://www.dol.gov/agencies/whd/flsa>

- **FLSA Overtime:** Covered nonexempt employees must receive overtime pay for hours worked over 40 per workweek (any fixed and regularly recurring period of 168 hours – seven consecutive 24-hour periods) at a rate not less than one and one-half times the regular rate of pay. There is no limit on the number of hours employees 16 years or older may work in any workweek. The FLSA does not require overtime pay for work on weekends, holidays, or regular days of rest, unless overtime is worked on such days.
- **Hours Worked (PDF):** Hours worked ordinarily include all the time during which an employee is required to be on the employer's premises, on duty, or at a prescribed workplace.

The employee is responsible for accurately recording their paid time-off time on their timesheet or electronic timekeeping platform and coding it correctly as to which designation of benefits they are using. (i.e. vacation, holiday, sick, etc.) Time-Off requests must be in line with the current timesheet system.

8.02. Vacation

Vacation time will be based on the employee's date of hire. In general, all non-exempt employees will earn one 8-hour vacation day per month (pro-rated for regular part-time employees) which is accessible to them upon completion of at the 6 month orientation/training period up to 96 hours of vacation which is available to employees immediately upon accrual up to the 96 hour cap for first and second year employees. Thereafter, employees' vacation will be renewed on the anniversary of their hire date per the below schedule; except as provided for in a collective bargaining agreement or individual employment contract. From the approval of this policy vacation time will be earned based on the following schedule and will apply to all employees:

Amount of Vacation Based on a Calendar Year	
1 st (Initial) Year	12 days or 96 vacation hours earned one (1) working day per month. Accrued vacation will be accessible upon successful completion of the 6-month orientation period.
2 nd Year	12 days or 96 hours (One working day for each month worked)
3 rd Year	13 days
4 th Year	13 days
5 th Year	14 days
6 th Year	15 days
7 th Year	16 days
8 th Year	17 days
9 th Year	18 days
10 th Year	19 days
11 th Year	20 days
12 th Year	21 days
13 th Year	22 days
14 th Year	23 days
15 th Year	24 days
16 th Year (thru 19 th)	25 days
20 th Year	26 days
21 st Year	27 days
22 nd Year	28 days (Maximum)

Regular part-time employees working at least 30 hours per week on a regular/permanent basis will receive prorated vacation benefits. Limited term employees and Seasonal employees are not eligible for vacation time.

Vacation requests for four (4) days or more are required to be submitted to the supervisor for approval at least two (2) weeks prior to the date requested. If less than four (4) days is being requested, a two (2) day advance notice is required to be submitted to the department head/supervisor for approval. If more than one employee is requesting the same vacation time within a department, the decision will be made on the basis of seniority within the department.

A maximum of two (2) weeks or 80 hours of unused vacation time may be carried over into the following calendar year. This must be approved by the department head/supervisor prior to December 31st of that year. The carried over hours can be used at any time during the next calendar year as approved by the employee's supervisor or Department Head.

8.03. Holidays

The City will grant paid holidays to all full-time employees and prorated holidays to regular part-time employees. Holiday pay will be calculated based on an employee's straight-time base pay rate (as of the date of the holiday) multiplied by the number of hours that the employee would have been scheduled to work on that day.

If an employee is required to work a holiday they will receive 1 and 1/2 times the rate of pay for every hour worked. The rate will be calculated at the employee's straight-time base pay rate as of the date of the holiday and multiplied by the number of hours worked.

Employees who choose to trade their holiday will be paid at their straight-time base rate of pay for the holiday they work and will then, upon approval of the supervisor, be eligible to identify a different day to take as the holiday which will be calculated based on an employee's straight-time base pay rate (as of the date of the holiday) multiplied by the number of hours that the employee would have been scheduled to work on that day.

The following days will be observed as holidays. The Common Council reserves the right to designate dates for observance of any other holidays.

- New Year's Day (January 1st)
- Martin Luther King Jr. Day
- Friday before Easter
- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- Labor Day (first Monday in September)
- Veteran's Day (November 11th)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve Day (December 24th)
- Christmas Day (December 25th)
- New Year's Eve Day (December 31st)

A recognized holiday that falls on a Saturday will be observed on the prior Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day following the holiday. This excludes employees who

have pre-approved vacation time or compensatory time arranged on workdays before or after the holiday.

Non-exempt employees required to work on a City-observed holiday will be paid time and a half (1 and ½) unless, upon approval of the supervisor, the employee is eligible to identify a different day to take as the holiday which will be calculated based on an employee's straight-time base pay rate.

Exempt employees required to work on a holiday will be entitled to utilize another scheduled day as the holiday with approval by the department head.

Limited term and seasonal employees are not eligible for holiday benefits except when they are working on a holiday and in that case they will be paid one and a half (1 and ½) times their base rate of pay for every hour worked

NOTE: The Vaughn Library, Bretting Center, and Park and Recreation Programs may remain open on these holidays under policies adopted by the Vaughn Library Board or the City. Further, Police and Fire employees need to consult their contracts for their specific holiday payment policies.

Should any regular employee's bona fide religion require the observance of other religious holidays, those holidays may be substituted for an equal number of the listed holidays, provided that municipal operations do not suffer undue hardship. The City and the employee will work together to determine which days will be substituted. If the substitution of holidays is insufficient to reasonably accommodate the employee's religious observances, the employee and City will work together to determine other reasonable accommodations.

8.04. Sick Leave

Accumulation

Sick Leave will be credited to each regular full-time employee at the rate of one (1) day for each completed month of service. One (1) day is calculated at eight (8) hours per day depending upon the employee's regular hours of work. Part-time employees will earn sick leave on a pro-rated basis pursuant to Sec. 5.04 of this Handbook. Credit for the employee's initial month of employment will be given if the starting date of employment was prior to the sixteenth (16th) day of that month. Sick leave may be accumulated as follows:

Non-represented Employees hired before October 31, 2019:

Sick leave may accumulate and carry over calendar year to calendar year up to 960 hours or 120 days.

Part-time employees will receive a prorated amount of sick leave based on hours worked.

Non-represented Employees hired on or after October 31, 2019:

Sick leave may accumulate and carry over calendar year to calendar year up to 480 hours or 60 days.

Part-time employees will receive a prorated amount of sick leave based on hours worked.

Limited term employees and Seasonal employees are not eligible for sick time.

Use of Sick Leave

Eligibility for sick leave begins upon accumulation. Employees may draw upon accumulated sick leave when, due to sickness or temporary disability, the employee is unable to perform the duties of employment. Any time-off must be requested in advance or after the fact according to this policy and documented on a Time-Off Request Form which is also attached to the timesheet. A physician's statement may be required to return to work after an absence of three (3) consecutive days or more. Abuse of sick leave may be grounds for disciplinary action up to and including termination. Sick Leave or compensatory time may be used in medical emergencies or for medical or dental appointments or when there is a serious illness or injury in the employee's immediate family.

Please refer to Sec. 9.04 of this Handbook for more details.

Separation of Service

In the case of involuntary termination or lay off, no employee will be paid for their unused, accumulated sick leave. See Retirement payouts for more detailed information regarding employees retiring from the City.

If an employee dies while employed by the City, their estate will be paid for seventy-five (75%) of the unused sick leave remaining in the employee's account, not to exceed ninety (90) days of full or pro-rated pay.

8.05. Leave Transfer Policy

Eligible City staff may donate leave to, or apply for a leave transfer from, the City leave pool. The Leave Transfer policy enables eligible staff who have exhausted all paid leave to request use of leave donated to the program. The request must be based on a personal emergency requiring time away from work which would result in a substantial loss of income because of the lack of paid leave.

Please refer to the attachment section of this handbook for a detailed description of the Leave Transfer Policy.

8.06. Leave of Absence

The City understands that there may be times that require an employee to be away from work for personal reasons. An employee may request a personal leave of absence from their department head. Approval is not guaranteed. It is based on the reason for the requested leave, the length of the leave desired, the department's workload, and the employee's work record and length of service. Regular employees with a minimum of two (2) years of service may request up to thirty (30) calendar days of leave. The leave may only be extended with special permission granted by the City Administrator.

The following items must be approved by the employee's immediate supervisor prior to the start of the personal leave: reason for the leave, duration of the leave, how the leave is to be paid (sick, comp time, vacation time, or without pay), benefit provisions, and the employee's returning position and pay. A signed document outlining all terms of the leave must be approved by the City Administrator before the leave is granted. In no case will a leave of absence be granted for the purpose of accepting employment with another employer. During the unpaid leave, no vacation, sick leave, or any other benefits will accrue to the employee.

Earned vacation time must be used before the employee can request an unpaid leave. If the employee's leave extends into the next month after the start of the leave, the employee is responsible for making all dependent insurance premium payments, and must make arrangements with the City Finance Director or designee for that purpose. The City will make every effort to place the employee in their former position or a similar one upon the employee's return from personal leave, but cannot guarantee this placement.

Failure to return from leave on the agreed upon date shall be considered as a resignation, unless further time off is needed and communicated to the supervisor or Department Head.

8.07. Unexcused Absences

Supervisors should always be made aware of an employee's ability to work. An unreported absence or "no call, no show" of three (3) or more consecutive days may be considered voluntary termination.

Supervisors have the right to approve absences and should do so in advance whenever possible. The City recognizes timely notice may not always be able to be given. Three (3) consecutive unexcused absences will result in disciplinary action up to and including termination.

8.08. Jury and Witness Duty

The City encourages employees to fulfill their civic responsibilities and obligations by serving jury duty or responding to subpoenas to testify when called upon. Jury and Witness Duty Leave is compensated time-off for an eligible employee to perform jury duty or to testify, as set forth below, on a day or time that conflicts with the employee's regularly

scheduled work time. If an employee is excused from jury duty or from testifying during regularly scheduled work hours, the employee is expected to return to work for the remainder of their shift. If an employee is selected as a juror, the employee must notify their supervisor as soon as possible and advise the supervisor of the selection.

The employee must notify their supervisor no later than the first business day after receiving a notice of jury duty or subpoena to testify.

Jury and Witness Duty Leave is governed by state law. No benefits are denied to an employee who serves on a jury. The employee shall assign or pay to the City the full amount of pay received by the employee from the Court or subpoenaing party minus any expense allowance and will receive from the City their regular wage for up to fourteen (14) days. If a jury duty assignment is fifteen (15) days or longer, the employee may elect to use accrued Vacation Time or accumulated Compensatory Time for time missed. The employee is not eligible to accumulate compensatory time while performing jury duty. The 14-day limit for receiving full pay for witness duty does not apply if the employee is subpoenaed to testify regarding a crime against the City or an incident involving the employee during the course of the employee's employment for the City.

The employee is responsible for marking their timecard regarding payment for Jury or Witness Duty during the fourteen (14) days of paid Jury or Witness Duty.

8.09. Voting

Voting is an important right for all citizens. The City encourages its employees to exercise their right to vote in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote before or after work. However, if it is necessary for an employee to miss work in order to vote in any election, the employee should make arrangements with their supervisor no later than the day before the date of the election. The supervisor will determine the time of day when the employee may have time off, taking into account the need to schedule the least disruption to City services. The City will grant up to four (4) hours of paid time off to vote.

8.10. Bereavement Leave

If an employee suffers the death of an immediate family member, the employee is entitled to take up to three (3) working days or (1) shift in the fire department off of work with pay upon immediate notification of his or her supervisor, for the purpose of arranging for and attending the funeral. For purposes of bereavement leave, an "immediate family member" is defined by the City as an employee's spouse or domestic partner, parent, child, sibling (including step relationships) grandparents, spouse/domestic partner's parents, partner's grandparents, grandchildren or any individual who has resided with the employee immediately preceding the person's death.

Employees may, with the prior approval of a supervisor, use any available vacation, sick leave or compensatory time to supplement bereavement leave, or may request additional time off to be taken without pay.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensations such as incentives, shift differentials, or bonuses.

8.11. Military Leave

The City supports those who serve in the armed forces to protect our country. In keeping with this commitment, and in accordance with state and federal law, employees who must be absent from work for military service are entitled to take a military leave of absence.

Vacation, sick leave, and holiday benefits will not continue to accrue during a military leave of absence (or on leave without pay). Benefits will only continue until the end of the month worked, and then the employee will be moved into unpaid status. The employee will not lose any benefits already accrued, but the employee will not accumulate any additional benefit until returned to a paid status.

Regular, non-represented employees who are members of the reserve component of the military forces of the United States of America or the State of Wisconsin will notify the department head/supervisor promptly upon notification of reserve training. The employee will be granted time off with pay, up to a maximum of two (2) weeks per year, if required to participate in reserve training activities.

An employee who is called to military service must inform their department head as soon as possible the employee will need to take military leave and submit written orders. Notification without written copies of orders will not be considered official notification. An employee whose military service has ended must return to work or inform the City and they want to be reinstated following these guidelines:

- For a leave of thirty (30) or fewer days, the employee must report back to work on the first regularly scheduled workday plus eight hours after completing military service, allowing for travel time.
- For a leave of thirty one (31) to one hundred and eighty (180) days, the employee must request reinstatement within fourteen (14) days after military service ends.
- For a leave of one hundred and eighty one (181) days or more, the employee must request reinstatement within ninety (90) days after military service ends.

When an employee's military leave ends, the employee will be reinstated to the position previously held, or to a comparable position, as long as the employee meets the requirements of federal and state law.

Note: The City will follow all federal and Wisconsin military leave regulations in effect at the time of the leave.

8.12. Family and Medical Leave

The City provides family and medical leave as required by the Wisconsin Family or Medical Leave Act (WFMLA) and the federal Family and Medical Leave Act (FMLA) of 1993. Application of these laws must be coordinated with leave benefits provided under any applicable collective bargaining agreement. The provisions of WFLMA, FMLA, any applicable collective bargaining agreement, or this section of the Handbook, whichever provides the most generous benefit to the employee, will be applied. Leave qualifying under both laws (WFMLA and FMLA) will be counted against the employee's entitlement under both laws, as well as against the employee's entitlement under any applicable collective bargaining agreement, and the leave provided under this section of the Handbook. **WFLMA and FMLA are unpaid leave statuses.** All qualifying" family and medical leave" under the federal and state acts, under any collective bargaining agreement, and under this section, run concurrently or at the same time. The City will be guided by the specific provisions of FMLA and related regulations issued by the U.S. Department of Labor when interpreting and applying this policy in individual cases. The employee must notify their supervisor and contact the Human Resources Director to initial the FMLA Request process as soon as the need arises.

Eligibility

In order to qualify to take Federal FMLA leave, an employee must meet all of the following conditions:

- The employee must have worked for the City at least 12 months, which need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee was on leave during the week. In determining whether intermittent or occasional employment qualifies as "at least 12 months," 52 weeks is deemed to equal 12 months.
- The employee must have worked for the City at least 1,250 hours during the 12-month period immediately preceding the date when the leave would begin.
- The employee must work in an office or worksite where 50 or more employees are employed by the City within 75 miles of that office or worksite.

Types of Leave Covered

In order to qualify as FMLA leave under this policy, the employee must be taking the leave for one of the reasons listed below:

- The birth of a child and in order to care for that child;

- The placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent with a serious health condition; or
- Because of the serious health condition (described below) of the employee that makes the employee unable to perform the functions of the employee’s job.

A “serious health condition” is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care at a hospital, hospice, or residential medical care facility or continuing treatment by or under the supervision of a health care provider.

“Continuing treatment by a health care provider” may be for a variety of situations, including:

- A period of incapacity of more than three consecutive full calendar days;
- Any period of incapacity due to pregnancy or for prenatal care;
- Any period of incapacity due to a chronic serious health condition;
- A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective; and
- Any period of absence to receive multiple treatments either for restorative surgery or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days if not treated.

A “period of incapacity” is a period during which a person cannot work, attend school, or perform other regular daily activities because of the condition, including treatment for and recovery from the condition.

Employees with questions about what conditions are covered under this policy or under the City’s sick leave policy are encouraged to consult with the Human Resources Department.

The City normally requires an employee to provide a health care provider’s certification of the serious health condition. The form used for the certification process is available from the Human Resources Department.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid FMLA leave as provided under this policy, the City may designate all or some portion of the earlier leave as FMLA leave taken under this policy, to the extent that the earlier leave meets the necessary qualifications.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered military service member or veteran who is recovering from a serious illness or injury sustained or aggravated in the line of duty on active duty is entitled to up to 26 weeks of leave in a single twelve (12)-month period to care for the service member. This military caregiver leave is available during a single twelve (12)-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

An eligible employee who is the spouse, son, daughter or parent of an individual being on or called up for active overseas duty in the Armed Forces shall be entitled to up to 12 weeks per rolling 12-month period of “qualifying exigency” leave. “Qualifying exigency” is defined as short-notice deployment, military events and related activities, childcare and school activities, parental care, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities where the employer and employee agree to the leave.

An eligible employee can take up to 12 weeks of leave under this policy during any 12-month period. The City will determine the 12-month period as a [rolling 12-month period measured backward from the date an employee uses any leave under this policy]. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

If a husband and wife both work for the City, a leave for the birth of a child, placement of a child for adoption or foster care, or to care for a parent (but not a parent-in-law) with a serious health condition, may be limited to a total of 12 weeks for both of them during any 12-month period.

Use of Paid and Unpaid Leave

An employee who is granted FMLA leave must use all sick leave prior to being eligible for unpaid leave. Compensation in lieu of overtime (comp time) and annual leave accrued time may be used at the discretion of the employee. The remaining portion of the approved FMLA leave will be unpaid and begin from the last paid day of sick leave credit or discretionary paid time. All FMLA leave must be designated as such on the individual employee’s timesheet. If an employee is collecting workers’ compensation or disability benefits, accrued leave may not be used except where necessary.

Employee Benefits During Leave

While an employee is on FMLA leave, the City will continue the employee’s benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

The employee is responsible for paying the same portion of premiums for dependent coverage and contributions to any additional insurance coverage. While the employee is on paid leave, the City will continue to make payroll deductions to collect the employee’s share of premiums. **While the employee is on unpaid leave, the employee must continue to make premium payments**, along with any dependent premiums, either in person or by mail. If the payment is more than thirty (30) days late, the City may discontinue coverage during the leave period, or will recover the payments at the end of the leave period, in a manner consistent with law.

Certification of the Serious Health Condition

The City also normally requires certification of a serious health condition. The certification form should be returned within 15 days of receiving it. Failure to provide certification may result in a denial of FMLA leave, which may lead to disciplinary action for unexcused absence. The Medical certification form is available from the Human Resources Department.

Certification of the serious health condition must include the date when the condition began, its expected duration, diagnosis, and a brief statement of treatment. For medical leave for the employee's own serious health condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second health care provider, selected by the City.

If necessary to resolve a conflict between the original certification and the second opinion, the City will require a third opinion. The City and the employee will jointly select the third health care provider, and the City will pay for the opinion. This third opinion will be considered final.

The City may require an employee to provide a return to work certification from a health care provider before returning from FMLA leave.

Procedure for Requesting Leave

All employees requesting leave under this policy must submit the request in writing to their immediate supervisor, with a copy to the Human Resources Department.

When an employee plans to take leave under this policy, the employee needs to give the City 30 days' advance notice if the need for the leave is foreseeable. If it is not possible to give 30 days advance notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the City's operations.

If an employee fails to provide 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the City received notice.

While on leave, employees are required to report periodically to the City regarding the status of the medical condition, and their intent to return to work.

Return to Work at Termination of Leave

The employee is required to give the City five (5) days' notice of returning to work. In the case of an employee returning to work following a serious health condition, the employee must receive a "fit-for-duty" certification by a healthcare provider. This document should state the employee is able and ready to return to work and indicate the applicable date of return.

Confidentiality

All medical information obtained by the City shall be received, used, and stored in accordance with the privacy standards outlined in the Health Insurance Portability and Accountability Act (HIPAA) of 1996, as amended, and in accordance with applicable Wisconsin law. For additional information regarding privacy of information, please refer to the City's Notice of Privacy Practices.

The City Human Resources Director or Payroll/Benefits Specialist can assist an employee in determining his or her eligibility and answering questions regarding family and medical leave. This policy may change at any time in order to comply with possible revisions or additions to the law.

8.13. Wisconsin Family and Medical Leave

As noted above, an employee may be entitled to leave under both the FMLA and WFMLA, depending on the circumstances. When both acts apply, the employee will be entitled to leave under the more generous act. Under most circumstances, FMLA leave and WFMLA leave will run concurrently, and the FMLA will provide the more generous benefits. There may be circumstances, however, where only the WFMLA applies or where the WFMLA provides the more generous benefits. This policy summarizes key distinctions in the provisions of the WFMLA.

In accordance with the WFMLA, the City will grant an employee up to 6 weeks of unpaid leave for the birth or adoption of a child, 2 weeks of unpaid leave to care for a seriously ill family member, and 2 weeks of unpaid leave for the employee's own serious health condition during any calendar year. The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this policy.

Eligibility

In order to qualify to take WFMLA leave, an employee must meet all of the following conditions:

- The employee must have worked for the City at least 52 consecutive weeks. For eligibility purposes, an employee will be considered to have been employed during a week as long as the employee has actually been treated by the City as an employee, in accordance with normal personnel recordkeeping practices, regardless of the number of hours worked that week.
- The employee must have worked or have been on accrued paid leave provided by the City for at least 1,000 hours during the 52-week period immediately preceding the date when the leave would begin.
- The employee must work for an employer in Wisconsin employing at least 50 individuals on a permanent basis.

Types of Leave Covered

The amount of leave an employee may take under the WFMLA varies depending on the reasons for the leave. The different types of leave, and the length of leave available per calendar year for each different type, are described below:

- An employee may take up to 6 weeks of family leave for the birth of the employee’s natural child or the placement of a child with the employee for adoption. This leave must begin after 16 weeks prior to the expected date of birth or placement, or before 16 weeks after the actual date of birth or placement.
- An employee may take up to 2 weeks of family leave to care for the employee’s child, spouse, qualifying domestic partner or parent with a serious health condition.
- An employee may take up to 2 weeks of medical leave for the employee’s own serious health condition if the employee is unable to perform his or her employment duties.
- A “serious health condition” is defined substantially the same as under the FMLA described above.
- Employees with questions about what conditions are covered under this policy or under the City’s sick leave policy are encouraged to consult with the Human Resources Department.

Use of Paid Leave

While an employee is using WFMLA leave, the employee may use accrued sick, personal, vacation, or any other accrued paid leave.

Other Miscellaneous Provisions

The provisions under the Federal FMLA regarding Intermittent Leave or a Reduced Work Schedule, Certification of the Serious Health Condition, and Procedure for Requesting Leave, described above, also generally will apply to leave qualifying under the WFMLA.

If an employee has further questions about specific provisions of the WFMLA, or about the interplay between the FMLA and WFMLA, the employee should contact the Human Resources Department.

9. Health and Safety

9.01. Workplace Safety / On-The-Job Accidents

The City takes employee safety very seriously. In order to provide a safe workplace for everyone, every employee must follow the City's safety rules.

- No horseplay, roughhousing, and other physical acts that may endanger employees or cause accidents is permitted.
- Employees must follow their supervisor's safety instructions.
- Employees in certain positions may be required to wear Personal protective equipment (PPE's), such as hard hats, safety glasses, work boots, ear plugs, masks, etc. Your supervisor will let you know if your position requires protective gear.
- All equipment and machinery must be used properly. This means all guards restraints and any other safety devices must be used at all times. Do not use the equipment for anything other than its intended purpose.
- All employees must immediately report any workplace condition that they believe to be unsafe to their supervisor. The City will look into the potential safety risk immediately.
- All employees are responsible for reading and following all City safety rules and are accountable for understanding the content. Employees' failure to follow safety rules or use appropriate safety devices may result in a reduction of the worker's compensation benefits received in the event of an injury.

Safety: Job safety is very important to all of us. We require safe work practices of all employees and expect you to conduct yourself carefully and safely at all times. You are expected to observe all safety procedures and rules, and use required personal protective equipment (PPE) as outlined by your department and supervisor.

All work areas must be kept clean and free from debris and clutter. Tools and equipment must be kept clean and in good repair. Any accident, hazard, or unsafe condition or equipment is to be corrected and reported to a supervisor. If you are involved in or witness an accident while working, you must report it immediately to a supervisor. Supervisors must maintain a safe work environment, enforce safety rules, and train staff.

The City will design and implement a Safety Handbook within 1 year of this dated revision and distribute separately from this handbook to each employee. If you do not have one, please contact your supervisor or

department head. You must familiarize yourself with all safety rules within your department and city-wide and abide by them. If you have questions about one or more of the rules, contact your supervisor department head or Human Resources/Safety Director.

9.02. Procedure For Reporting Workplace Injuries/Illnesses

1. Employees shall report all injuries and illnesses resulting from their employment with the City to their supervisor immediately regardless of how minor the incident.
2. Employees, when necessary, shall seek first aid or medical treatment as soon as possible following the incident.
3. Employees, whenever possible, shall notify their supervisor of a work related injury or illness and together will follow the Worker's Compensation Workplace Injury/Illness Reporting procedures.
4. Department head/Supervisor shall arrange for first aid and/or prompt medical attention for the injured employee.
5. The Department head/supervisor shall investigate on-the-job incidents, complete and file necessary reports and take necessary action to prevent recurrence. A review by the Department's Safety Committee may also be done.

It is essential for an employee to file a notice of any workplace injury or illness with the immediate supervisor or the employee's Worker's Compensation claim may be jeopardized. Employees submitting, or assisting in submitting, false Worker's Compensation claims will be subject to disciplinary action up to and including termination. Legal action may also be taken against employees submitting fraudulent claims.

Employees who fail to immediately report an illness or injury in accordance with this policy shall be subject to discipline up to and including discharge.

Employees are covered by Worker's Compensation Insurance in accordance with State law. Worker's Compensation provides a payment to an employee injured at work to replace a portion of the income lost due to work related injuries or illnesses. It also provides payment of medical bills and related expenses. Employees will be paid for worker's compensation according to the terms of the insurance policy in effect.

The City is not responsible for payment of worker's compensation benefits for injuries resulting from the participation in any recreational, social, or athletic activity where the employee is under no duty to attend and the injury did not result from the performance of tasks related to the employee's normal job duties. The City is also not responsible for

providing benefits for injuries resulting from intoxication or drug abuse, the employee's violation of established safety rules, or the removal of safety devices from tools and equipment.

The City provides for all necessary medical treatment for accidental work-related injuries and illness and has the right to designate the treating physician as specified in the Wisconsin Workers Compensation Law. The cost of this benefit is paid entirely by the City.

9.03. Procedure For Grievances Concerning Employee Safety

The Procedure for Grievances Concerning Employee Safety is an attachment to this Handbook.

9.04. Return to Work

The City supports a Light Duty Work (LDW) program. This program allows employees to return to work with temporary restrictions during the healing process for work related injuries or illnesses.

Return To Work Policy Statement

The City desires that employees who are unable to perform the functions of their regular job because of a work-related injury or illness that prevents their return to regular assigned duty should, where possible, be temporarily assigned alternative productive work subject to necessary medical certification. The City does not assign employees to non-productive work. It does desire to obtain the benefits of a temporary assignment of alternative productive work which maintains a level of activity and productivity, serves a therapeutic purpose, and speeds the employee's return to regular assignment. Alternative productive work is reserved for employees who are temporarily disabled because of a work-related injury or illness. Alternative productive work may be assigned within or outside an employee's regular department. The work assigned under this policy is not permanent in nature and the City retains the absolute discretion to modify work assigned hereunder at any time. This policy does not in any way constitute an employment contract and the City reserves the right to amend this procedure at any time.

If there is a conflict between this policy and any applicable collective bargaining agreement or any law, the law and/or contracts shall prevail.

Transition Duty/Return To Work Plan

The City's Return to Work plan is called the "Light Duty Work" injury management program. It includes a team effort involving the injured worker, the treating health care provider, the City's Workers Compensation Insurance carrier and City Management Staff.

1. An employee injured or suffering an illness at work will provide to their supervisor, as soon as possible, written certification of any restrictions imposed by

a licensed medical provider. This will include the projected duration of the restriction(s). The prescribed Work-Related Injury/Illness Report can be found in the forms section of this Handbook.

2. The department head will evaluate the restriction(s) and determine if temporary assignment of alternative productive work is available. The department head may recommend assignment of the restricted employee to such available work and for the hours that such work is available.
3. The department head and City Administrator will attempt to provide a transitional job within the capabilities specified by the treating physician, intended to facilitate a return to regular work duties as soon as medically feasible.
4. The department head/supervisor, in coordination with the City Administrator, will determine, when applicable, in accordance with the physician's return to work recommendation what and where the duties of the employee will be. The duties and location will not be limited to the department the employee normally works in. If so determined by the department head and the City Administrator, the employee may work in a different department until they can return to full duty in their regular work assignment.
5. The department head will contact the injured employee in writing informing them of the City's return to Work program, soliciting the employee's cooperation in the program and instructing the employee of their responsibilities in maintaining their employee status.
6. Except as provided by law, employees shall be available for any transitional duty assignment which is within their medical restrictions.
7. It is expressly understood that:
 - a. No obligation exists for the City to provide or create a temporary assignment of alternative productive work or convert a regular job for the purposes of a temporary assignment.
 - b. Temporary assignment of alternative productive work does not create a regular employment opportunity and is made as a temporary assignment only which will terminate at the conclusion of a specified time period. The specific end date of the assignment will be communicated clearly in writing to the employee upon temporary assignment of alternative productive work. Vacation and paid holidays may be excluded in calculating the time period.
 - c. Unused accrued vacation and sick leave may be used in lieu of a temporary assignment to alternative productive work.

- d. The department head will determine the amount of temporary assignment of alternative productive work available in any department.
- e. Temporary assignment of alternative productive work is separate and distinct from the duties of the employee's regular job. However, the employee may be assigned to perform those duties of the regular job that the employee can perform without restriction or limitation.
- f. An employee is entitled to remain on unpaid FMLA leave until the FMLA leave entitlement is exhausted. Nothing in this policy shall be construed as limiting an employee's state and federal FMLA rights.
- g. Temporary assignment of alternative productive work may be considered only when an employee is certified as unable to perform the functions of their regular job.
- h. An employee's regular work schedule may change during the temporary assignment of alternative productive work to accommodate the department's needs.
- i. If alternative productive work is unavailable within an employee's regular department, the City may assign alternative productive work to the employee outside the employee's regular department.
- j. All temporary assignments of alternative productive work will be reviewed each thirty (30) calendar day period by the respective department head and the City Human Resources Director.

9.05. Smoking Policy

In order to maintain a safe and healthful working environment and to ensure compliance with applicable laws, employees and visitors are not permitted to smoke, including the use of e-cigarettes, within the City's facilities, including City-issued vehicles. All persons, employees, citizens, and visitors are not allowed to smoke within 10 feet of any entrance/exit to a City owned and operated facility. The City encourages those who wish to quit smoking; the health insurance provider selected by the City offers wellness programs to help employees stop smoking. Please contact the health insurance carrier for more details on this benefit.

9.06. Evacuation Procedures

Evacuation procedures are posted on the employee bulletin boards or in employee common areas in each facility. Employees should familiarize themselves with them in case of an emergency.

9.07. Life Threatening Illnesses

Employees with life-threatening illnesses often wish to continue their normal pursuits, including work. The City supports these endeavors as long as employees are able, in the opinion of management, to meet acceptable performance standards. As in the case of other disabilities, the City makes reasonable accommodations to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

10. Employee Development

10.01. Promotions, Lateral Transfers, and Demotions

Employees who receive either a promotion or a lateral transfer are on a six (6) month orientation period. If at the end of the six (6) months the employee does not succeed, they may go back to their previously held position at the City's discretion. The City follows the employment "at-will" policy (see Sec. 2.02) and does not guarantee any continued employment for any position.

Promotions are the advancement of an employee from a position of one classification to a position having a higher classification. Promotions are based on individual qualifications and consideration is given to such factors as demonstrated ability, performance, training, attitude, attendance, and length of service. Employees will have an orientation period of six (6) months in the new position. The City does not guarantee continued employment if the candidate is unsuccessful in completing the orientation period to the position in which they have been promoted. The effective date of promotion will be the date of transfer and will become official once the 6-month orientation period is successfully completed.

Lateral transfers happen when an employee transfers from one City department to another. The transfer must be coordinated between the two departments. The employee carries with them all accumulated sick leave, vacation benefits and longevity. If the transfer to the new position is of the same labor grade, the employee may retain the former rate of pay with the approval of the department head, Finance Director and in consultation with the City Human Resources Director.

Unfortunately, there are situations in which an employee will be demoted to a lower pay grade; the employee may have their wage adjusted to the new labor grade.

10.02. Tuition Reimbursement Policy

The "Tuition Reimbursement Policy" serves as the City's official policy on the administration and processing of requests from full-time employees for tuition reimbursement to the extent funds are available. Funds for tuition reimbursement are not guaranteed. Many factors affect the general budget and department budgets. It is the responsibility of the Department Head to budget accordingly for training and tuition reimbursement. Employees must request and receive approval from their Department Head prior to enrolling or registering for any training or coursework.

The reimbursement program is provided for employees who take courses to improve their skills and competencies in their present job and for promotional opportunities with the City. In order to be eligible for reimbursement, the following criteria must be met:

- Employees must have worked for the City for at least twelve (12) continuous months.
- Full-time employees will be reimbursed for approved tuition expenses only (the City will not reimburse lab fees, books, parking, etc.). In order to qualify for tuition reimbursement, the employee must show documentation of successfully passing the course.
- All coursework is subject to approval and must be taken solely on the employee's time, unless waived by the department head and City Administrator. This approval must be documented and submitted to Human Resources for the employee's personnel file.
- Employees cannot receive more than \$2,500.00 per calendar year to cover educational costs.

Before enrolling in a class, the employee must complete a Tuition Reimbursement Request and have it approved by the employee's supervisor and the City Administrator.

Upon completion of the class, the employee will submit proof they have paid for the class and an official copy of the grade to the City Human Resources Director for prompt reimbursement.

It is the policy of the City to work with all employees around tuition. However, an employee may be asked to voluntarily sign a repayment agreement upon hire. All repayment agreements are voluntary and must be included in the conditions of employment with the hire letter, a personnel memo, or a separate condition of employment signed by both the department head and the employee.

10.03. Performance Reviews

Formal performance reviews are scheduled approximately every twelve (12) months. During the employee's initial period of employment, the employee may be reviewed after three (3) months of service and again after six (6) months of service, or at any other time

deemed appropriate by the supervisor. A performance review does not necessarily mean an increase in pay.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal day-to-day basis. Formal reviews are conducted to provide both the supervisor and the employee the opportunity to discuss job tasks, identify and correct areas needing development, encouraging and recognizing strengths, and to discuss positive and purposeful approaches for meeting goals.

11. Leaving Employment with the City

11.01. Resignations/Voluntary Terminations

An employee can terminate their employment at any time. When an employee decides to terminate employment with the City, the employee should notify the City Human Resources Director by letter of resignation a minimum of two (2) weeks prior to the desired date of separation. Resigning employment with the City means voluntarily terminating employment. In some situations, based on the nature of the employee's position, an employee may be asked to leave their position immediately even if a two weeks' notice is given.

11.02. Layoffs/Rehires

The City's operational needs may necessitate a decrease in the number of employees or reduction of work hours to operate efficiently and within our available funding.

In the event it becomes necessary to reduce the number of employees, layoffs shall be conducted consistent with the following procedures:

- Demonstrated ability in past performance;
- Transferability of skills to other positions;
- All skills and performance being equal, 'length of service' with the City shall be the deciding factor.

If an employee has been laid off and has been recalled back to work within a seventy-five (75) day period, the employee's original hire date will be reinstated to calculate vacation time and all other related benefits. If an employee has been laid off for more than seventy-five (75) days, seniority status will be treated as if they are a new hire.

11.03. Exit Interviews

An exit interview may be conducted for any employee voluntarily leaving City employment, either by resignation or retirement. During the interview, an employee has the opportunity

to tell the City about their employment experience. The City greatly values these constructive comments and suggestions.

The exit interview also gives the City a chance to handle some practical matters regarding the end of employment. Departing employees will be expected to return all City property at the interview, including any keys and other property paid for by the City. Departing employees will have an opportunity to ask any questions regarding insurance, benefits, final paycheck, references, or any other matter relating to employment with the City.

11.04. Retirement Payout Policy

Please note the minimum retirement age for the City for WRS purposes is 50 years old for Police and Fire employees and 55 for all non-represented employees.

As described in **Sec. 11.01** of this Handbook, an employee who wishes to terminate employment with the City must notify the City Human Resources Director by letter of resignation two (2) weeks prior to the desired date of separation. If a two (2) weeks' notice is not provided the payment of separation benefits will not be allowed unless otherwise required by law.

Date of Retirement/Prorating Days in Current Year

Retirees must declare their date of actual retirement. For purposes of pro-rating benefits, the days employed in the current year shall be calculated as follows:

Days Employed=Date of Retirement-December 31st of Previous Year

(Example: 80 days employed=March 21, 2008 to December 31, 2009)

Longevity

Longevity will be prorated through the employee's declared retirement date. Longevity will not be accrued for vacation days paid out.

Payouts for employees who receive their longevity annually or monthly shall be calculated as follows:

Annual: In the final months of employment, payout shall be prorated by the number of days employed/365 X annual longevity pay.

Monthly: In the final month of employment, payout shall be prorated by number of days worked in the last month/total number of days in a month X monthly longevity pay.

Accrued Sick Leave Payouts

For City employees hired before October 31, 2019:

Sick leave Payouts = .75 x accumulated unused hours x \$/hr. Retirement payouts for sick time and vacation time are subject to higher withholding tax. The amount of withholding is determined by the IRS and State of Wisconsin.

Accumulated unused sick hours shall be calculated as follows: Balance on December 31 of the prior year + days employed in current year/365 X annual sick leave hours. Payouts may not exceed 960 hours or 120 days. (This does not apply to the Fire Department)

For City Employees hired after October 31, 2019:

There will be no sick leave payouts for any employee hired after October 31, 2019. At this time the allowable accumulated sick leave balance and annual carryover is 60 days or 480 hours.

Represented Employees:

Police and Fire Union retirement payouts will be negotiated under the rules of each individual union contract. This section does not apply to Police and Fire union represented employees. All employees, with the exception of Police and Fire, hired before October 31, 2019 will be paid out based on the 2016 approved handbook policy under section 11.04.

Sick leave Payouts = .75 x accumulated unused hours x \$/hr. Retirement payouts for sick time and vacation time are subject to higher withholding tax. The amount of withholding is determined by the IRS and State of Wisconsin.

Accumulated unused sick hours shall be calculated as follows: Balance on December 31 of the prior year + days employed in current year/365 X annual sick leave hours. (This does not apply to the Fire Department)

Final Vacation Accrual and Payouts

Vacation earned or paid out will be calculated through the employee's final day of actual time worked. This may include vacation time earned in the previous year and taken in the current year.

All vacation earned in the current year of retirement may not be taken, and will be paid out. Vacation earned shall be based on days employed/365X following calendar year's allowance per Schedule C of the Employee Handbook.

Payout shall be based on accrued and unused vacation as the retirement date X current hourly rate.

12. Handbook Amendments

12.01. Definitions

1. *Employee group.* “Employee group” is a group consisting of represented or non-represented employees from each individual City Department.
2. *Employee group’s representative.* An employee group may designate an individual employee to represent the employee group if necessary. “Employee group’s representative” is an individual that represents employees within an employee group.

All employees within an employee group shall have the right, without interference, restraint, coercion or domination, of self-organization and to form, join or assist in the creation and maintenance of an employee group’s representative as long as it is not a labor organization and does not collectively bargain. The representative, for the purpose of engaging, as a representative of interested stakeholders, and subject to the applicable provisions of this Handbook, the City regarding the adoption, amendment, or termination of any of the provisions contained in this Handbook that relate to the employee group it represents.

All employees within an employee group shall also have the right to refrain from any and all activities of the employee group’s representative. No employee group’s representative shall engage in any collective bargaining or any other activity under a collective bargaining agreement with the City, unless the employee group’s representative is also the recognized labor union representative.

3. *Handbook.* “Handbook” is this “City of Ashland Handbook of Terms and Conditions of Employment
4. *Independent consultant.* “Independent consultant” is an advisor to the City, its employees, and its interested stakeholders.
5. *Interested Stakeholders.* “Interested Stakeholders” are employees covered by this Handbook, and employee groups and their representatives engaged with the City in discussions regarding adoption, amendment, or termination of any of the provisions contained in this Handbook.

12.02. Procedure

This Handbook may be amended in accordance with the provisions of this section, subject to review and approval by the Common Council.

12.03. Notice

At least ten (10) business days before introduction to the Committee of the Whole or City Council of any proposed revision to this Handbook, the City Administrator shall provide

written notice of the proposed revision to the employee group representatives of the affected employee groups.

12.04. Bi-Annual Review

1. At least once every two years based on a calendar year, the Human Resources Director in consultation with the City Administrator shall provide notice to and meet with interested stakeholders to review, discuss, and obtain input concerning proposed changes to this Handbook. Interested stakeholders shall be given the opportunity to provide verbal or written input.
2. At such other times as requested by interested stakeholders, the Human Resources Director in consultation with the City Administrator may meet with employees to review, discuss, and obtain input concerning proposed changes to this Handbook.
3. After any meeting or series of meetings as provided for in subsections (1) and (2) immediately above, the Human Resources Director shall prepare a draft of proposed revisions, if any, and shall share the draft with those interested stakeholders who had participated in the meeting or meetings and the City Administrator. Interested stakeholders may also prepare a draft of proposed revisions, if any, and shall share the draft with the Human Resources Director who will notify the City Administrator. The City Administrator may, at their discretion, engage in further discussions with the interested stakeholders in an effort to develop a consensus proposal for presentation to the Committee of the Whole or the Common Council.
4. The City or an employee group's representative may engage an independent consultant to assist in recommending revisions to this Handbook. If both the City Administrator and employee group's representative agree to the engagement of an independent consultant, then the City Administrator and employee group's representative shall agree on the selection of the independent consultant, and shall equally share the costs of the independent consultant. If the independent consultant is engaged by the City Administrator or employee group's representative without the concurrence of the other, then the engaging party shall be responsible for all costs of the independent consultant. In either case, the independent consultant shall have the authority to work with the Human Resource Director and the City Administrator and interested stakeholders, gather all pertinent information, and make recommendations for revisions to this Handbook.
5. At the conclusion of steps (1) through (3) the City Administrator may present to the Committee of the Whole or the City Council any proposed amendment to this Handbook. However, if any party has engaged an independent consultant under

(4), the recommendations of the independent consultant shall be presented to the Committee of the Whole or the City Council for consideration, along with the Administrator's, provided the independent consultant's recommendations are provided in a timely fashion.

6. The City's Common Council is the only authority allowed to approve and implement changes to the Employee Handbook.

Forms

CITY OF ASHLAND
ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE
HANDBOOK

All employees who receive a copy of the City of Ashland Employee Handbook must sign this form that they are in receipt of the City of Ashland Employee Handbook. Signing this acknowledgement does not constitute a contract for employment of any kind. A copy of the document will be placed in the employee personnel file.

We have prepared this Handbook as a guide to the City's policies and benefits. We have also included general information that should assist you in your employment. However, neither this Handbook nor any other City communication or practice constitutes an employment contract. The City reserves the right to make changes in the content or the application of policies as it deems appropriate, and these changes can be implemented even if they have not been communicated, reprinted or substituted in this Handbook.

Feel free to discuss any questions you have with your supervisor.

I acknowledge receipt of the City of Ashland Employee Handbook.

Employee Signature: _____

Printed name: _____

Date: _____

CITY OF ASHLAND
EEO Complaint Form

Individuals who feel that they have been discriminated against on the basis of race, color, religion, sex including gender identity and expression, national origin, age, disability or have been sexually harassed by an employee, supervisor, vendor, customer, or any third party may file a complaint by completing this form and submitting it to the Human Resources Director.

Name of Complainant: _____

Address: _____

Basis of Complaint: (Continue on back of separate page if necessary):

Date(s) of Incident(s): _____

If claiming discrimination based on disability, what accommodations do you request?

If claiming discrimination other than disability, what resolution do you request?

Date: _____

Signature of Complainant

Date Rec'd: _____

Rec'd by: _____

CITY OF ASHLAND DISCIPLINARY ACTION FORM

Discussion Date: _____
Employee Name: _____

- | | |
|---|--|
| <input type="checkbox"/> Lack of Interest
<input type="checkbox"/> Lack of Cooperation
<input type="checkbox"/> Wasting Time
<input type="checkbox"/> Failure to Follow Directions
<input type="checkbox"/> Quality of Work

<input type="checkbox"/> Tardiness

<input type="checkbox"/> Disregard of Established rules well known to the employee
<input type="checkbox"/> Other | <input type="checkbox"/> Profanity
<input type="checkbox"/> Carelessness
<input type="checkbox"/> Disregard for safety
<input type="checkbox"/> Quantity of Work
<input type="checkbox"/> Action Detrimental to Employee Morale
<input type="checkbox"/> Excessive/Unauthorized Absence |
|---|--|

Fully explain each item or items checked. Give dates and times of specific incidents involved.

Has the employee been previously warned for a similar occurrence? Y or N
If so, when?

Corrective Effort:

Has the employee been placed on probation? Y or N
If so, until what date?

Employee Signature

Supervisor Signature

** Note: Employee signature does not imply agreement, but acknowledgement of the discussion process. The employee has a right to place a statement with this in their file with their account of the events leading up to this process.

CITY OF ASHLAND PERSONNEL REQUISITION FORM

Part I

Open positions are not automatically approved and must be reviewed before the position can be posted. To post a job opening, the department head must (1) complete this form, (2) attach an updated job description, (3) obtain the necessary signatures, (4) return the completed form and job description to the HR Director. **Part II must be completed for ALL Personnel Requisition Requests.**

Date of Request: _____ Date new Hire Needed: _____

Job Title: _____ Department: _____

Number of Months to be Worked per Year: _____

Classification: Full-time Part-time Temporary Other: _____

GL Account Number for position: _____

Position allocated in the current budget? _____ Amount allocated: _____

Total cost of position including benefits: _____

Is this position the result of a departmental reorganization? _____

Proposed Salary: _____

What other expenses will be associated with the position that is not already included in your department budget? (e.g. space, travel expenses, furniture, computer, or cell phone)

Approvals:

1) _____
City Clerk/HR Director Date

2) _____
City Administrator Date

3) _____
Finance Director Date

Return to the HR Director

Date Received: _____ Initials: _____

Part II (complete Part I first)

Position Request Worksheet

All positions require a thorough review by the administration before the position can be posted and also require the review of the Common Council unless the Employee Handbook specifically exempts the position (LTE budgeted). The department head must do the following, (1) complete Part I and Part II of this form, (2) attach a job description, (3) attach other required documentation as requested in Part II, (4) obtain the necessary signatures in Part I, (5) return all materials to the HR Director.

Please outline why this new position is necessary.

To complete the Personnel Requisition process, please address the following items and attach your response to the Personnel Requisition Form (your responses will be presented to the Common Council if necessary for approval to fill the position):

1. How the position is Mission Critical for the Program (delivery of program; health of the program, trends, external comparisons, and fit with the City's goals).
2. How the position addresses current priorities.
3. How this position will meet the ongoing needs of the City as a whole.

Part III: Recruitment

Please indicate your recruitment budget line item: _____

Please indicate where you would like your position posted:

Internal WI Job Center Indeed Local Paper
 WI League City Facebook City Instagram Other: _____

Decision – Human Resources Director Use Only

Date presented to Council: _____

Approved: Not Approved: On Hold: Further action required:

CITY OF ASHLAND

UNSAFE CONDITION OR HAZARD REPORT

Instructions: Consult the City of Ashland Procedure for Grievances Concerning Employee Workplace Safety for a full description of the grievance process and applicable timelines.

- Use this form to report an unsafe working condition that does not require immediate action.
- This form should NOT be used to initially report immediate and dangerous working conditions. See “Immediate and Dangerous Working Conditions” section following this form for instructions on such conditions.
- This form should be completed, fully and legibly, with as much detail as possible. If additional space is needed, print information on a separate sheet of paper and attach.
- Return this completed form to your immediate supervisor.

Employee’s Full Name: _____ Date of Report: _____

Job Title: _____

Department: _____ Supervisor: _____

Work Telephone No. _____ Work Email Address: _____

Home Telephone No. _____ Home Email Address: _____

Address/Location of Incident: _____ Date of Incident: _____

Location of condition believed to be unsafe or hazardous (specify exact location and use attachments if necessary)

Detailed description of unsafe or hazardous condition and its cause (use attachments if necessary)

Date and time of unsafe or hazardous condition first observed by employee (use attachments if necessary)

Are there any employees or other individuals who you may believe have been injured or became ill due to the unsafe or hazardous condition? If so, identify the employee or individual, the nature or the illness or injury and the date on which the employee or individual was injured or became ill. (use attachments if necessary)

To your knowledge, has the unsafe or hazardous condition previously been reported to a person in management? If so, to whom was the condition reported and what was the result of the inspection? (use attachments if necessary)

To your knowledge, has the unsafe or hazardous condition been previously inspected? If so, who inspected the condition, when was the inspection and what was the result of the inspection? (use attachments if necessary)

What changes would you recommend to correct the unsafe or hazardous condition? (use attachments if necessary)

CERTIFICATION: By signing below, I certify that I have read the above report and declare that the information in the report is true and correct.

Employee Signature: _____ Date: _____

Any workplace safety violation must be reported immediately and no later than 24 hours following the incident or issue. Failure to report safety incidents or issues may result in further injury. The Grievance Procedure contains complete instructions.

Immediate and Dangerous Working Conditions

The “Unsafe Condition or Hazard Report” form should not be used to initially report immediate and dangerous working conditions. If a dangerous working condition exists that requires immediate attention or corrective action, the employee must notify his/her supervisor at once. A delay may result in serious injury. All safety issues, no matter how insignificant the situation may appear to be, must be reported. If the situation involves serious injury and/or the need for rescue, fire, or other emergency response, call 911 immediately.

Upon receiving notice of the alleged Workplace Safety violation from an Employee, the City shall have fourteen (14) calendar days in which to investigate the condition and advise the employee in writing that the City: a) has determined that the condition does not constitute a Workplace Safety violation and will not be taking corrective action; or B) is taking corrective action in accordance with law to address the condition.

If the City advises the Employee in writing within fourteen (14) calendar days that it is taking corrective action in accordance with law and has commenced corrective action within this period, an Employee may not initiate a Workplace Safety grievance.

CITY OF ASHLAND LEAVE TRANSFER PROGRAM LEAVE DONATION REQUEST FORM

Name: _____ Department _____

I request that the amount of hours for the type(s) of leave listed below be transferred from my account to the City's leave transfer pool. I understand that once my leave credits have been transferred to the pool account, such credits will not be restored or returned to my account.

I understand that I may donate no more than one-half (½) of the sick or annual leave earned within a calendar year to the appropriate pool leave account for that calendar year, and that I must retain a minimum of 15 days of sick leave. I also understand that I may not specify to whom my donated leave may be awarded.

_____ Hours of Annual Leave

and/or

_____ Hours of Sick Leave

Employee Signature

Date

Request form must be received by City Human Resources Director prior to December 15th.

FOR HR USE ONLY	ACKNOWLEDGEMENTS	
Dept: _____		
Hourly Rate: _____		
Leave Balance: _____	_____ Department Head	_____ Date
Annual: _____		
Sick: _____	_____ City Clerk	_____ Date
Adjusted Balance: _____		
Annual: _____		
Sick: _____		
Credit Pool: _____		

CITY OF ASHLAND LEAVE TRANSFER PROGRAM LEAVE TRANSFER REQUEST FORM

Policy: When an employee experiences a personal emergency requiring time away from work for which they have no paid leave, the employee may request a leave transfer by submitting a Request for Leave Transfer Form to their department head. The request must include an explanation of the personal emergency, and a brief leave history explaining the reason there is insufficient leave to cover the time needed. The personal emergency may be subject to verification.

Name _____ Department _____

Description of personal emergency requiring time away from work:

Brief leave history with explanation of reason for insufficient leave to cover emergency:

Amount of Leave Requested: _____ hours

I understand that the information described above is true and accurate and that I may be asked to verify the information described in this request. I have read and understand the terms of this policy and my responsibilities related to the terms described.

Employee Signature

Date

Department Head Recommendation: Approval Denial

Explanation of approval or denial:

Department Head Signature

Date

Final recommendation: Approval Denial

Explanation of approval or denial:

HR Director Signature

Date

City Administrator Signature

Date

FOR HR USE ONLY

Dept: _____
Hourly Rate: _____
Leave Balance: _____
Annual: _____
Sick: _____
Adjusted Balance: _____
Annual: _____
Sick: _____
Credit Pool: _____

ACKNOWLEDGEMENTS

Department Head Date

HR Director Date

CITY OF ASHLAND

FMLA EMPLOYEE REQUEST FORM

To request leave on the basis of the Family and Medical Leave of Act (FMLA), please complete the following request form and submit to Human Resources at least 30 days prior to leave (unless leave is unforeseen, in which case submit the form as soon as practical).

Employee Name: _____

Requested Leave Start Date: _____ Estimated End Date: _____

The reason for this FMLA leave request is (select the most appropriate box):

- Birth of a son or daughter and to care for the newborn child.
- Placement with the employee of a son or daughter for adoption or foster care.
- To care for the employee's spouse, son, daughter or parent with a serious health condition.
- A serious health condition that makes the employee unable to perform the functions of the employee's job.
- A qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status).
- To care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the covered servicemember.

Time off work is expected to be (select the most appropriate box):

- For a continuous block of time (several continuous days, weeks or months off work).
- For a reduced work schedule (change in work schedule needed—fewer hours per day or fewer hours per week).
- On an intermittent basis (periodic time off that is not usually expected to be the same days or time off from week to week; examples may be time off for flare-ups of a medical condition and/or for ongoing medical treatment/appointments).

Additional information about employee FMLA rights and responsibilities will be provided to you in writing within five business days after receipt of this notice (unless already provided).

Determination of eligibility for leave under the FMLA, and/or additional documentation or clarification of documentation, may be required prior to making a final FMLA determination to approve or deny an FMLA leave request. Please contact Human Resources with any questions.

Employee Signature: _____ Date: _____

Return to Human Resources Department

FOR HR USE ONLY

Date received: _____ FMLA Eligibility Notice sent: _____

CITY OF ASHLAND – LEAVE TRANSFER POLICY

This document sets forth the City of Ashland Leave Transfer policy for all staff except temporary employees, student employees, and certain contract employees that are not entitled to leave benefits. Leave taken pursuant to this policy may qualify as FMLA leave and, if so, will run concurrently or at the same time.

Policy

Eligible staff may donate leave to, or apply for a leave transfer from, the City of Ashland leave pool. The Leave Transfer policy enables eligible staff who have exhausted all paid leave to request use of leave donated to the program. The request must be based on a personal emergency requiring time away from work which would result in a substantial loss of income because of the lack of paid leave.

A. Leave Donations

1. Staff earning sick and/or annual leave may donate a specified amount of annual leave and/or sick leave to be transferred from their leave balance to the leave pool. Staff with 15 days or less sick leave may not donate sick leave and must maintain a minimum balance of 15 days after donating sick leave.
2. Leave donations must be made prior to December 15th of each calendar year.
3. Once leave has been donated to the leave pool, it may not be restored or returned to the leave donor.
4. A donor of leave may not designate the recipient.
5. An employee may donate no more than one-half of the annual or sick leave they earn within a calendar year to the leave pool for that calendar year.

B. Leave Transfer

1. Eligible staff experiencing a personal emergency requiring time away from work for which they have no paid leave may request that a specified amount of annual or sick leave, as appropriate to their situation, be transferred from the leave pool.
 - a. Only staff who accrue annual and/or sick leave are eligible to request a leave transfer from the leave pool.
 - b. For purposes of this policy, a personal emergency is defined as a medical or family emergency or other hardship situation that is likely to require a staff member's absence from duty for a prolonged period of time and to result in a substantial loss of income because of the lack of paid leave.
 - c. A personal emergency is limited to catastrophic and debilitating medical situations, severely complicated disabilities, and severe accident cases which would require a prolonged period of recuperation. Routine disabilities or disabilities resulting from elective surgery do not qualify for leave transfers from the leave pool.

- d. For the purpose of this policy, a prolonged period of time as used in the definition of personal emergency is generally interpreted to be a minimum 30 working days. An employee must have been in leave-without-pay status for a minimum of 30 working days or be able to provide documentation certifying that a medical emergency will result in a period of leave without pay for that period of time. However, an employee who is within 30 days of becoming eligible for WRS/ETF Income Continuation benefits or disability retirement, and who has exhausted all accrued leave due to the prolonged personal emergency, will be eligible to be considered for leave transfer even though the total period of leave without pay may be for less than 30 working days.
 - e. A staff member must exhaust all earned sick and/or vacation and compensatory leave (as appropriate according to Sick, Annual and Compensatory Leave policies) prior to using approved transferred leave.
 - f. Leave taken pursuant to this policy may qualify as FMLA leave and, if so, will run concurrently.
 - g. Employees who become eligible for other paid benefits will generally be considered ineligible for leave transfer from the leave pool. Examples of other paid benefits include but are not limited to workers' compensation, long-term disability, and disability retirement benefits.
 - h. There is no limit to the number of separate requests that a staff member may submit; however, each separate request must be limited to no more than 30 working days.
 - i. When a staff member returns to work, the personal emergency ends, or employment terminates, any transferred leave remaining in the leave recipient's balance must be restored to the leave pool. When employment terminates, transferred leave from the pool may not be included in a lump sum payment for accrued leave or included in the leave recipient's total service for retirement computation purposes.
 - j. The department head of the individual requesting a leave transfer is responsible for determining whether there are sufficient funds to pay for the leave transferred from the Leave Pool. Insufficient funds may justify denial of a leave transfer request.
 - k. Additional factors such as the individual's leave usage record may be considered before recommending approval of a leave transfer request to the City Administrator and City Human Resources Director.
2. All requests for leave transfer, regardless of the recommendation from the department, must be forwarded to the City Administrator and City Human Resources Director.
 3. Decisions of the City Administrator and City Human Resources Director to recommend approval or deny approval of leave transfer requests are final. There are no administrative or judicial appeals of these decisions.

Procedure

A. Leave Donations

1. When a staff member wishes to donate leave to the leave pool, a Leave Donation Form must be completed specifying the amount and type of leave to be donated.
2. The request to donate leave should be forwarded to the department head for review and approval.
3. When the donation has been approved, the leave donor's sick and/or annual leave balance will be decreased by the specified amount. Notification of this action will be provided to the employee donating leave.

B. Leave Transfer Requests

1. When a staff member experiences a personal emergency requiring time away from work for which they have no paid leave, they may request a leave transfer by submitting a Request for Leave Transfer Form to their department head. The request must include an explanation of the personal emergency, and a brief leave history explaining the reason there is insufficient leave to cover the time needed. The personal emergency may be subject to verification.
2. It will be the responsibility of the department head to review the request, verify the leave history and make a recommendation for approval or disapproval. Regardless of the recommendation from the department, the request must be forwarded to the City Administrator and City Human Resources Director for review, verification of leave, and approval or denial.
3. If the leave transfer request is approved, the Payroll/Benefits Specialist will transfer the approved amount of sick and/or annual leave to the leave recipient's balance.
4. When a leave recipient returns to work, the personal emergency ends, or employment terminates, the department head must complete a Return from Leave Notification and send it to the City Human Resources Director. Any transferred leave remaining in the balance of the leave recipient must be restored to the leave pool.

Grievance Procedure

City of Ashland Grievance Procedure

It is the policy of the City of Ashland to provide a timely and orderly review of decisions, as required by Wis. Stat. §66.0509, concerning: a) employee terminations; b) employee discipline; and c) workplace safety.

I. Purpose and Applicability

Although the City seeks to provide a workplace in which all employees feel that they are an integral part of the City of Ashland, and where employees feel fairly treated, there may be times when there is a dispute with a supervisor or the City which can best be resolved through a formal procedure for dispute resolution. This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer and to appeal to the City Council, where appropriate. The City expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the Grievance Procedure.

Please note the following: if an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable; this procedure does not replace or supersede any statutory provision which may be applicable to an employee's employment with the City; the City of Ashland reserves the right to modify this procedure at any time and nothing in this procedure should be construed to constitute a legally binding contract or contract for employment between the employee and the City of Ashland.

II. Discipline

Discipline may result when an employee's actions do not conform with City standards of conduct City policy or rule, when an employee's performance is not acceptable, when the employee's conduct is detrimental to the interests of the City of Ashland, or when an employee violates a factor pursuant to State Statute Section 17.12.

Please refer to section 3.01 and 3.15 for detailed information: Depending on the issue and the number of occurrences. There may be circumstances when one or more steps are bypassed. Certain types of employee issues are serious enough to justify either suspension or termination of employment without going through progressive disciplinary steps. The City reserves the right, in its sole discretion, to implement the disciplinary policy outlined in Ordinance 77, Handbook of Terms and Conditions of Employment with the City of Ashland, and implement this policy as may be appropriate to the particular circumstances.

III. Definitions

Definition of "Discipline": For purposes of this procedure, "discipline" includes all levels of progressive discipline, but shall not include the following: placing an employee on paid

administrative leave pending an internal investigation; counseling, meetings or other pre-disciplinary action; actions taken to address work performance, including use of a performance improvement plan or job targets; demotion, transfer or change in job assignment; or other personnel actions taken by the employer that are not a form of progressive discipline. Verbal discipline will be documented, as outlined in the City of Ashland Employee Handbook, but is not subject to the grievance procedure. The purpose of written and verbal notices, warnings, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary actions such as suspension, termination, or demotion/reduction in rank.

Definition of “Elected Official”: For purposes of this procedure, an “elected official” is a person who has been elected to their position by the electors of the City of Ashland.

Definition of “Employee” for Purposes of Discipline and Termination Grievances: For purposes of the Procedure for Grievances Concerning Employees Terminations and Employee Discipline, “employee” includes all regular full-time and part-time employees. The term “employee” excludes individuals hired on a limited term, temporary, casual, or seasonal basis; independent contractors; elected officials and any employee that serves at the pleasure of an appointing authority, as provided by Wisconsin Statutes.

Definition of “Layoff” : For purposes of this procedure, “layoff” means the suspension or termination of employment (with or without notice) by the employer or management. Layoffs are not caused by any fault of the employees but by reasons such as lack of work, cash, or material.

Definition of “Limited Term Employee”: For purposes of this procedure, “limited term employee” means a person who is hired on a temporary basis with the understanding the position will terminate after a specified period of time.

Definition of “Termination”: For purposes of this procedure, “termination” means a separation from employment by the employer for disciplinary or performance reasons. **“Termination” does not include layoff;** furlough or reduction in workforce; reduction in hours; job transfer; reassignment; voluntary termination, including without limitation, resignation or retirement; job abandonment, “no-call, no-show”; end of employment due to disability; or action taken as a result of an employee’s failure to meet the qualification of the position or fraud in securing an appointment with the City of Ashland.

Definition of “Workplace Safety”: For purposes of this procedure, “workplace safety” includes, but is not limited to, any conditions of employment related to the physical health and safety of employees, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, and accident risks. “Workplace Safety” does not include conditions of employment not directly related to physical health and safety matters, including, but not limited to, hours, overtime, and work schedules.

Definition of “Employee” for Purposes of Workplace Safety Grievances: For purposes of the Procedure for Grievances Concerning Workplace Safety, “employee” shall include all regular full-time and part-time employees, elected officials; and, individuals hired on a limited term, casual, or seasonal basis. The term “employee” excludes independent contractors.

IV. General Provisions

Role and Appointment of an “Impartial Hearing Officer”: For purposes of this policy, the role of the “Impartial Hearing Officer” will be to define the issues, identifying areas of agreement between the parties and identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties’ respective arguments.

The Impartial Hearing Officer may require parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The Impartial Hearing Officer shall apply relaxed standards for the admission of evidence and may allow or request oral or written arguments and replies.

The Impartial Hearing Officer shall be selected and agreed upon by both City Administration and the employee based on the nature of the matter or dispute.

Costs: Each party shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees, in investigating, preparing, presenting, or defending a grievance. The fees of the Impartial Hearing Officer will be equally split between the City and the grievant. An initial filing fee will be paid to the City of Ashland in the amount of \$25.00 by the grievant if Step 2 of the Grievance Procedure is initiated by the grievant, in which case a hearing is requested before an Impartial Hearing Officer.

Time Limits: The term “days” as used in this provision means calendar days, excluding paid holidays as defined in Ordinance 77, Handbook of Terms and Conditions of Employment with the City of Ashland. The City and the grievant may mutually agree to extend time limits, in writing. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday or paid holiday, the time limit is the next day which is not a Saturday, Sunday or holiday as defined by Ordinance 77.

A grievance or decision or appeal is considered timely if received by the employer during normal business hours, Monday through Friday 8:00 a.m. to 4:00 p.m., or postmarked by 12:00 midnight on the due date.

The employer and grievant may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

If the grievance is not answered within the time limits, the grievant may proceed to the next available step within 7 days.

The Impartial Hearing Officer shall have no jurisdiction to address timeliness issues. Issues of timeliness shall be addressed by the City Administrator.

Scheduling: Grievance meetings and hearings will typically be held during normal business hours. Time spent in grievance meetings and hearings outside the Grievant's regularly scheduled work hours shall not be considered as compensable work time.

Representation: The grievant shall have the right to representation during the Grievance Procedure at the Grievant's own expense. Employee/grievant representation shall not include anyone party to the grievance including a union representative, etc.

V. Procedure for Grievances Concerning Employee Termination and Employee Discipline:

Step 1: An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee's immediate supervisor. If the grievance is not resolved informally, it shall be reduced to writing by the employee who shall submit it to the employee's department head, with a copy given to the Human Resource Director.

The written grievance shall be documented on the "City of Ashland Employee Grievance Procedure Grievance Form" under First Resolution Step with attachments utilized as necessary. The written grievance documented on the form shall give a detailed statement outlining the issues, the facts supporting the issues, and the relief that is sought from the grievance.

Time limit: If an employee does not submit a written grievance within 10 calendar days after the facts upon which the grievance is based first became known, or should have been known to the employee, the grievance will be deemed waived. The department head will reply in writing to the employee within 10 calendar days after receipt of the written grievance.

Step 2: If the grievance is not settled in Step 1, and the employee wishes to appeal the decision of the department head, the employee shall submit the written grievance to the City Administrator to request a hearing before an Impartial Hearing Officer. The written grievance shall be documented on the City of Ashland Employee Grievance Procedure Grievance Form under the Second Resolution Step with attachments utilized as necessary.

Time limit: If the employee does not submit a written grievance to the City Administrator requesting a hearing before an Impartial Hearing Officer

within 7 days after receipt of the department head's decision, the grievance will be deemed waived. If timely requested, the hearing will normally be scheduled within 30 calendar days of receipt of the request for hearing.

The City of Ashland and the grievant shall choose the Impartial Hearing Officer. The Impartial Hearing Officer shall not be a City of Ashland employee or anyone who may appear or creates a conflict of interest. In all cases, the grievant shall have the burden of proof to support the grievance. The Impartial Hearing Officer will determine whether the City of Ashland 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 an actual hearing is necessary, or whether the case may be decided based on the submission of written documents.

The Impartial Hearing Officer shall prepare a written document with their final decision indicating the reasons for one of four decisions: 1) sustaining the discipline/termination, 2) modifying the discipline/termination, 3) denying the discipline/termination, or 4) recommending additional investigation prior to final determination. In cases where the Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing may be scheduled, if necessary. The Hearing Officer shall render a written decision to the employer and employee within 7 calendar days from the date of the hearing.

Step 3: The employer or employee may appeal the decision of the Hearing Officer to the City Council. The decision of the governing body shall be final and binding upon all parties.

Time limit: The employee or employer may request a hearing before the City Council by filing a request with the City Administrator within 7 days of receipt of the written decision of the Hearing Officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 days to submit a reply to the detailed request. Once the request for hearing and reply are received, a Council hearing date will normally be scheduled at the Council's next regularly scheduled meeting. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

Level of Review: The City Council shall review the written decision of the Hearing Officer, the reasons for the appeal and the reply. The City Council shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The City Council may either uphold,

modify, or reverse the decision of the Impartial Hearing Officer. The City will inform the employee of its findings and decision in writing within 10 calendar days of the City Council meeting.

VI. Procedure for Grievances Concerning Employee Workplace Safety

Step 1: Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her Supervisor of the issue or incident as soon as reasonably practicable. A delay may result in serious injury. All safety issues, no matter how insignificant the situation may appear to be, must be reported.

Time Limit: Any workplace safety incident or issue must be reported by an employee within 24 hours after the incident or issue was witnessed or raised in order to be addressed as part of the grievance procedure.

The City of Ashland Workplace Safety Incident Report/Grievance Form must be completed detailing the incident or issue, and outlining the events that transpired and the proposed resolution, if any, shall be signed by all concerned parties and submitted to the Human Resources Director within 5 business days of the incident or issue for review by the Safety Committee.

Step 2: After receipt of the written report, the Safety Committee will conduct an additional investigation, if required, and normally issue a final report on its findings and conclusions within 5 business days of receipt of the written report. Copies of the final report will be given to the persons who signed the written report, the City Administrator, department head, supervisor, as well as to the Human Resources Director.

Step 3: The employee may appeal the findings and conclusions of the Safety Committee and request a hearing before an Impartial Hearing Officer.

Time Limit: If the employee does not submit a written grievance, via the City of Ashland Workplace Safety Incident Report, to the City Administrator requesting a hearing before an Impartial Hearing Officer within 7 calendar days after receipt of the final report, the grievance can no longer be addressed in the grievance procedure. If timely requested, the hearing will normally be scheduled within 14 calendar days of receipt of the request for hearing.

At the conclusion of the hearing, the Hearing Officer shall prepare a written document with his/her final decision indicating one of three outcomes:

- 1) sustaining the conclusions of the final report,
- 2) denying the conclusions of the final report and ordering additional or alternative remedial measures, if applicable, or

- 3) recommending additional investigation prior to final determination. In cases where the Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing may be scheduled, if necessary.

The Hearing Officer shall render a written decision to the employer and employee within 10 calendar days from the date of the hearing.

Step 4:

The employer or employee may appeal the decision of the Hearing Officer to the City Council. The decision of the governing body shall be final and finding upon the parties.

Time Limit: The employee or employer may request a hearing before the City Council by filing a request via the Workplace Safety Incident Report/Grievance Form with the City Administrator within 14 calendar days of receipt of the written decision of the Hearing Officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 calendar days to submit a reply to the detailed request. Once the request for the hearing and reply are received, a Council hearing date will be scheduled normally at the Council's next regularly scheduled meeting. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

Level of Review: The City Council shall review the written decision of the Impartial Hearing Officer, the reasons for the appeal and the reply. The City Council shall not take testimony or evidence; it may only determine whether the Impartial Hearing Officer reached an arbitrary or incorrect result based on a review of the record before the Impartial Hearing Officer. The City Council may either uphold, modify, or reverse the decision of the Impartial Hearing Officer. The City will inform the employee of its findings and decision in writing within 10 calendar days of the City Council meeting.

CITY OF ASHLAND EMPLOYEE GREIVENCE PROCEDURE
GREIVENCE FORM – EMPLOYEE TERMINATION AND DICIPLINE

Instructions: Consult the City of Ashland Procedure for Grievances Concerning Employee Termination and Employee Discipline for a full description of the grievance process and applicable timelines.

I. Grievance

Employee's Full Name: _____

Job Title: _____ Department: _____

Home Address: _____

Work Telephone No. _____ Work Email Address: _____

Home Telephone No. _____ Home Email Address: _____

Supervisor Receiving Grievance: _____

Date(s) Grievance Occurred: _____

The issues are/ policy, procedure, or rule being challenged (use attachments if necessary)

The steps employee has taken to review matter orally or in writing with the employee's supervisor (use attachments if necessary)

The facts and witnesses are (use attachments if necessary)

The relief I want is (use attachments if necessary)

Employee Signature _____ Date: _____

Grievances must be presented to the immediate supervisor within ten (10) calendar days. If the grievance alleges discrimination or retaliation by the immediate supervisor, the grievance may be submitted to the next level supervisor in the line of supervision. The "Grievance Procedure" contains complete instructions on this process.

Check one if you decided not to present this to your immediate supervisor:

Discrimination or retaliation by immediate supervisor

Expedited Process

CITY OF ASHLAND EMPLOYEE GRIEVANCE PROCEDURE

GRIEVANCE FORM – FIRST RESOLUTION STEP

II. First Resolution Step

Received by: _____ Date Received: _____

Response to grievance (use attachments if necessary)

First Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

Employee's response:

___ I conclude my grievance and am returning this form to the Human Resource Office

___ I advance my grievance to the second step and request a hearing

___ I have paid a non-refundable deposit of \$25.00 for filing fees as required to advance to the second step. I am aware that the cost of an Impartial Hearing Officer will be split equally (50/50) between myself (grievant) and the City of Ashland.

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

CITY OF ASHLAND EMPLOYEE GREIVENCE PROCEDURE

GREIVENCE FORM – SECOND RESOLUTION STEP

III. Second Resolution Step

Received by: _____ Date Received: _____

Response by Impartial Hearing Officer (attach written summary and decision)

Second Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

Employee's response:

___ I conclude my grievance and am returning this form to the Human Resource Office

___ I advance my grievance to the third step and am appealing to Ashland City Council

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

NOTE: The employee is responsible for having the grievance delivered to the proper person or office within seven (7) calendar days.

CITY OF ASHLAND EMPLOYEE GREVIENCE PROCEDURE

GREVIENCE FORM – THIRD RESOLUTION STEP

IV. Third Resolution Step

Received by: _____ Date Received: _____

Requester (employee or employer may request) _____

Detailed reasons for request to appeal to Ashland City Council (use attachments if necessary)

Response by non-appealing party to detailed request (use attachments if necessary)

Response by City of Ashland Common Council (use attachments if necessary)

City of Ashland Common Council response:

___ Decision of Impartial Hearing Officer was upheld

___ Decision of Impartial Hearing Officer was modified or reversed

Third Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

NOTE: The Ashland City Council decision is final and binding upon all parties.

CITY OF ASHLAND EMPLOYEE GRIEVANCE PROCEDURE

WORKPLACE SAFETY GRIEVANCE FORM

Instructions: Consult the City of Ashland “Procedure of Grievances Concerning Employee Workplace Safety” for a full description of the grievance process and applicable timelines.

Employee’s Full Name: _____

Job Title: _____ Department: _____

Address/Location of Incident: _____

Work Telephone No. _____ Work Email Address: _____

Home Telephone No. _____ Home Email Address: _____

Supervisor: _____

Date(s) Safety Issue Occurred: _____

Provide a description of the Workplace Safety Condition being grieved (use attachments if necessary)

Basis for grievance. Provide a detailed description of the standard under Wis. Admin Code Chapter Comm 32 that you believe has been violated and a detailed description of any facts or information which can support your belief (use attachments if necessary)

Identify by name, telephone number and address of all witnesses that you believe will support your claim that the City has violated a standard established under Wis. Admin Code Chapter Comm 32. Provide a summary of the facts and/or information know by each witness (use attachments if necessary)

Attach any documents which support your claim. If you do not have a document, please provide a description of the document which includes the date of the document, the source of the document, and the contents of the document.

Describe in detail the remedy you request (use attachments if necessary)

CERTIFICATION: *By signing below, I certify that I have read the above report and declare that the information in the report is true and correct.*

Employee Signature _____ Date: _____

The "Grievance Procedure" contains complete instructions.

CITY OF ASHLAND EMPLOYEE GRIEVANCE PROCEDURE
WORKPLACE SAFETY INCIDENT REPORT FORM

I. Workplace Safety Incident Report

Instructions: Consult the City of Ashland Grievance Procedure concerning employee workplace safety for the reporting process and applicable timelines.

Employee's Full Name: _____ Employee No. _____

Job Title: _____ Department: _____

Address/Location of Incident: _____

Work Telephone No. _____ Work Email Address: _____

Home Telephone No. _____ Home Email Address: _____

Home Address: _____

Supervisor: _____

Date(s) Safety Issue Occurred: _____

The safety issues or violations that have occurred (use attachments if necessary)

The facts supporting this violation are (use attachments if necessary)

The proposed resolution (use attachments if necessary)

The relief I want is (use attachments if necessary)

Employee Signature _____ Date: _____

Any workplace safety violation must be reported immediately and no later than 24 hours following the incident or issue. Failure to report safety incidents or issues may result in further injury. The "Grievance Procedure" contains complete instructions.

Check one if you decided not to present this to your immediate supervisor:

Discrimination or retaliation by immediate supervisor

Expedited Process

CITY OF ASHLAND EMPLOYEE GREIVENCE PROCEDURE
WORKPLACE SAFETY INCIDENT FIRST RESOLUTION STEP

II. First Resolution Step

Received by: _____ Date Received: _____

Response to Safety Incident Report (use attachments if necessary)

First Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

Employee's response:

____ I agree with the response to the safety incident and want no further resolution.

____ I disagree with the response to the safety incident and would like to appeal the findings and conclusions to an Impartial Hearing Officer.

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

NOTE: Safety Committee will issue findings and conclusions within 14 calendar days of written report.

CITY OF ASHLAND EMPLOYEE GRIEVANCE PROCEDURE
WORKPLACE SAFETY INCIDENT SECOND RESOLUTION STEP

III. Second Resolution Step

Received by: _____ Date Received: _____

Date of Meeting: _____

Response by Impartial Hearing Officer (attach written summary and decision)

Second Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

Employee's response:

___ I agree with the response to the safety incident and am returning this form to the Human Resources Office.

___ I disagree with the response to the safety incident and would like to appeal the findings and conclusions to the Ashland City Council.

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

NOTE: The employee is responsible for having the grievance delivered to the proper person or office within 7 calendar days.

CITY OF ASHLAND EMPLOYEE GREIVENCE PROCEDURE
WORKPLACE SAFETY INCIDENT THIRD RESOLUTION STEP

IV. Third Resolution Step

Received by: _____ Date Received: _____

Requestor (employee or employer may request) _____

Detailed reasons for request to appeal to Ashland City Council (use attachments if necessary)

Response by non-appealing party to detailed request (use attachments if necessary)

Response by City of Ashland Common Council (use attachments if necessary)

City of Ashland Common Council response:

___ Decision of Impartial Hearing Officer was upheld

___ Decision of Impartial Hearing Officer was modified or reversed (attach documentation)

Third Step Respondent's Signature _____

Date: _____ Work Telephone Number: _____

OPTIONAL - Employee comments (use attachments if necessary)

Employee Signature _____ Date: _____

NOTE: The Ashland City Council decision is final and binding upon all parties.