

Village of Shorewood Hills
Personnel Committee
Meeting Minutes - DRAFT
Thursday, December 1, 2022 - 6:30pm
Location: Virtual via Zoom

- 1. Call to Order:** Chair Cokie Albrecht called the meeting of the Personnel Committee to order at 6:32pm. Present, in addition to Albrecht, were Committee members Mary Gulbrandsen, Laura Stephenson, Greg Lampe, Revere Greist, and Erica Moeser. Amy Neeno-Eckwall was absent. Also in attendance was Village Administrator Sharon Eveland and Deputy Clerk-Treasurer Chrissy Kahl. Resident Marilyn Townsend was also in attendance.

Albrecht announced that committee member Amy Neeno-Eckwall is stepping down. Introductions were then made amongst the committee members and Kahl.

 - a. Note compliance with open meeting law:** Eveland confirmed the meeting had been properly posted.
- 2. Public Forum – This is an opportunity for community members to speak to the Personnel Committee. No discussion may occur at this time except that a committee member may request to add an item to the agenda in the future. Speakers may be limited to three minutes:** No public comments.
- 3. Approval of the minutes – November 3, 2022:** Stephenson moved, Lampe seconded to approve the minutes of the Personnel Committee meeting of November 3, 2022. Motion carried.
- 4. Administrator Update by Eveland**

 - a. Personnel vacancies, recruitments, recent starts: Jan Hartwig has started as Administrative Assistant in the Police Department. The police department has started officer recruitment. Recruitment for the vacant Clerk-Treasurer position will begin in January 2023.
 - b. 2023 COLA, step adjustments, and inflation relief payments: Employees will receive a 2% COLA increase. Step adjustments were approved by the Board of Trustees, as well as inflation relief payments. Step adjustments were based on the salary study that was conducted.
 - c. Organizational structure and chart: The organization chart was approved by the Board of Trustees.
- 5. Discussion on meetings with staff:** Eveland said no staff felt the need to meet with the Personnel Committee. Moeser, Lampe and Gulbrandsen said it is nice to meet with staff and share their appreciation. Eveland will check with department heads on best times to meet with staff depending on operations demands. Stephenson said these meetings clarify the role of the Personnel Committee to staff. Moser suggested consolidating the meetings for efficiency. The Personnel Committee will revisit this again in the spring and come up with some guided questions.
- 6. Personnel manual process:** Eveland led the discussion that included guidance on how to update the manual. The process could take 8-12 months to complete. She would like the

committee to review the introduction and 1st chapter to start the conversation at February's meeting.

7. **Performance evaluations:** Eveland provided sample evaluation forms in the meeting packet. She would like to get feedback from the committee for the February meeting. Moeser commented that these are too complex and is troubled by some of the context, especially with a small staff. This item will be discussed again at the February meeting.

Gulbrandsen was excused from the meeting at 7:35pm.

8. **Future Agenda Items - These items are not intended to be discussed. They are intended to be a running list of projects/issues that the Personnel Committee will take up in the future. Committee members may request that an item be added to the next agenda or to this list during the meeting but no discussion of those items may be had.**

- a. **Job Descriptions**

- b. **Role of Personnel Committee** – Board of Trustees decides

- c. **Other?** Discussion regarding staff meetings

9. **Closed Session** At 7:37pm Albrecht moved, Greist seconded a motion that the Committee adjourn to closed session pursuant to Section 19.85(1)(e) to protect the Village's bargaining position in negotiating an agreement (consideration and possible recommendation to the Village Board regarding a collective bargaining agreement with the AWPPA Union-Police). The roll call vote was Albrecht – aye; Moeser – aye; Lampe – aye; Stephenson – aye; and Greist – aye. Eveland and Kahl were asked to join the closed session.

While in closed session, the Committee discussed the bargaining agreement as related to AWPPA Police Union.

10. **Adjourn from closed session (next meeting date – January 5, 2022 at 6:30pm):** Moeser moved, Lampe seconded a motion to adjourn at 7:51pm. Motion carried.

Respectfully submitted by Chrissy Kahl, Deputy Clerk-Treasurer

Personnel Meeting Notes

- The spreadsheet providing sections that cross-over between the current and the draft version was put together by Cokie. The comments/questions in them are from her as well.
- The edited pages of the draft version are my suggested edits. I tried to incorporate language from the current manual where appropriate. The sections included go beyond what was previously discussed as expected to be included in this discussion but I have provided it in case we get through the other stuff quicker than anticipated.
- Generally speaking, I would advise that the draft version become the primary focus with discussion on anything in the current manual that we may want to incorporate. In the last couple of months, I have discovered multiple things that we are doing that are not provided for in the manual and also things that are provided for in the manual that we are not doing. This is the primary reason why I advise looking at this as a hard reset (and also why there is a statement in the very beginning of the draft manual that essentially says if it's not in the manual, we don't do it even if we were doing it in the past.
- My recommendation is to look at this process and to ask "How can we do this better? How can we provide for a better employee experience within the fiscal constraints we face?".

A comparison of Proposed (Clintonville) and Current Shorewood Hills Personnel Policy Manual sections

GENERAL COMMENT: this spreadsheet is designed as a starting spot, not a comprehensive comparison. I surely missed some similar sections in the two manuals...

GENERAL COMMENT: should the Personnel Committee's review of the Personnel Policy Manual be undertaken with consideration of recommending CHANGES to any policies or should it be limited to clarifying and updating EXISTING policies?

Sections in Proposed Document	Location of ~ similar info in Current
Introductory Matters	
1	9.03(a)
2	3.02
4	n/a
000 Series	
001	not addressed
100 Series	
101	3.00, 3.02
101.3	11.01
101.4	not addressed
103	3.07
105	10.01
105.4	3.08 and 10.15
200 Series	
201	8.00
201.2.2	8.05 a-d
201.3	8.05 a-d
203	9.01
205.3.2	9.03(d)
207	9.01
207.1	9.01A
207.2	9.01B
207.3.3.1	9.01D
207.3.3.3	9.01C(6)
207.3.4	9.01C(7)

COMMENT re 105.7: should quitting employees have option to choose to have leave time balances paid out in a lump sum OR officially end employment after leave is used up, extending their termination date? Either way, need to clarify when last day of employment is/can be.

207.4.1.1	9.01C(1)
207.4.1.2	9.01C(2)
207.4.3	9.01C(3)
207.4.4	9.01C(4)
207.5	not addressed
209	9.02 and 4.04

COMMENT: would it be more appropriate to move Section 203 to 206?

300 Series

301	not addressed
303	not addressed
305	not addressed
307	not addressed
309	not addressed

400 Series

401	
401.2	5.01(a)
401.5	not addressed
403.2	6.02(a)
403.5	5.02e
403.6	6.02(b)
403.6.1	5.02(f)
405	not addressed
407	5.06
409	6.04, 6.07, 6.09
411	6.09
413	6.08
415	6.10
417	not addressed
419	6.04, 6.05
421	6.01
421.4	6.02(a)
421.5	6.06
421.7	6.06(b)
421.11	6.06e
421.12	not addressed
423	6.12
425	not addressed+B94
427	not applicable

COMMENT re 409: since Village has fewer than 50 employees it is not subject to FMLA requirements, though Village could choose to adopt them.

500 Series

501.2.1	not addressed
503	5.02
503.3	5.02(d)
505	4.01
507	3.06
509	4.02
509.4	5.02
511	4.06 , 7.09
511.5.1	8.04(b)
511.5.2	4.07
511.6	7.09
513	4.07
515	8.04
517	not addressed
519	4.04
521	5.05
523	4.08
525	4.08

COMMENT re 519: if step increases continue to be given annually, how are new hires handled? (e.g., if hired at the end of the previous year).

COMMENT re 525: clarify who gets clothing allowance, what is covered, how much, when?

600 Series

601.3	7.01
601.4	7.02
601.7	10.06
601.9.4	7.02
601.10	not addressed
601.11	6.06e
603.1.1	7.07
603.1.2	not addressed
603.1.3	7.05
603.1.4	7.03
603.1.6	7.04
605	7.06

COMMENT: should this series be expanded to include more specific information about benefits provided employees or alternately, reference ETF, WRS, Delta Dental, etc. websites/info?

700 Series

701	not addressed
703	8.06
703.5	8.06a
703.6	8.06biii-iv

703.7.1	8.05d
703.7.2	8.06c
703.7.3	8.06d
703.8	8.08
705	not addressed
707	not addressed
709	not addressed
711	not addressed
713.3	7.05
715	6.13
717	not addressed
719	not addressed

800 Series

801	not addressed
803	not addressed
805	not addressed
807	9.04
809	not addressed

Items in Current Manual that are not addressed in Proposed

not addressed	2.00
much not addressed	3.03
not addressed	4.05
not addressed	4.09
not addressed	4.1
not addressed	7.10
not addressed	7.11
not addressed	8.07
much not addressed	8.08
not addressed	9.03(b)
not addressed	10.07
not addressed	12.00

COMMENT re 2.00: if info in the Vlg's Current Section 2.00 is used, it needs updating including deletion of 2.06, 2.07 and 2.10(b)

INTRODUCTORY MATTERS

- Purpose of the Personnel Manual
- Equal Employment Opportunity
- The Role of Management
- Conflicts with Union Contracts
- Library Board and Police & Fire Commission Authority
- Employee Acknowledgement Form

INTRODUCTORY MATTERS

1. **Purpose.** This manual sets forth the Village of Shorewood Hills employee policies. Its purpose is to familiarize employees with the personnel policies of the Village.

Because all employees are considered "at-will" employees, nothing contained in this document is to be construed by any employee as establishing, creating, or constituting a written, oral, or implied contract of employment. Furthermore, nothing herein will be construed as a guarantee of continued employment nor as a guarantee of any benefits or conditions of employment.

Each service department has a unique job. For this reason, work schedules, work rules or procedures may vary from department to department. Every attempt is made by the Village to standardize procedures and treat all employees equitably. Concerns about Village procedures should be brought to the attention of an immediate supervisor and/or the Village Administrator.

The provisions set forth in this manual supersede all prior personnel policies and procedures, whether written or established by past practice but this manual should not be construed as all-inclusive. Because this Personnel Manual is based on Village operational policies and procedures, federal and state mandated policies and procedures, and present employee fringe benefit programs which are all to some degree subject to change, this manual is also subject to change. The Village of Shorewood Hills reserves the right to revise, add, subtract, correct, delete, or update any part or all of the materials in this manual.

Any changes made in this manual will be brought to the attention of all employees by employee meetings, e-mail notification, and/or corrections in the Personnel Manual itself.

2. **Equal Employment Opportunity.** It is the policy of the Village of Shorewood Hills to provide equal opportunity in employment to all qualified employees and applicants for employment without regards to race, color, religion, sex, or other protected characteristics. Positive action is required from all employees to help ensure that the Village complies with its obligations under state and federal law. Equal consideration to all qualified persons includes, but is not limited to, the following functions:

- Hiring, placement, promotion, transfer, or demotion
- Recruitment
- Compensation for and conditions of employment
- Training; and
- Involuntary layoff or separation from employment.

Our policy objective is to employ individuals who are qualified for specific work by such job-related standards as experience, demonstrated attitude and skill, education, training, overall ability and other relevant considerations.

3. **Conflicts with Union Contracts.** In the event this manual conflicts with provisions of a union contract, the provisions of a union contract will take precedent. Given that wages and compensation are provided for in the union contract, compensation-related matters in the personnel manual are not applicable to union personnel unless specifically stated as such.

~~4. **Library Board and Police & Fire Commission Authority.** While this manual and all policies contained herein are applicable to all Village departments and employees, the Board of Trustees acknowledges and affirms all statutorily granted autonomous powers of the Library Board and the Police & Fire Commission. Violations of this handbook committed by personnel subject to the Library Board or the Police & Fire Commission will be addressed by those respective bodies within the authority of their jurisdiction.~~

5. The Role of Management. Certain rights and responsibilities are imposed on the Village by state and federal legislation. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the Village reserves any and all management rights regarding employees' employment status.

Employee Acknowledgment Form

A copy of the Shorewood Hills Personnel Manual has been provided to me for review either electronically or printed. My signature indicates that I did receive and review a copy. I understand that the policies, rules, regulations, and procedures set forth in this manual will govern my employment with the Village. I further acknowledge that it is my responsibility to thoroughly review this manual and familiarize myself with its contents. This manual is understood to form the parameters for my employment with the Village and is not intended to be either an express or implied contract or guarantee of employment or guarantee any particular term or condition of employment. The Village reserves the right to revise, amend, add, or delete any policy, procedure, or benefit contained in the manual without notice at any time.

Employee Signature

Date

Employee Name & Department

GENERAL PROVISIONS

- Policy 001 – Definitions

POLICY 001 DEFINITIONS

- 1. Purpose.** To provide clarity and consistency when referencing employee positions and any associated employment benefits.

- 2. Definitions.** The following words and phrases as utilized in this manual will be the definitions set forth unless a different meaning is specifically afforded to the word or phrase via definition established in the policy.
 - 2.1 ANNIVERSARY DATE.** The date an employee begins Village employment (as may be modified by personnel actions).
 - 2.2 APPOINTING AUTHORITY.** A Village official who has the authority to appoint and remove individuals to and from positions in the Village service.
 - 2.3 DEMOTION.** The assignment of an employee from one position to another position with a lower pay range.
 - 2.4 DEPARTMENT HEAD.** A Village official with the responsibility for the operation of a specific Village department as set forth in the Organizational Chart.
 - 2.5 DISCIPLINARY ACTION.** The action taken to discipline an employee, including any action from a verbal reprimand, written reprimand, suspension with or without pay, demotion, up to and including discharge.
 - 2.6 ELIGIBLE.** A person determined by the Village Administrator, or designee, as meeting the training and experience requirements and as successfully completing all parts of the selection process when formal selection devices are used.
 - 2.7 EMERGENCY APPOINTMENTS.** An appointment which may be made in case of unforeseen emergency when necessary to prevent impairments of Village service.
 - 2.8 EMPLOYEE.** An individual who is legally employed by the Village and is paid in part or in whole through the Village payroll.
 - 2.9 ENTRANCE PAY RATE.** The rate at which an individual not currently on the payroll is to be employed.
 - 2.10 GRIEVANCE.** A grievance is a formal written complaint of a regular Village employee regarding working conditions, applications of discipline, or safety conditions.
 - 2.11 FULL-TIME EMPLOYEE.** A person who has been hired by the Village to regularly work at least thirty (30) hours per week and is eligible for health insurance benefits under the insurance policy in effect at the time of hire.
 - 2.12 LAYOFF.** The involuntary separation of an employee because of reasons unrelated to an employee's performance.
 - 2.13 LIMITED TERM EMPLOYEE.** A person who has been hired by the Village to perform a certain job for a limited period of time. Employees so hired are not entitled to the normal tenure rights and benefits afforded to regular employees.
 - 2.14 SALARY SCHEDULE.** A schedule of pay ranges for all positions in the Village.
 - 2.15 SEASONAL EMPLOYEE.** A person who has been hired by the Village for a specific seasonal period.
 - 2.16 PAY RANGE.** The minimum through maximum rates of pay established for each position.

- 2.17** PART-TIME EMPLOYEE. A person who has been hired by the Village whose averaged scheduled hours is expected to be less than thirty (30) hours per week.
- 2.18** POSITION. A grouping of duties and responsibilities of all the actual duties and responsibilities to be performed by an employee. A position may be filled or vacant, full-time or part-time, permanent or temporary.
- 2.19** POSITION DESCRIPTION. A written description of duties and responsibilities of a specific position.
- 2.20** REGULAR APPOINTMENT. An appointment of an eligible individual to a budgeted Village position.
- 2.21** REINSTATEMENT. The action by which a former employee may be reinstated to a position with pay and/or fringe benefits comparable to that received at the time of separation or as may be appropriate at the time.
- 2.22** SELECTION DEVICE. A formal measurement device used to evaluate and/or rank applicants for Village positions.
- 2.23** SEPARATION. The removal of an employee from employment for voluntary or involuntary reasons including resignation, layoff, retirement, or death.
- 2.24** SUPERVISOR. The person responsible for the assignment, direction, and work of another employee, usually a full-time employee.
- 2.245** TERMINATION. The removal of an employee from employment for involuntary disciplinary reasons, including dismissal.
- 2.26** TRANSFER. The assignment of an employee from one position to another whether in the same or different departments.

RECRUITMENT, HIRING, & SEPARATION FROM EMPLOYMENT

- Policy 101 – Recruitment & Selection
- Policy 103 – Nepotism
- Policy 105 – Separation from Employment

POLICY 101 RECRUITMENT & SELECTION

1. Purpose. To provide a recruitment and selection process for all regular and temporary positions. The Village observes all equal employment opportunity laws and regulations. The selection process will include an evaluation of the applicant's relative abilities, skills, knowledge, and experience.

2. Vacancies. When the Village determines that a full-time vacancy or new position will be filled, the Village will normally post a notice of such vacancy or new position electronically. In departments where employees do not have ready-access to email, a paper notice will be posted. Job openings will normally be posted for a minimum of five (5) working days. The Village retains the right to determine whether and when to recruit outside applicants and therefore may not post all open positions.

2.1 Mandatory Diversity Language for Postings. The following statement must be included in all job postings: As an employer, we strive to provide a work environment where diversity and differing opinions are valued, creativity is encouraged, continuous learning and improvement are fostered, teamwork and open/honest communication are encouraged, and meeting customer needs through quality service is a shared goal. Applicants from traditionally underrepresented populations including women, racial and ethnic minorities, and persons with disabilities are especially encouraged to apply.

3. Department Head Openings. In the event a Department Head position becomes open, an interview team normally comprised of the ~~Village Board President~~Village President, the Village Administrator, the Chair of the respective Committee, and one ~~a~~ member of the Personnel Committee shall be formed to conduct the interview and selection process and to make a formal recommendation to the Personnel Committee. Should the Chair of the respective Committee be a member of the Personnel Committee, then the respective committee shall select another member not on the Personnel Committee to be on the interview team.

3.1 Exceptions. The Personnel Committee may elect a different composition for the interview team without Board action so long as the interview team consists of at least one ~~alder~~person~~trustee~~.

4. Orientation Period. The orientation period is intended to give new employees and those who have received promotions the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The orientation period provides a period of intensive observation to determine the adequacy of the job performance, but the completion of the orientation period does not add any additional protections for the termination of such employees who continue as at-will employees. An orientation period applies to all newly hired and rehired employees and employees seeking promotional vacancies, as applicable. The length of the orientation period is three to six months for non-department head level staff and twelve months for Department Heads.

5. Hiring Authority. The Village Administrator has full hiring authority over all seasonal, LTE, and part-time employees. This authority includes, but is not limited to, determining the interview process, making offers of employment, and setting wages. The Village Administrator also has full hiring authority over non-department head positions except that the Village Administrator must request selection confirmation from the Personnel Committee. In the event the Personnel Committee does not agree to the Administrator's selection, the Village Board will review and make a determination.

POLICY 103 NEPOTISM

1. **Purpose.** ~~In order to~~To avoid situations that create potential or perceived favoritism, or perceived or actual conflict of interest, it is the Village's policy to not hire persons related to Village employees within the same department or those of elected officials for regular full-time or part-time positions. Such related persons are not barred from seasonal or temporary Village employment but will not be entitled to any preference because of their relationship. The Village also prohibits having an employee supervise a person to whom they are related ~~in accordance with Section 1.07 of the Shorewood Hills Municipal Code.~~
2. **Definitions of Related.** For purposes of this policy, related persons will mean wife, husband, father, mother, grandfather, grandmother, guardian, ward, sister, brother, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, and brother-in-law.
3. **Village Administrator Review.** While the above-definition identifies relationships that are likely to be perceived as a conflict of interest, employees should also guard against other superior- subordinate relationships that could be perceived as creating a conflict of interest. ~~In order to~~To safeguard the interests of both employees and the Village, the Administrator should be alerted to any employee relationships that pose, or potentially pose, a conflict of interest.
4. **Recruitment & Hiring.** No employee may participate in the recruitment or hiring process if a relative is an applicant under consideration.

POLICY 105 SEPARATION FROM EMPLOYMENT

1. **Policy.** Separation from employment includes but is not limited to resignation, retirement, reduction in workforce, and failure to return from approved leave. Such employment separation may be voluntary or involuntary.
2. **Notice.**
 - 2.1 If an employee decides to terminate their employment, ~~we the Village requests~~ that at least two weeks advance notice be provided.
 - 2.2 Department Heads ~~and Administrative Staff~~ who decide to terminate their employment with the Village will provide at least 30 days advance notice with such termination to be effective upon receipt by the appointing authority or upon the date specified.
 - 2.3 Any employee who fails to give the requested notice will be considered to have resigned not in good standing unless the Village Administrator determines that acceptable reasons for a shorter notice period exist. Paid benefit time will not count as part of the notice unless approved by the Village Administrator.
3. **Separation Procedures.**
 - 3.1 Upon separation from employment, compensation and benefits which have been earned and accrued will be credited pursuant to law. Resigning employees should make an appointment with the payroll staff for payout review and with the Village Administrator for an exit interview.
 - 3.2 Employees who resign not in good standing are ineligible for benefits payout.
4. **Reduction in Workforce.** The Village retains the right to lay off employees, in whole or in part, regardless of their previous length of employment.
5. **Return of Village Equipment.**

5.1 Prior to separation from employment, Village equipment that was assigned to the employee must be returned to the Village. Such equipment includes, but is not limited to, identification/key cards, keys, laptop computers, radios, and phones/pagers.

5.2 Payout of accrued benefits will be withheld until all equipment is returned.

6. Notice of Resignation

6.1 When an employee resigns, a written notice of resignation must be provided to their supervisor or department head, which needs to be forwarded within one working day to the Village Administrator for placement in the personnel file.

6.2 The notice of resignation must contain:

- Employee's full name, title, and department
- Current date of letter
- Effective date of resignation
- Date of the last day to be worked, with a request to use benefit time if this date is different from the resignation date

7. Last day of Employment. The last day worked will, in most cases, be considered the last day of employment. The Village reserves the right to determine the last day of employment.

STANDARDS OF EMPLOYEE CONDUCT

- Policy 201 – Employee Conduct and Working Environment
- Policy 203 – Concerns and Complaints
- Policy 205 – Corrective and Disciplinary Actions
- Policy 207 – Grievance Procedure
- Policy 209 – Performance Evaluations

POLICY 201 EMPLOYEE CONDUCT & WORKING ENVIRONMENT

1. Purpose. It is the Village of Shorewood Hills's policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment and violence. In addition, Village employees are expected to provide uniform, quality service to all community members. The attitudes and actions of each employee reflect directly on the image and reputation of the Village of Shorewood Hills. To ensure orderly operations and provide the best possible work environment, the Village of Shorewood Hills expects employees to follow the rules of conduct that will protect the interests and safety of all employees and the Village.

2. Policy.

2.1 Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person.

2.2 Employees have a right to conduct their work without disorderly or undue interference from other employees. The Village prohibits employees from violating this right of their co-workers. This prohibition includes, but is not limited to intentional acts such as:

- Unprovoked insolence or disrespect on the part of the employee toward fellow employees, elected officials, visitors, or other members of the public.
- Boisterous or disruptive activity in the workplace or actions adversely and substantially affecting morale, production, or efficiency.
- Sexual or other unlawful or unwelcome harassment.
- Fighting with or provoking a disturbance among fellow employees, threatening violence in the workplace, or actions adversely and substantially affecting morale, production, or efficiency.
- Discrimination against others because of any protected classification.
- Making malicious, false, or harmful statements about others or publicly disclosing another's private information.

3. Unacceptable Conduct.

3.1 It is not possible to list all the forms of behavior that are considered unacceptable in the work place. The following are examples of infractions of rules of conduct that will result in disciplinary action, up to and including termination of employment.

- Falsification of timekeeping or other Village records.
- Theft, damage, or destruction of Village equipment or property, or dishonesty.
- Insubordination, inclusive of, but not limited to, a willful refusal to obey lawful and reasonable directives.
- Possession of dangerous or unauthorized materials, such as firearms, in the workplace.
- Possession, distribution, sale, transfer, being under the influence of or use of alcohol or illegal drugs in the workplace, while on duty or while operating Village-owned vehicles or equipment.
- Smoking in undesignated smoking areas, to include Village-owned vehicles or equipment.
- Unauthorized disclosure of confidential information.
- Immoral or otherwise improper conduct which adversely and substantially injures or brings the Village into disrepute; being charged with or convicted of a crime which is directly related to the job which the person was hired to perform; or unavailability for work due to incarceration.
- Habitual tardiness, abuse of paid time off privileges, excessive absenteeism or any absence without notice.

- Violation of state law, administrative rules, Village Ordinances, departmental work rules, Employee Policies, or other Village policies or safety rules.
- Off duty conduct that negatively impacts the Village.

4. Right to Search. The Village reserves the right to search Village property including but not limited to lockers, desks, computer information, etc. at any time without consent. The Village may request a search of personal property at the worksite or locked Village property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities reside therein. Refusal of such request may result in disciplinary action up to and including termination.

5. Consequences of Policy Violation. The above listed examples are not all-inclusive. Nothing in this policy is intended to modify the at-will employment relationship. The Village may take corrective or disciplinary action against employees whose conduct violates this or other Village policies and practices. The supervisor should consult with the department head and Village Administrator on such matters.

POLICY 203 CONCERNS OR COMPLAINTS

1. Purpose. To provide access to address concerns outside the realm of formal grievance procedures.

2. Policy. The Concerns or Complaints Procedure should be used to address concerns that are not covered by a formal grievance procedure. These concerns may involve such issues as public and department policy, harassment issues, compliance with laws, issues on Village policy or potential or perceived conflicts of interest. It is the desire of the Village, when practical, to address concerns informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise.

3. Procedure.

3.1 The employee will complete a written complaint form, available from Village Hall, and forward it to the Village Administrator. The employee will explain the nature of the concern and any suggested resolution. To ensure appropriate follow-up action can be taken, all complaints must be signed by the person initiating them. The Village of Shorewood Hills will not tolerate retaliation or harassment of an employee who shares a concern or complaint if the complaint is truthful and is made in good faith.

3.2 If the complaint is deemed to be covered by a formal grievance procedure, it will be referred to the Department Head to proceed accordingly.

3.3 The Village Administrator or designee will normally meet with the employee, department head, and interested parties within fifteen (15) working days of receipt of the complaint and attempt to reach a resolution. Information concerning a complaint will only be shared on a need-to-know basis. While efforts will be made to maintain the confidentiality of each complaint, no guarantee of confidentiality can be assured. Follow-up actions and/or referrals taken will be documented.

4. Formal Grievance Procedures.

4.1 Employees are expected to follow the formal grievance procedure that is in place. The following matters are subject to the formal grievance procedure:

- Disputes concerning employee discipline, disciplinary termination and workplace safety
- Any harassment complaints

5. Appendices.

5.1 General Complaint Form (Appendix 203A)

POLICY 205 CORRECTIVE AND DISCIPLINARY ACTIONS

1. Purpose. Corrective and disciplinary action may be taken for violations of standards of conduct, violations of policies and procedures, or for unsatisfactory work performance, as determined by the Village. In most instances, corrective and disciplinary action will only be taken after a full investigation and after giving the employee an opportunity to respond to any and all allegations. Nothing in this policy is intended to modify the at-will employment relationship.

2. Scope and Application.

2.1 This policy applies to all full- and part-time employees of the Village of Shorewood Hills. The term “employee” excludes independent contractors, elected officials, and any employee, official, or officer that serves at the pleasure of an appointment authority, as provided by Wisconsin Statutes. Certain employees may be covered by either state statute and/or a collective bargaining agreement, particularly with regard to corrective and disciplinary actions. In those cases, the provisions of state statute and/or collective bargaining agreement will supersede this policy.

3. Definitions.

3.1 CORRECTIVE ACTION. The level of corrective action imposed will take into consideration the seriousness of the infraction as well as the employee’s performance record. At the Village’s sole discretion, various types of corrective action may be imposed which include, but are not limited to, verbal warnings and written warnings. These measures are not required to be used before suspension or termination of employment occurs nor are the listed corrective actions required to be used in any specific order. The Village may repeat corrective action. Problems related to an employee’s inability to meet job expectations, not related to misconduct, may be addressed through performance evaluation.

3.2 DISCIPLINARY ACTION. For purposes of this policy, disciplinary action means an employment action that results in disciplinary suspension without pay, termination, or disciplinary demotion/reduction in rank. Disciplinary action does not include verbal or written notices, warnings, evaluations, or reminders that are issued in order to alert the employee that failure to correct the behavior may result in disciplinary suspension, demotion, or termination.

3.3 ORAL WARNING. An oral statement made to the employee indicating that conduct or performance fails to meet an acceptable level. Documentation of the oral statement is created and made part of the employee’s personnel file.

3.4 WRITTEN WARNING. A written statement to the employee indicating that conduct or performance fails to meet an acceptable level, which will be made part of the employee’s personnel file.

3.5 SUSPENSION. The temporary removal for disciplinary reasons of an employee from his/her assignment, without pay. Documentation of the suspension is created and made part of the employee’s personnel file.

3.6 TERMINATION. Involuntary dismissal from Village employment. Termination does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment.

4. Authority. The Village Administrator is responsible for oversight of all disciplinary actions for all employees covered by this policy, including Department Heads. The Village Administrator must approve all

suspensions without pay and terminations except that terminations of Department Head or appointed positions must be decided by the Village Board.

5. Standards of Conduct

5.1 While it is impossible to list every type of behavior that may be deemed a serious infraction, subject to disciplinary action, Policy 201 Employee Conduct and Working Environment includes examples of behaviors that may result in disciplinary action. The problems listed are not intended to be an all-inclusive list.

5.1.1 The severity of the disciplinary action will be related to the gravity of the offense, the employee's record of prior disciplinary actions, and a review of the facts and circumstances surrounding the incident(s) as determined by the Village.

5.1.2 Nothing in this policy is intended to create additional liberty, property, or procedural rights for employees beyond those rights guaranteed by federal and state law, unless such a provision is clearly labeled as a right of the employee.

6. Departmental Policies.

6.1 Each department head is responsible for developing any additional written departmental policies unique to, and necessary for, the efficient and safe operation of the department. Such policies shall not contradict policies in this manual.

6.2 Departmental policies will be in writing and copies will be made available to all affected employees, including notice that any violation of such rules will be subject to disciplinary action.

6.3 Departmental policies will be used in addition to the policies and procedures in the Personnel Manual.

6.4 Departmental policies will be approved by the department head and current departmental work rules will be kept on file with the Village Administrator.

7. Formal Disciplinary Action.

7.1 Village Employees may receive disciplinary action for reasons that include but are not limited to violation of departmental work rules, employee policies, and administrative procedures, or other Village policies or safety rules.

8. Documentation.

8.1 The supervisor will give the employee a notice that documents any/all oral and written warnings, suspensions, and/or terminations.

8.2 Receipt of such notice will be acknowledged by the employee or witnessed. A copy of the notice will be furnished to the employee. The original warning notice will be forwarded to the Village Administrator for inclusion in the employee's personnel record.

8.3 All corrective and disciplinary actions will be documented and placed in the employee's permanent file at Village Hall.

9. Appeal of Disciplinary Action. An employee may appeal the imposition of a disciplinary action of demotion/reduction in rank, disciplinary suspension without pay, or termination through the grievance procedure set forth in Policy 207 Grievance Procedure.

10. Administrative Leave. In certain limited circumstances, an employee may be placed on Administrative Leave in order to conduct an investigation. Such leave is with pay and may only be authorized by the Village Administrator unless otherwise dictated by State Statutes.

POLICY 207 GRIEVANCE PROCEDURE

1. Purpose. 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 Board of Trustees, where appropriate, as required by WisStat 66.0509. The Village expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the grievance procedure. 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 Village. This grievance procedure does not create a legal binding contract or a contract of employment.

2. Definitions.

- 2.1 DISCIPLINE.** For purposes of this policy, discipline means an employment action that results in disciplinary suspension without pay, termination, or disciplinary demotion/reduction in rank. Disciplinary action does not include verbal or written notices, warnings, evaluations, or reminders that are issued in order to alert the employee that failure to correct the behavior may result in disciplinary suspension, demotion/reduction in rank, or termination and are not subject to the grievance procedure.
- 2.2 TERMINATION.** Involuntary dismissal from Village employment for disciplinary or performance reasons. Termination does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment.
- 2.3 EMPLOYEE.** For the purposes of the procedure for grievances concerning employee terminations and employee discipline, includes all regular full-time and part-time employees. The term employee excludes elected officials, individuals hired on a limited term, casual, project, or seasonal basis, independent contractors, employees within their **introductory orientation** period, and any employee, official, or officer that serves at the pleasure of an appointing authority as provided by Wisconsin Statutes.
- 2.4 WORKPLACE SAFETY.** 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 unrelated to physical health and safety matters, including, but not limited to, hours, overtime, and work schedules.
- 2.5 EMPLOYEE ASSISTANCE PROGRAM (EAP).** The Village annually contracts with a healthcare provider to provide employee assistance programs. These programs also offer consulting on personnel issues where an outside viewpoint may be used to relieve an issue organizational or amongst employees.

3. General Provisions.

3.1 Role of Appointment of Impartial Hearing Officer

- 3.1.1 For purposes of this policy, the role of the impartial hearing officer will be to define the issues, identifying areas of agreement and dispute between the parties, and to hear the parties' respective argument.
- 3.1.2 The hearing officer may require parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing.
- 3.1.3 The hearing officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary.
- 3.1.4 The hearing officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.
- 3.1.5 The hearing officer will be selected by the Village Administrator based upon the nature of the matter in dispute.

3.2 Costs.

- 3.2.1 Each party will 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.
- 3.2.2 The fees of the impartial hearing officer will be paid by the Village.

3.3 Time Limits.

- 3.3.1 The term days used in this provision means calendar days, excluding observed holidays as set forth in Policy 403 Holidays & Leaves Around Holidays. The Village and grievant may mutually agree to waive 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 observed holiday in Policy 403, the time limit is the next day which is not a Saturday, Sunday, or holiday.
- 3.3.2 A grievance or appeal is considered timely if received by the employer by the close of business on the due date. If the grievance is not timely filed or appealed by a grievant, it will be dismissed as final.
- 3.3.3 The Village and grievant may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.
- 3.3.4 If the grievance is not answered within the time limits, the grievant may proceed to the next available step within seven (7) days.
- 3.3.5 Any issues involving the timeliness of a grievance will be resolved by the Village Administrator.

3.4 Scheduling. Grievance meetings and hearings will typically be held during the grievant off-duty hours. Time spent in grievance meetings and hearings will not be considered compensable work time.

3.5 Representation. The grievant will have the right to representation during the grievance procedure at the grievant's expense.

4. Procedure for Grievances Concerning Employee Terminations and Employee Discipline.

4.1 Step 1. An earnest effort will 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 will be reduced to writing by the employee who will submit it to the employee's department head, who will then submit it to the Village Administrator.

- 4.1.1** The written grievance will give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.
- 4.1.2** If the employee does not submit a written grievance within fourteen (14) 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 fourteen (14) days after receipt of the written grievance.
- 4.2 Step 2.** If the grievance is not settled in Step 1 and the employee wishes to appeal the decision, the employee will submit the written grievance to the Village Administrator within five (5) days after receipt of the decision of the department head at Step 1. The Village Administrator will review the matter and inform the employee of ~~his or her~~their decision within ten (10) ~~business~~ days of receipt of the grievance. Any grievance that involves actions by the Village Administrator relative to an employee or which the Village Administrator files against the Village shall automatically skip Step 2 of the grievance process and move forward to review by an impartial hearing officer (Step 3).
- 4.3 Step 3.** If the grievance is not settled in Step 2 and the employee wishes to appeal the decision, the employee will submit the written grievance to the Village Administrator requesting a hearing before an impartial hearing officer.
- 4.3.1** If the employee does not submit the appeal to the Village Administrator requesting a hearing before an impartial hearing officer within fourteen (14) days after receipt of the Village Administrator's decision, the grievance will be deemed waived. If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for a hearing.
- 4.3.2** The hearing officer will determine whether the department head's decision was arbitrary, capricious, or not supported by the facts presented. At the conclusion of the hearing, the hearing officer will render a written decision indicating the reasons for one of two decisions: 1) Sustaining the discipline/termination, 2) Denying the discipline/termination. The hearing officer must sustain the discipline/termination unless demonstrated that the decision to discipline or terminate is arbitrary, capricious, and not supported by facts presented. The hearing officer will render a written decision to the Village and employee within ten (10)-~~calendar~~ days from the date of the hearing.
- 4.4 Step 4.** The Village or employee may appeal the decision of the hearing officer to the Village Board. The decision of the Village Board will be final and binding upon the parties.
- 4.4.1** The Village or employee may request a review by the Board of Trustees by filing a request with the Village Administrator within fourteen (14) 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 will have fourteen (14) days to submit a reply to the detailed request. Once the request for review and reply are received, the review will be scheduled at the Board of Trustees's next regularly scheduled meeting that provides at least five (5) calendars days to review material. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.
- 4.4.2** The Board of Trustees will review only the record from the hearing, the written decision of the hearing officer, the reasons for the appeal, and the reply. The role of the Board of Trustees in reviewing the decision of the hearing officer is to determine whether the impartial hearing officer's decision was arbitrary, capricious, or not supported by the

facts presented to the hearing officer. The Board of Trustees may either uphold, modify, or reverse the decision of the impartial hearing officer.

5. Procedure for Grievances Concerning Employee Workplace Safety.

5.1 Step 1. Any employee who personally identifies or is given information about a workplace safety issue or incident must notify the employee's department head of the issue or incident as soon as reasonably practical. All safety issues, no matter how insignificant the situation may appear to be, must be reported.

5.1.1 Any workplace safety incident or issues must be reported by an employee within twenty-four (24) hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

5.1.2 A written report of the incident or issues, outlining the events that transpired and proposed resolution, if any, will be signed by all concerned parties and submitted to the Village Administrator within seven (7) days of the incident or issue for review and consideration.

5.2 Step 2. After consideration, the Village Administrator will issue a final report on the findings and conclusions within fourteen (14) days of the review.

5.3 Step 3. The employee may appeal to the Board of Trustees. The decision of the Board will be final and binding upon the parties.

5.3.1 The employee may request a review by the Board of Trustees by filing a request with the Village Administrator within fourteen (14) days of receipt of the written report outlining the Village Administrator's decision. The review will be scheduled at the Board of Trustees's next regularly scheduled meeting that provides at least five (5) calendar days to review material. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

6. Appendices.

6.1 Employee Grievance Form (Appendix 207A)

6.2 Employer Grievance Form (Appendix 207B)

POLICY 209 PERFORMANCE EVALUATIONS

1. Purpose. To improve employee performance, strengthen supervisor-employee relationships, and to recognize employee accomplishments and good work. Employee performance evaluations will be considered in decisions affecting placement, employment, step increases, promotions, transfers, corrective action or discipline, reemployment, and training.

2. Policy. It is the policy of the Village of Shorewood Hills to administer an Employee Performance Evaluation Program that will help to assess employee's work performance and effectiveness, to provide a means to suggest constructive action for improvement and employee development, and to provide positive feedback in areas of excellence.

3. Scope. All regular full-time and regular part-time employees of the Village of Shorewood Hills, regardless of their employment status, are covered by this policy. Elected Officials are not included in this policy.

4. Frequency of Evaluations. In general, the goal is to conduct formal employee performance evaluations on an annual basis. However, it is expected that supervisors will periodically meet with staff for

informal conversations on performance and will address deficiencies in performance when the deficiencies occur rather than waiting until the formal evaluation.

5. Failing Evaluations. An evaluation with three or more zeroes is considered an automatic failure regardless of the overall score. In addition, an employee who receives a failing evaluation shall be placed on probation for a minimum of six months but not more than twelve months. Any performance or discipline issues during this probation period may subject the employee to immediate termination.

(Note: It would be important to have an approved evaluation form prior to the personnel manual being finalized/approved.)