

Village of Shorewood Hills
Personnel Committee
Meeting Minutes - DRAFT
Tuesday, April 11, 2023 – 5:00pm
Location: Virtual via Zoom

1. **Call to Order:** Chair Cokie Albrecht called the meeting of the Personnel Committee to order at 5:02 pm. Members present: Cokie Albrecht, Mary Gulbrandsen, Laura Stephenson, Greg Lampe and Erica Moeser. Members absent: Revere Greist. Also in attendance: Village Administrator Sharon Eveland and Clerk-Treasurer Julie Fitzgerald.
 - 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 Minutes**
 - a. **February 2, 2023:** Stephenson noted that in Item #5, the Committee did not recommend taking that discussion to the Village Board at this time. Requested that the end of the last sentence “to take to the Village Board for approval” be stricken from the record.
 - b. **February 16, 2023:** Stephenson wanted to clarify the last sentence of Item #3 discussing funding for officer sign-on bonus funding to read: “This bonus of \$3000-\$5000 depending on experience is not budgeted for but is able to be covered by funds due to vacant positions and would have a contracted time attached.”
M/S Stephenson/Lampe to approve the minutes of February 2, 2023, and February 16, 2023, as amended. Motion carried. (5-0)

4. **Administrator Update**

Eveland informed the Committee that Fitzgerald, the new Clerk-Treasurer, is on board and doing well in her new position. Officer Bartels and the new CSO Reynolds have started working and Officer Schwarz will be starting on Monday 4/17/23. This now makes the Police Department fully staffed. The open position in the DPW was posted this week. A special employment bulletin is being developed to help find summer help. Stephenson wants to make sure that the staff is introduced to the citizens. Eveland recommended organizing an event this summer.

5. **Personnel Manual Revisions**
 - a. **Questions on changes from previous meeting:** Committee discussed minor wording changes. Stephenson suggested that a record of new policies vs. revision to existing policies be developed as this updating process continues. Eveland informed the Committee that she has already started one and is continuing to update.
 - b. **All 200-series and 300-series policies:** The Committee discussed items in series 200 and 300 and made recommendations to Administrator Eveland.

Lampe was excused from the meeting at 6:15 pm.

6. **Future Agenda Items** - These items are not intended to be discussed. They are intended to be a running list of projects/issues that the 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** – Administrator will work on with Chair and bring to Committee when ready for review
 - b. **Role of Personnel Committee** – May
 - c. **Performance Evaluations** – May/June
 - d. **Discussion Re: annual meeting with staff** – June/July
7. **Next Meeting Date:** May 9, 2023, at 5:00 pm. Noted that Gulbrandsen cannot attend at that date/time. Meeting date may be adjusted.
8. **Adjournment:** M/S Stephenson/Gulbrandsen to adjourn. Motion carried. (4-0)
Committee meeting adjourned at 6:29 pm.

Respectfully submitted,

Julie Fitzgerald
Clerk-Treasurer

POLICY 103 NEPOTISM

- 1. Purpose.** 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.
- 2. Definitions of Related.** For purposes of this policy, related persons will mean spouse, parent, grandparent, guardian, ward, sibling, child, grandchild, parent-in-law, child-in-law, sibling-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. 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, the Village requests that at least two weeks advance notice be provided.
 - 2.2** Department Heads 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.
 - 3.2** Employees who resign not in good standing are ineligible for benefits payout, except where required by law. [Employees should review section Policy 601 for information related to continuation of benefits.](#)
 - 3.3** The Village Administrator will request exit interviews of all separating full-time and regular part-time employees. Information obtained by the Village during an exit interview will be treated confidentially. No permanent written record of any exit interview will be maintained by the Village and will not become part of the former employee's personnel record. Exit interviews may be conducted by the Personnel Committee Chair, or designee, if so requested by the separating employee and special

circumstances exist. Exit interviews should be conducted prior to termination of employment whenever possible.

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 property that was assigned to the employee must be returned to the Village. Such property includes, but is not limited to, assigned credit cards, 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 and/or adjust 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 funds, 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 for employees 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 (see Policy 205). 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 (see Policy 205). 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 ~~207-205~~ 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. Employees can request information on the EAP program from the Village Administrator.

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 or, if involving the Administrator, by the Village President 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.

4.4.3 The Board of Trustees shall consider the appeal in closed session but the employee has the right to have any final vote by the Board occur in open session under Wis. Stat. sec 19.85(1)(b).

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 to the grievant 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 [207A205A](#))

6.2 Employer Grievance Form (Appendix [207B205B](#))

POLICY [205-207](#) 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 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.)

TECHNOLOGY & COMMUNICATIONS

- Policy 301 – Information Technology Resources
- Policy 303 – Social Media
- Policy 305 – Phone & Mail System
- Policy 307 – Political Activities & Other Forms of Solicitation
- Policy 309 – Email Retention

POLICY 301 INFORMATION TECHNOLOGY RESOURCES

- 1. Purpose.** To provide employees with a variety of information technology resources such as computers, printers, scanners, electronic mail, voicemail, Internet access, and application software in an effort to allow them to be more productive and have the information necessary to do their jobs.
- 2. Employee Responsibility.** Employees are responsible for appropriate use of information technology resources in accordance with this policy. All use of information technology resources must be able to withstand public scrutiny without embarrassment to the Village of Shorewood Hills, its customers or its employees.
- 3. Appropriate Use.**
 - 3.1** The use of and access to information technology resources is limited to employees and officers of the Village of Shorewood Hills and is intended for Village business-related purposes only. Consequently, all data and information will be and will remain the property of the Village and will not belong to employees or officers. Such use and access is potentially subject to open records requests and any records including, but not limited to, emails, texts, call records, may become public knowledge and employees are expected to act accordingly.
 - 3.2** Except as otherwise prohibited by this or another Village of Shorewood Hills policy, limited and reasonable use of these tools for occasional employee personal purpose that does not result in any additional cost from loss of time or diversion of resources from their intended business purpose is permitted, subject to management approval.
 - 3.3** The use of information technology resources is a privilege and may be revoked at any time by management if use is deemed inappropriate as defined below.
- 4. Inappropriate Use.** Inappropriate use of information technology resources may result in the revocation of privileges, job-related discipline, or both. Uses that are prohibited by the Village of Shorewood Hills include, but are not limited to:
 - 4.1** Accessing information technology resources or altering, deleting, or damaging data without the explicit authorization of management ~~or introducing viruses.~~
 - 4.2** Illegal activities as defined in accordance with State and Federal Law or local ordinances or unethical uses.
 - 4.3** Waging, betting, or selling chances.
 - 4.4** Viewing, reading, or accessing any sexually explicit sites or materials that are in any way sexually revealing, suggestive, or demeaning, or are pornographic except when such access is required by job duties and approved by management.
 - 4.5** Using the organization's time and resources for personal gain, or promotion of political or private causes, positions, or activities.
 - 4.6** Attempts to evade, disable, or bypass any security provisions of systems or the network.
- 5. Confidential Information.** Many Village of Shorewood Hills employees have access to confidential information through the course of their job. Confidential information can only be used to perform job functions. Any other use is illegal and may result in prosecution and other sanctions. Access to confidential information outside of business needs is prohibited and reasonable measures must be taken to safeguard confidential information from unauthorized access.
- 6. Storage, Retention, and Disposition.**

6.1 Employees who use electronic documents must be aware of the retention requirements for public records and the exemptions that ensure the privacy of certain documents. It is the responsibility of the employee to determine whether a document contains official Village business and whether it is subject to public record law. Refer to Chapters 31 and 32 of the Village Municipal Code for additional information related to the Village’s records retention ordinances.

6.1.1 If the documentation is subject to retention, the employee must determine the length of retention as required by law. Questions on retention can be directed to the Village’s records custodian (typically the Village Clerk).

6.1.2 If the retention period is more than a few days, the document should be printed and filed in the same manner as other paper documents related to the same matter or stored electronically on the Village server.

6.2 The Village of Shorewood Hills retains exclusive ownership of all information and applications created by or stored on the information technology resources it provides. All critical business-related information should be stored on the Village network for backup purposes.

7. Security. The following guidelines have been established for all Village of Shorewood Hills employees given access to information technology resources:

7.1 Employees may only access information resources explicitly authorized by management.

7.2 Employees are responsible for properly safeguarding logins and passwords and will be held accountable for any activity that occurs under their login name and password. Any unauthorized activity must be immediately reported to management. The sharing of passwords is expressly prohibited.

7.2.1 Where possible, the IT Manager will implement automatic password expiration process to ensure passwords are changed in a regular and timely manner.

7.2.2 Passwords are to be treated as sensitive, confidential information and should never be written down or stored in the “Remember Password” feature of any application or program.

7.2.3 Suspicion of a password being broken must be reported to the Village Administrator as soon as reasonably possible.

7.2.4 Password protected screensavers should be enabled and should protect the computer within five minutes of user inactivity.

7.3 Employees may not intentionally engage in any activity that is likely to prevent others from accessing and using any information technology resource.

7.4 Anyone receiving electronic communications in error will notify the sender immediately. The communication may be privileged, confidential, and/or exempt from disclosure under applicable law. Such privilege and confidentiality will be respected.

8. Downloading Software. Unless authorized, employees will not download any software. This includes but is not limited to games, graphics, utilities, demo disks, and third-party software. If downloading is properly authorized, employees must follow designated procedures for file transfer, virus scanning, and licensing.

9. Anti-virus Measures. All computers with Internet access will have virus protection software installed prior to the connection being established. Even though this software will detect many viruses, it will not detect them all. Do not access email or email attachments from unfamiliar or suspicious senders.

- 10. Software Use.** All software used on Village of Shorewood Hills computers must be legally licensed and purchased. Running software that is not licensed is illegal and can subject the user and the Village to substantial penalties under the law.
- 11. Hardware Use.** All hardware connected to computers or networks must be purchased through the Village's IT Manager or authorized by the Village Administrator.
- 12. Network Use.** All hardware belonging to outside vendors, contractors or interns must be checked and approved by the IT Manager or Village Administrator prior to being connected to the Village network. Use of Village equipment by non-employees will be reviewed on a case-by-case basis and must be approved by the department head or the Village Administrator.
- 13. Smart Phones.** The Village Administrator must approve requests for an employee smartphone. All approvals shall be in accordance with the Village's cellphone and smartphone policy.
- 14. Privacy and Monitoring.**
 - 14.1** The information technology resources provided for employees are the exclusive property of the Village of Shorewood Hills as are all documents, applications, communications, and messages created using those resources.
 - 14.2** Utilizing information technology resources should **not** be considered private or secure.
 - 14.3** The Village of Shorewood Hills reserves the right to access the contents of documents, applications, communications, and messages and to fully cooperate with local, state and/or federal officials in any investigation concerning or relating to any electronic communications transmitted to or from any Village facility.
 - 14.4** The Village of Shorewood Hills will monitor the use of information technology and retains the right to limit its use. Hardware and software tools exist that will log destination and duration of Internet access by user, examine the content of files and email, and scan network and local disk drives. The Village reserves the right to implement these tools to perform periodic and random audits of information technology usage. Management may use the results to identify and prevent potential problems.
- 15. Appendices**
 - 15.1** Cellphone/Smartphone Arrangement Form (301A)

POLICY 303 SOCIAL MEDIA BY THE VILLAGE

- 1. Purpose.** The Village of Shorewood Hills will employ the use of social media tools to more effectively market the community to outside individuals and organizations, to ensure the broad distribution of accurate and timely information regarding relevant Village related issues, and to promote dialogue between community members and the Village of Shorewood Hills. This policy is not meant to address one particular form of social media but rather social media in general, as advances in technology will occur and new tools will emerge.
- 2. Scope.** Social media provides a new and potentially valuable means of assisting the Village in facilitating community outreach, problem-solving, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by elected, administrative, and supervisory personnel. The Village also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on Village personnel in their official capacity.

As such, this policy provides information of a precautionary nature as well as prohibitions on the personal use of social media by all personnel.

3. Definitions.

- 3.1 Social Media.** Refers to content created by individuals with the use of various technologies for the purpose of information sharing through the Internet. Examples of social media are Blogs, Discussion Forums, Social Networking websites, Photo-sharing websites, Video-sharing websites, Wikis, and more.
- 3.2 Blog (short for web log).** A type of website with regular diary style entries commonly displayed in reverse-chronological order. Entries usually contain commentary, descriptions of events, or other material such as graphics or video. Blog readers usually have the ability to leave comments.
- 3.3 Discussion Forum.** An online discussion site where individuals can discuss topics by leaving messages and receiving responses. Many topics on forums can include questions, comparisons, polls of opinion, and debates.
- 3.4 Social Networking Websites.** Focuses on the building of social networks or social relations among people. Social networking sites allow users to interact, share ideas, activities, events, and interests with people within their individual networks. Examples include Facebook, My Space, Twitter, LinkedIn, etc.
- 3.5 Podcasts.** Audio or video content that can be downloaded automatically through a subscription to a website so you can view or listen offline.

4. Employee Responsibility.

- 4.1** Village of Shorewood Hills employees are responsible for the appropriate use of social media in accordance with this policy and are expected to adhere to the highest ethical standards when conducting Village business. All use of social media must be able to withstand public scrutiny without embarrassment to the Village, its customers, or its employees.
- 4.2** Employees found in violation of this policy may be subject to disciplinary action up to and including termination.
- 4.3** Upon change of job responsibilities or separation of employment, employees must surrender all login information and passwords.

5. Management Responsibility. Village of Shorewood Hills department heads and supervisors are responsible for ensuring the appropriate use of social media through training, supervising, coaching and when necessary, taking disciplinary action.

6. Policy Regarding Representation of Village Using Social Media.

- 6.1** All Village of Shorewood Hills social media platforms must be approved by the Village Administrator. All content must be published using approved Village social media platforms and tools. Any content that might act as the “voice” or position of the Village must be approved by the department head or the Village Administrator.
- 6.2** Whenever possible, links to more information should direct viewers back to the Village’s official website for more information, forms, documents, or online services.

- 6.3** Social media sites are to be used to further the goals of the Village of Shorewood Hills and to provide a service to the community. Appropriate time spent updating social media sites should be discussed between the employee and supervisor and should not interfere with completion of other job duties.
- 6.4** Protect the privacy of yourself and others in the Village as well as any sensitive and/or confidential information the Village holds. If posting a picture or video, the individual must consent to the use of their image on the social media site, unless the picture or video was taken at a public event. Pictures or videos of minors shall not be posted unless consent is given by parents or the minors are unidentifiable.
- 6.5** It is the responsibility of the department to establish, publish, and update their pages on social media websites. It is the responsibility of the department to ensure that information is accurate and up-to-date.
- 6.6** Departments using social media sites must adhere to all applicable federal, state, and Village ordinances, regulations, and policies. This includes all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and all other laws that might apply to the Village. Departments should provide attribution as necessary.
- 6.7** Employees may not post employment recommendations or references for current or former employees of the Village of Shorewood Hills on any social media site. All requests for recommendations or references should be directed to the appropriate Department Head or the Village Administrator.
- 6.8** Login information for Village social media platforms, including User ID's and passwords, must be provided to the Supervisor upon request. Any information posted is considered an extension of the Village of Shorewood Hills and must be relayed with the utmost level of professionalism. Information should be meaningful, accurate, and respectful.
- 6.9** All social media platforms will clearly indicate they are owned and maintained by the Village of Shorewood Hills and will have contact information prominently displayed.
- 6.10** Village of Shorewood Hills logos, marks, and insignia may be used on Village social media platforms owned and maintained exclusively for Village business and Village purposes.
- 6.11** Those in charge of publishing and updating within each Department must monitor any comments made by the public. If the Village does not use a social media retention program, comments and/or posts may not be deleted or hidden. If the Village uses a social media retention program, comments should be removed immediately if they contain any of the following:
- 6.11.1** Comments unrelated to the particular site or content on the site.
 - 6.11.2** Content or language that is profane or sexual or links to such content or is discriminatory towards any federally or statutorily protected status.
 - 6.11.3** Comments containing personally identifiable medical or health information.
 - 6.11.4** Solicitations of commerce or endorsements of products and/or services or external links constituting official endorsement or representative views on behalf of the Village.
 - 6.11.5** Conduct that is illegal.
 - 6.11.6** Content promoting political purposes, a political candidate, or party.
 - 6.11.7** Information that compromises the safety and security of the public.

6.12 The Village of Shorewood Hills reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law, if the Village utilizes a social media retention program.

7. Policy Regarding Personal Use of Social Media.

7.1 If one should identify themselves as a Village employee during their use of social media on a personal level, your profile and any related content should be consistent with how you wish to present yourself to your colleagues, supervisors, and the public.

7.2 There is a limited amount of personal use that is permitted during scheduled work hours at the Village of Shorewood Hills. Employees should be as conservative as possible during such personal use and time spent on social media sites should be limited to personal break times. Use of social media for personal use should in no way interfere with job duties.

7.3 Personal social media platforms may be subject to legal discovery including subpoenas in legal proceedings.

7.4 Employees will not use their Village of Shorewood Hills email address for their login to their personal social media profiles.

8. Appendices

8.1 Social Media Permission Form (Appendix 303A)

POLICY 305 USE OF PHONE AND MAIL SYSTEMS

1. Purpose. To assist employees in communicating with management, other employees, clients, associates, community members, and others with whom they may conduct business.

2. Personal Calls.

2.1 Employees are discouraged from making or receiving personal telephone calls during working hours. In the event that a personal call is required, employees should be cognizant of the time spent on the call.

2.2 Abuse of this privilege may result in loss of privilege and/or disciplinary action, at the discretion of the employee's supervisor or department head.

3. Business Cell Phone Use.

3.1 Some employees will be provided cellular telephones for use as a business tool. Cell phone use is intended for business-related calls only, unless otherwise specified under the Cellphone and Smartphone Arrangement Form.

3.2 Although these devices might be used away from Village property, usage and service records are public information. They also are subject to Village inspection. The Village of Shorewood Hills reserves the right to access the contents, applications, communication records, and messages on any device at any time.

3.3 As a representative of Shorewood Hills, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

- 3.4 Cellular telephone use for business-related calls outside of regular work hours must be recorded as compensable work time unless such time is de minimis (i.e. increments of time less than 10 minutes).
- 3.5 Text messaging without prior written approval of the department head is prohibited. Once approval is granted, such approval remains in effect until the employee is given written notice of revocation.

4. Personal Cell Phone Use.

- 4.1 Some employees may use their personal cellular phone for business-related purposes. While there may be an expectation of privacy for an employee’s personal cellular phone, employees are put on notice that use of personal cellular phones for business-related purposes may subject the employee’s cellular phone and cellular records to public inspection.
- 4.2 Cellular telephone use for business-related calls outside of regular work hours must be recorded as compensable work times unless such time is de minimis (i.e., increments of time less than 10 minutes).

5. Cell Phone Use While Driving on Official Business.

- 5.1 Employees may have access to a cell phone while in their cars and must remember that their primary responsibility is driving safely and obeying the rules of the road.
- 5.2 Employees are prohibited from using cell phones in any manner while driving and must safely pull off the road and come to a complete stop before dialing, talking on the phone, texting, or accessing email or any other application unless hands-free technology is being utilized.

5.2.1 Exception. Emergency personnel may use a cell phone while driving only when conducting official business when circumstances do not permit the use of the radio due to the nature of the information to be discussed and when it is unsafe or unreasonable to pull off the road and come to a complete stop.

POLICY 307 POLITICAL ACTIVITIES & OTHER FORMS OF SOLICITATION

1. Policy. Employees are free to engage in political activity, solicitations, and sales outside of work hours and to the extent that it does not adversely affect the performance of job duties, working relationships, or Village operations, subject to the following guidelines. When engaging in political activity, solicitations, or sales, or engaging in discussion of issues of public importance, employees are expected to ensure that their actions and positions are not attributed to the Village. Village resources may not be used for promoting a particular candidate or political party or community organization or for advocating a particular position on an issue that has become identified as the viewpoint of a particular candidate or party.

2. Definition of Employer Resources. Employer resources include office supplies, electronic equipment including e-mail, facsimile and photocopying machines, bulletin boards and other public spaces. (Use of bulletin boards requires authorization.)

3. Unacceptable Activities. Employees must conduct “political” activities independent of their role as an employee. The following guidelines are not exhaustive but are intended to help in differentiating between those activities that may be viewed as harmful to workplace functioning and those activities that generally fall outside the “political” activities subject to employer restrictions and intervention. Employees are expected to avoid the following political activities.

- 3.1 Using working hours or employer resources to solicit money or signatures or to make political contributions;
- 3.2 Using non-work hours to solicit contributions, signatures or services from other employees who are on work time;
- 3.3 Posting political materials in areas open to the public (generally, individual work stations that are not available to the public are exempted from this restriction);
- 3.4 Using the Village's mailing address as the return address for political solicitations;
- 3.5 Providing Village mailing lists to any individual or organization for political solicitations if this information is not generally available to the public. (Note: The use and distribution of Village mailing lists to outside parties always requires prior authorization including an assessment of whether fees should be charged to cover production costs);
- 3.6 Providing a forum for an individual candidate to promote their campaign without giving an equal opportunity to other candidates, for the same office, to participate in the forum;
- 3.7 Political advocacy in the form of clothing items, armbands and buttons that cause a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment, and intimidation in the workplace.
- 3.8 Political activities of any sort while wearing clothing that may identify them as a Village of Shorewood Hills employee.

4. Authorization for Solicitation & Sales. No employee or group of employees will, on behalf of the Village, solicit funds or other things of value from any person, nor solicit funds or sell things of value to persons on Village property without first obtaining permission from the Village Administrator. This will not apply to internal departmental solicitations such as farewell gifts, shower gifts, length of service gifts, or donations for employee social gatherings but will apply to fundraisers for any Village purpose.

POLICY 309 E-MAIL RETENTION

- 1. **Purpose.** To establish a consistent procedure for retention of email.
- 2. **Responsibility for E-mail Retention.**
 - 2.1 E-mail itself is not a public record that must be retained. The content of an e-mail determines if it constitutes a public record that must be retained.
 - 2.2 Employees are responsible for retaining e-mail that constitutes a public record.
- 3. **E-mail That Does Not Constitute a Public Record.**
 - 3.1 Junk e-mail – similar to junk mail, including spam.
 - 3.2 Conversational e-mail – similar to having phone conversations.
 - 3.3 Drafts – drafts, notes, preliminary computations and light materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working.
 - 3.4 Personal property – materials prepared for the originator's personal use with no relation to his or her office.
 - 3.5 Copyright – materials to which access is limited by copyright, patent or bequest.

- 3.6 Computer records – computer programs or trade secrets.
- 3.7 Published materials – published materials are excluded if they are available for inspection at a public library or are available for sale.
- 3.8 Copies – copies of documents received by a public agency from another agency purely for informational purposes and concerning matters not affecting functions of the recipient agency.

4. **Method of Retention.** E-mails that constitute public records should be saved electronically directly from the e-mail system. This method retains the content of e-mail as well as the metadata and all attachments. Alternatively, e-mails may be stored in the email server so long as the Information Technology Manager is able to securely store an employee's emails after an employee leaves employment with the Village.

TIME AT WORK & TIME AWAY FROM WORK

- Policy 401 – Hours of Work, Meals, & Break Periods
- Policy 403 – Holidays & Leaves Around Holidays
- Policy 405 – Leave – Civic Membership
- Policy 407 – Leave – Emergency Closings
- Policy 409 – Leave – Family, Medical, & Military
- Policy 411 – Leave – ~~Paid Maternity, Parental, and Adoption~~ Parental and Compassionate
- Policy 413 – Leave – Jury and Witness Duty
- Policy 415 – Leave – Voting
- Policy 417 – Leave – Unpaid Leave
- Policy 419 – Leave – ~~Funeral~~ Bereavement and Emergency
- Policy 421 – Leave – Vacation, Personal Days & Sick
- Policy 423 – Leave – Bone Marrow and Organ Donation Leave
- Policy 425 – Vacation, Sick, Compensatory Leave Donation

POLICY 401 HOURS OF WORK, MEALS, & BREAK PERIODS

- 1. Purpose.** To provide employees with regular work hours and work schedules while ensuring staffing coverage necessary for effective Village operations.
- 2. Business Hours.** Village ~~offices are~~ Hall is open to the public 8:00am to 4:~~03~~0pm Monday through ~~Friday~~ Thursday and 8:00am to 12:00pm Friday except for established holidays or as determined by the Board of Trustees. Individual departments may establish alternate normal business hours with approval of the Village Administrator.
- 3. Flexible Schedules.**
 - 3.1** The purpose of flexible schedules is to enhance the ability of the Village to fulfill its responsibilities, to render services to the public, and to enhance employee morale.
 - 3.2** A flexible schedule may be worked out with the prior approval of the department head or Village Administrator and the affected employee(s).
 - 3.3** The department head or Village Administrator may discontinue the flexible schedule. When discontinuing or altering an established flexible schedule, the employee will normally be provided two (2) weeks advance notice of such change.
- 4. Department Heads and Supervisory Exempt Employees.** Department heads and supervisory exempt employees will be allowed freedom for flexible work hours when personal needs and convenience demand. Exempt employees may, with the approval of their supervisor, work flexible hours. While department heads and exempt employees are generally expected to conform to the normal business hours of their departments, they are afforded flexibility in the application of their time to the responsibilities involved in managing their job responsibilities.
 - 4.1** Department Heads are exempt from completing time sheets but exempt supervisory employees may be required by their respective Department Head to fully account for all work hours on payroll sheets provided by the Village.
 - 4.2** Department Heads and exempt supervisory employees authorized exempt from completing time sheets must still account for ~~vacation and sick~~ paid benefit time taken by completing time off requests and submission of payroll sheets.
- 5. Meal Periods.**
 - 5.1** ~~Meal periods are required and must be scheduled approximately midway in an eight-hour workday.~~ The Village shall provide all employees who work at least six hours in a day a meal period. Employees scheduled to work six hours or less are not ~~required to take a~~ provided a meal period. With approval of their supervisor, employees may elect to not take their meal period.
 - 5.2** The designated meal period for all business offices should normally occur during the period of 11:00-a.m. to 2:00-p.m and must not be less than one-half hour in length.

~~5.3 Meal periods are normally one-half hour but exceptions may occur in departments required to provide shift coverage. Meal periods must not be less than one-half hour in length.~~

5.43 Meal periods will not be included in hours worked, except when the job requires that the employee remain on duty.

~~5.5 Employees who work more than six hours in a given day are required to take the scheduled meal period unless a department elects as a whole and without objection to work through lunch.~~

5.65 Employees are not allowed to work through the meal period to make up lost work time or in order to leave work early without supervisor approval.

6. **Break Periods.** Employees are entitled to one (1) paid fifteen-minute break periods for every four (4) hours worked. Departments that elect not to take the unpaid lunch break may combine the two paid break periods so long as employees remain on the job site for the entire period.

7. **Scheduling Meal and Break Periods.** Department Heads or their designees are responsible for scheduling meal and break periods to ensure that adequate staff coverage is provided.

POLICY 403 HOLIDAYS & LEAVES AROUND HOLIDAYS

1. **Purpose.** To identify employee holidays and to establish a consistent procedure for scheduling and payment.

2. **Holidays Observed.** The following holidays will be observed.

New Year's Day	Labor Day
Martin Luther King Jr. Day	Thanksgiving Day
<u>Spring Fling (Friday after April election)</u>	Day after Thanksgiving Day
Memorial Day	Christmas Eve Day
<u>Juneteenth</u>	New Year's Eve Day
Independence Day	New Year's Day
The Board may elect to close for additional holidays. Doing so does not create an expectation of future closures.	

3. **Eligibility.**

3.1 Regular full-time employees are eligible to receive compensation for holidays. Regular part-time employees who are scheduled to work an average of at least twenty (20) hours each week are entitled to half the holiday benefit. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off, approved vacations, or excused absences. Employees who call in sick immediately before or immediately after a holiday may be required to furnish a physician's certification of illness in order to receive holiday or paid benefit time. Providing such certification does not guarantee qualification for holiday pay.

- 3.2 Employees on short- or long-term disability or worker's compensation are not eligible for holiday pay.
- 3.3 Employees returning from an unpaid leave of absence will not receive holiday pay until returning to their normal work schedule for one full pay period prior to the holiday.

4. **Compensation.** Employees will receive eight (8) hours of holiday pay for observed holidays.

5. **Work on Observed Holidays.** In cases where a full-time non-exempt employee is required to work on an observed holiday, the employee shall be paid their rate of pay (either OT or straight-time) for hours worked plus the hours worked paid at a holiday premium rate of half the employee's straight time rate or employees may elect to receive an equivalent number of compensatory hours in addition to the eight hours holiday pay. Employees will not receive more than eight (8) hours of holiday pay regardless of how many hours the employee worked on the holiday.

5.1 Examples.

5.1.1 An employee who worked eight (8) hours of overtime on a holiday would be paid eight (8) hours of overtime plus eight (8) hours of straight-at half-time, plus eight (8) hours of holiday pay.

5.1.2 An employee who worked eight (8) hours of regular time on a holiday would be paid sixteen-eight (168) hours of straight time, plus eight (8) hours at half-time plus eight (8) hours of holiday pay.

5.2 Salaried Staff ~~Working a Non-traditional Schedule.~~ Salaried employees ~~working a non-traditional work schedule, such as a 6/3 rotation,~~ who are required to work on a holiday will be provided a holiday premium for hours worked at half the employee's straight time rate~~number of vacation hours equivalent to the number of hours the employee had to work,~~ not to exceed eight (8) hours for full holidays and four (4) hours for half holidays. This is in addition to the holiday hours assigned to the holiday worked. Such vacation hours shall be awarded in the same pay period in which the employee had to work.

5.3 Part-time Employees. Part-time police officers and regular part-time personnel who work on Village holidays receive pay at the overtime rate regardless of whether they have more than forty (40) hours worked.

6. **Holidays Falling on a Weekend.** Whenever any of the observed holidays falls on a Saturday, the preceding Friday will be observed as the holiday, and when falling on a Sunday, the succeeding Monday will be observed as the holiday. When Christmas Eve falls on Friday and Christmas Day on Saturday, the preceding Thursday and Friday will be observed as the holidays. When Christmas Eve falls on a Sunday and Christmas Day on Monday, the following Monday and Tuesday will be observed as the holiday, ~~unless otherwise determined by the Village Administrator.~~ The Village Administrator is authorized to make adjustments to the observed holiday schedule if relevant to the payroll process.

6.1 Exception. Employees with a schedule that normally includes weekend work shall receive holiday compensation on the actual date of the holiday if that holiday falls on a Saturday or Sunday.

7. Religious Holidays. The Village respects the right of each employee to worship as their faith dictates. Any employee wishing to observe a religious holiday may use vacation, personal leave, or compensatory time to substitute on an hour for hour basis. Supervisors should make every effort to accommodate time off requests for observing religious holidays.

POLICY 405 LEAVE – CIVIC MEMBERSHIP

1. **Purpose.** To grant time away from work with pay for full-time employees to attend regular meetings of civic groups of which they are a member or official or to attend such meetings by invitation.
2. **Policy.** Employees may be excused by the department head or, in the case of a department head, by the Village Administrator to attend such meetings. Attendance is subject to the staffing needs of the Department.
3. **Award.** Full-time employees are awarded sixteen (16) hours each year for Civic Leave beginning on the first full pay period of each calendar year after one year of employment. This paid benefit time is not subject to payout upon separation from employment and is not eligible for carry-over.

POLICY 407 LEAVE – EMERGENCY CLOSINGS

1. **Purpose.** To provide a plan for employees in the event of an emergency closing due to inclement weather or other emergency situation. As a general practice, the Village of Shorewood Hills makes every effort to maintain its normal schedule of operations. The Village of Shorewood Hills will close all or parts of operations only in cases of extreme emergency caused by impassible roads, restricted visibility, violent weather, energy loss, or other conditions seriously endangering the health and safety of employees and/or the general public.
2. **Reporting to Work.**
 - 2.1 Each employee accepts the responsibility for reporting to work at the regularly scheduled time, regardless of prevailing weather conditions.
 - 2.2 Employees not reporting to work will not be paid, however, such employees may use vacation or compensatory time to minimize or avoid a loss of wages as a result of the absence.
3. **Responsibility to Close.** In the event the Village of Shorewood Hills is forced to close or delay the opening, the decision will be made by the Village Administrator with approval of the ~~Village Board~~ Village President.
4. **Official Announcements.** When the Village Administrator determines that it is necessary to close or delay the opening of various operations, the starting time will be communicated to department heads via email and by phone who are, in turn, responsible for notifying their employees.
5. **Village Closures.**
 - 5.1 In the event the Village Administrator determines the weather is sufficiently severe enough or is expected to become sufficiently severe enough to warrant closing down all non-essential operations, the closure will be treated as a paid holiday for all employees eligible for holiday pay.
 - 5.2 Employees who are considered essential and who are required to report to work during a closure will be paid as if they are working on a holiday. Holiday pay for closures is limited to the number of hours provided as holiday pay for the closure to non-essential employees. Salaried employees who are required to work during an emergency closure will be provided a half-time holiday premium by submitting those hours worked, up to the maximum allowed, as overtime hours on the employee's time sheet.
6. **Essential Personnel.** For the purposes of this policy, essential personnel include ~~all employees of the Police Department~~ sworn law enforcement officers and all employees of the Public Works Department. The

Village Administrator is authorized to designate additional employees as essential or to temporarily 42ndesignated employees as essential based on the circumstances of the emergency situation.

8. Employees Who Desire to Leave Early. Employees who desire to leave early when operations have not been shut down may do so with the approval of the department head. Employees will only be paid for the time actually worked, but they may use vacation time or compensatory time to minimize or avoid loss of wages as a result of the absence.

8.1 Making Up Lost Time. With approval from the respective department head, employees may make up lost time so long as the make-up time is within the same week as the delayed opening or closure.

POLICY 409 LEAVE – FAMILY, MEDICAL, & MILITARY

1. Purpose. Child rearing, family illness, employee medical leave, and military call-to-duty and military caregiver leave are available to employees as specified below and to the extent covered by state and federal family, medical and military leave. The intent of this Policy is to comply with both the Wisconsin and federal Family and Medical Leave Acts. Should this policy conflict in any way with the applicable federal and state statutes or regulations, the statutes, or regulations will control.

2. Eligibility. The Village of Shorewood Hills does not meet the legal stipulations to require it to provide FMLA coverage, however, the Village currently voluntarily has decided to provide this coverage to eligible employees. Employees who have been employed by the Village for twelve (12) months and who have worked one thousand (1,000) hours during the preceding fifty-two (52) weeks are eligible for the leaves provided under Wisconsin law. Employees who have been employed by the Village for twelve (12) months and who have worked one thousand (1,250) hours during the preceding fifty-two (52) weeks are eligible for the leaves provided under federal law.

3. Length of Leave.

3.1 The federal Family and Medical Leave Law provides a combined total of twelve (12) weeks of family and medical leave for various purposes described below in a calendar year and an additional fourteen (14) weeks of military caregiver leave as described below.

3.2 Wisconsin law provides six (6) weeks of child-rearing leave, two (2) weeks of family illness leave, and two (2) weeks of employee medical leave in a calendar year.

3.3 Wisconsin and Federal leaves provided for the same purposes run concurrently; that is, they do not “stack.” If the leave is a Village provided leave, plus federal and state FMLA leave as well, the leaves run concurrently. For example, an absence for a work or non-work related illness or injury that qualifies as employee paid benefit time is also deducted from an employee’s FMLA leave entitlements under the state and federal laws if the medical condition qualifies as a “serious health condition” under those laws.

3.3.1 Use of paid benefit time due to the birth or adoption of a child is the exception to this policy and will not run concurrently with federal and state FMLA when using vacation time or compensatory time.

4. Notice of Eligibility for and Designation of FMLA Leave.

4.1 Employees requesting FMLA leave are entitled to receive written notice from the Village telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of (1)

their rights and responsibilities in connection with such leave; (2) the Village's designation of leave as FMLA qualifying or non-qualifying, and if not FMLA qualifying, the reasons why; and (3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

- 4.2** The Village may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the Village's failure to designate leave as FMLA qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the Village and employee can mutually agree that leave be retroactively designated as FMLA leave.

5. Employee FMLA Leave Obligations.

- 5.1** Notice of the Need for Leave. Employees who take FMLA leave must timely notify the Village of their need for FMLA leave. Employees should request FMLA leave in writing whenever possible. The following describes the content and timing of such employee notices.
- 5.1.1** Content of Employee Notice. To trigger FMLA leave protections, employees must inform the Village of the need for FMLA qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically or explaining the reasons for leave so as to allow the Village to determine that the leave is FMLA qualifying. For example, employees might explain that:
- 5.1.1.1** A specific medical condition renders them unable to perform the functions of their job;
 - 5.1.1.2** They or a covered family member are under the continuing care of a health care provider for a specific medical condition;
 - 5.1.1.3** A specific medical condition renders the family member unable to perform daily activities or that the family member is a covered service member with a serious injury or illness incurred in the line of duty;
 - 5.1.1.4** They are pregnant or have been hospitalized overnight; or
 - 5.1.1.5** The leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty.
- 5.1.2** Calling in "sick," without providing the reasons for the needed leave, will NOT be considered sufficient notice for FMLA leave.
- 5.1.3** Employees must respond to the Village's questions to determine if absences are potentially FMLA qualifying. If an employee fails to explain the reasons for FMLA leave, the leave may be denied. When an employee seeks leave due to FMLA-qualifying reasons for which the Village has previously provided FMLA-protected leave, he or she must specifically reference the qualifying reason for the leave or the need for FMLA leave.
- 5.1.4** Timing of Employee Notice. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days-notice is not possible, or the approximate timing of the need for leave is not foreseeable employees must provide the Village with notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days-

notice for foreseeable leave, without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

6. Basic FMLA Leave Entitlements.

6.1 Childbirth/Adoption Leave.

6.1.1 Purpose. Unpaid child rearing leave may normally be used within sixteen (16) weeks prior to, or within twelve (12) months following.

6.1.1.1 The birth of the employee's natural child; or

6.1.1.2 The placement of a child with the employee for adoption or as a precondition to adoption under section 48.90(2) of the Wisconsin Statutes, but not both; or

6.1.1.3 The placement of a child with the employee for twenty-four (24) hour foster care that is made by or with agreement of a government agency.

6.1.2 Length of Child Rearing Leave. No employee may take more than twelve (12) weeks of federal child rearing leave in a calendar year. In addition, no more than twelve (12) weeks federal leave can be taken for the birth of any one child. If both the mother and father of a child are employed by the Village, and they both desire child rearing leave, they are generally only entitled to a combined total leave of twelve (12) weeks between both employees. Child-rearing leave provided under federal law runs concurrently with the six (6) weeks of child-rearing leave provided under Wisconsin law.

6.1.3 Intermittent/Partial Leave Absences. For the first six (6) weeks of leave within sixteen (16) weeks prior to or after the child-rearing event, an employee may take child rearing leave as an intermittent or as a partial absence from employment in increments of less than their full normal work day. An employee who does so will schedule the intermittent or partial absence so it does not unduly disrupt the Village's operations. To comply with this requirement, an employee is to provide the Village, in writing, the employee's proposed schedule of intermittent or partial absences no less than one (1) week before the schedule of absences is to commence. The schedule must be of a sufficient definiteness that the Village is able to schedule replacement employees, if necessary, to cover the absences. Partial or intermittent leave must commence within sixteen (16) weeks before or after birth, adoption, or foster placement of a child. Leave cannot be taken intermittently or as a partial absence before or beyond sixteen (16) weeks of the event, unless previously approved in advance. Rather, any remaining child-rearing leave must be taken in a single block.

6.1.4 Scheduling Child Rearing Leave. An employee is expected to submit a written request for child rearing leave no less than thirty (30) calendar days before the leave is to commence and must schedule the leave after reasonably considering the Village's needs. If the date of the birth, adoption, or foster care placement requires leave to begin sooner, the employee will provide notice as soon as practicable.

6.2 Family Illness Leave. Unpaid family illness leave may be used to care for the employee's spouse, child, parents, or spouse's parent (i.e., parent-in-law), or domestic partner as defined by law or a domestic partner's parent as defined by law, who has a serious health condition.

6.2.1 Length of Family Illness Leave. No employee may take more than twelve (12) weeks of federal family illness leave for the employee's spouse, child, or parents in a calendar year. The federal leave generally runs concurrently with the two (2) weeks of family

illness leave provided under state law in a calendar year. A maximum of two (2) weeks of family illness leave may be taken for a spouse's parent (i.e., a parent-in-law), a domestic partner, or a domestic partner's parent, in a calendar year, in addition to the twelve (12) weeks of federal FMLA leave.

6.3 Employee Medical Leave. Unpaid medical leave may be used by an employee who has a serious health condition which renders the employee unable to perform his or her job duties.

6.3.1 No employee may take more than twelve (12) weeks of federal employee medical leave in a calendar year. This leave generally runs concurrently with the two (2) weeks of employee medical leave provided under state law in a calendar year.

6.4 Military Call to Duty Leave. Federal unpaid call-to-duty leave may be used as a result of a qualifying exigency arising from an employee's spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty status in Armed Forces in support of a contingency operation.

6.4.1 Qualifying exigencies may include attending certain military events, arranging for alternative child-care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

6.4.2 An eligible employee is entitled to twelve (12) weeks of call-to-duty leave in a twelve (12) month period.

7. Injured/Ill Service member Caregiver Leave. In addition to the basic FMLA leave entitlements discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to take up 26 weeks of military caregiver leave during a single 12-month period to care for the service member with a serious injury or illness incurred in the line of duty.

7.1 A "covered service member" means a member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that the injury or illness renders the service member medically unfit to perform duties of the member's office, grade, rank or rating.

7.2 "Next of kin" of a covered service member means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority. Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members will be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual will be deemed to be the covered service member's only next of kin.

7.3 Length of Leave. Leave to care for a service member will only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. For purposes of military caregiver leave, the single 12-month

period begins on the first day an eligible employee takes leave to care for the injured service member. A separate caregiver leave can be taken for each covered service member and/or for each new injury/illness.

8. Scheduling Family Illness, Employee Medical, and Military Caregiver Leave.

8.1 Medical Necessity. An employee may schedule family illness, employee medical, or military caregiver leave as medically necessary. An employee must consider the needs of the Village when scheduling leave. When medically necessary, an employee may take the leave as an intermittent or as a partial absence from employment in increments of less than their full normal work day. The lowest increment may be the lowest increment that the Village permits for any other type of leave, paid or unpaid. An employee who does so will schedule the intermittent or partial absence so it does not unduly disrupt the Village's operations. To comply with this requirement, an employee is to provide the Village, in writing, with the employee's proposed schedule of partial absences as soon as possible after the employee learns of the probable necessity of such leave.

8.2 Planned Treatment. When planning medical treatment, employees must consult with the Village and make a reasonable effort to schedule treatment so as not to unduly disrupt the Village's operations, subject to the approval of the health care provider. Employees should consult with the Village prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the Village and the employee, subject to the approval of the health care provider. If an employee providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglects to fulfill this obligation, the Village may require the employee to attempt to make such arrangements, with approval of the health care provider.

8.3 Intermittent/Reduced Schedule Leave. When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, employees must, upon request, advise the Village of the reason why such leave is medically necessary. In such instances, the Village and employee will attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the Village's operations, subject to the approval of the health care provider.

9. Serious Health Condition/Medical Certification Supporting Need for Leave.

9.1 Submission of Certifications. Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications establishing that a "serious health condition" as described in Section 9.2 of this policy is involved and supporting their need for FMLA leave. There generally are three types of FMLA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.

9.1.1 It is the employee's responsibility to provide the Village with timely, complete and sufficient medical certifications. Whenever the Village requests an employee to provide a FMLA medical certification, the employee must provide the requested certification within 15 calendar days after the Village's request, unless it is not practicable to do so despite the employee's diligent, good faith, efforts. The Village will inform the employee if a submitted medical certification is incomplete or insufficient and provide the employee with at least seven calendar days to cure deficiencies. The Village may deny FMLA leave to an employee who fails to timely cure deficiencies or otherwise fails to timely submit requested medical certifications.

- 9.1.2** With the employee’s permission, the Village (through individuals other than an employee’s direct supervisor) may contact the employee’s health care provider to authenticate or clarify medical certifications. If an employee chooses not to provide the Village with authorization allowing it to clarify or authenticate a certification with a health care provider, the Village may deny FMLA leave if the certification is unclear and a serious health condition cannot be verified.
- 9.1.3** Whenever the Village deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient FMLA medical certifications.

9.2 Types of Certifications.

- 9.2.1 Initial Medical Certifications.** Employees requesting leave because of their own, or a covered relative’s, serious health condition, or to care for a covered service member, must supply a medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If an employee provides at least 30 days’ notice of medical leave, he or she should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.
- 9.2.1.1** A “serious health condition” is considered to be a disabling physical or mental illness, injury, impairment, or condition involving any of the following.
- 9.2.1.1.1** Inpatient care in a hospital, nursing home, hospice, or residential medical facility; or
 - 9.2.1.1.2** Outpatient care that requires continuing treatment or supervision by a health care provider.
 - 9.2.1.1.3** The federal FMLA leave includes a more detailed and expansive definition of a “serious health condition” described in the medical certification form, which is provided to an employee if the employee is required to submit a medical certification form from his/her physician, certifying that a “serious health condition” within the meaning of law is involved.
 - 9.2.1.1.4** If the Village has reason to doubt an initial medical certification, it may require an employee to obtain a second opinion at the Village’s expense. If the opinions of the initial and second health care providers differ, the Village may, at its expense, require an employee to obtain a third final and binding certification from a health care provider designated or approved jointly by the Village and the employee.
- 9.2.2 Medical Recertification.** Depending on the circumstances and duration of FMLA leave, the Village may require an employee to provide a recertification of a medical condition giving rise to the need for leave. The Village will notify the employee if recertification is required and will give the employee at least 15 calendar days to provide medical recertification.
- 9.2.3 Return to Work/Fitness for Duty Medical Certifications.** An employee returning to work from FMLA leave that was taken because of the employee’s own serious health condition that made the employee unable to perform his/her job duties must provide the Village

with a medical certification confirming the employee is able to return to work and the employee's ability to perform the essential functions of the employee's position. The Village may delay and/or deny job restoration until an employee provides a requested return to work/fitness-for-duty certification.

9.3 Certifications Supporting Need for Military Family Leave.

9.3.1 Upon request, the first time an employee seeks leave due to a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, the Village may require the employee to provide (1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or called to active duty status and the dates of the covered military member's active duty service and (2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. An employee will provide a copy of new active duty orders or other documentation issued by the military for qualifying exigency leaves arising out of a different active duty or call to active duty status of the same or a different covered military member.

9.3.2 When leave is taken to care for a covered service member with a serious injury or illness, the Village may require the employee to obtain certifications completed by an authorized health care provider of the covered service member. In addition, the Village may request that the certification submitted by the employee set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

10. Using Paid Leave While on Unpaid FMLA Leave.

10.1 Wisconsin FMLA. While on Wisconsin FMLA leave (including when running concurrently with federal FMLA leave), an employee may elect to use any accrued Village provided paid time while taking unpaid FMLA leave.

10.2 Federal FMLA. When solely utilizing federal FMLA leave, an employee is required to utilize certain accrued Village provided paid benefit time while on FMLA leave. However, an employee's use of Village provided paid time off must comply with the terms and conditions of the Village paid time off policy.

10.3 The substitution of paid time for unpaid FMLA leave time usually does not extend the length of FMLA leave – the paid time runs concurrently with an employee's FMLA entitlement.

10.3.1 Exception to Concurrency of FMLA and paid time. If an employee elects to use compensatory, sick, or vacation time for maternity, parental, or adoption leave, the employee may elect to use FMLA leave at a later time so long as the FMLA leave is taken within the timeline specified by the FMLA.

10.4 Leaves of absence taken in connection with a paid or unpaid disability leave plan or worker's compensation injury/illness run concurrently with any FMLA leave entitlement. Upon written request, the Village may allow employees to use accrued paid time to supplement any paid disability or worker's compensation benefits.

11. Insurance and Benefits.

11.1 Payment of Premiums. While an employee is on FMLA leave, the Village will maintain group health insurance coverage under the conditions that applied before the leave began. If prior to the leave, the employee was required to participate in the premium payments, the employee is required to continue with payment of his/her share of the premiums while on leave. An employee's failure to make the required payments may result in termination of the employee's insurance coverage.

11.1.1 Unless the Village notifies employees of other arrangements, whenever employees are receiving pay from the Village during FMLA leave, the Village will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employees was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Village.

11.2 **Termination of Benefits.** The Village's obligation to maintain health benefits will stop if and when (1) an employee informs the Village of intent not to return to work at the end of the leave period; (2) the employee fails to return to work when the leave entitlement is used up; or (3) the employee fails to make any required payments while on leave after appropriate waiting periods and time periods as specified by law. The Village's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the Village will send a letter notifying the employee that coverage will be dropped on a specified date unless the payment is received before that date.

11.3 **Recovery of Premium Payments.** If the Village chooses to do so, it may pay an employee's required premium payments while the employee is on leave. If the Village does so and an employee does not immediately repay the Village upon the employee's return to work, the Village will deduct the amount of the payments from the employee's paycheck.

11.3.1 The Village has the right to collect from an employee the health insurance premiums the Village paid during a period of unpaid leave if the employee does not return to work after the leave entitlement has been exhausted or expired. Such premium amounts may be deducted from any compensation owed to the employee upon termination of employment. An employee must return to work for at least thirty (30) calendar days in order to be considered to have "returned" to work. However, an employee's liability to repay health insurance premiums does not apply if his/her failure to return to work is due to a serious health condition or specific circumstances beyond the control of the employee.

12. Return from Leave.

12.1 An employee returning from family and/or medical leave can return to his or her old position, if vacant, at the time the employee returns to work. If the position is no longer vacant, the employee may be offered an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

12.2 The determination as to how an employee is to be restored to "an equivalent position" upon return from FMLA leave is made on the basis of established policies and practices, and provisions of the federal FMLA.

13. Outside Employment. An employee who is solely utilizing federal FMLA leave (i.e., Wisconsin FMLA leave has been exhausted) and/or a Village provided and approved leave, is prohibited from working for

another employer while on federal FMLA leave. Employees should contact the Village Administrator if they have any questions regarding this policy.

POLICY 411 LEAVE – PAID ~~MATERNITY, PARENTAL, & ADOPTION~~ & COMPASSIONATE

1. Purpose. To grant time away from work with pay ~~for the~~ to enable the employee to care for and bond with a newborn, a newly adopted child, birth of the employee’s child or the placement of a child with the employee for adoption or a child placed in the home as a precondition to adoption under Section 48.90(2) of the Wisconsin Statutes or in the event of a miscarriage or stillbirth for compassionate purposes to support the mental health and well-being of Village employees, ~~but not both.~~

2. Eligibility. All regular full-time employees of the Village who have been employed as full-time employees for at least twelve (12) consecutive months are entitled to the leave provided for in this section once for each birth or adoption instance once per rolling 12-month period ~~calendar year~~. Multiple children in one birth or adoption count as one birth or adoption instance.

2.1 Exclusions.

2.1.1 Sperm donors do not incur a qualifying event under this policy.

~~**2.1.2** Still births are not covered under this policy.~~

2.1.3 Serving as a surrogate does not incur a qualifying event under this policy but an employee that serves as a surrogate may utilize sick and vacation leave as needed.

3. Definitions

3.1 Parent. A person identified on a child(ren)’s birth certificate, adoption certificate, certified copy of a foreign adoption order that has been registered with the State of Wisconsin, or other legal document certifying an adoption.

3.2 Qualifying Event for Parental Leave. The live birth or adoption of a child on or after ~~March 12, 2018~~ the date this policy goes into effect. For foreign adoptions, the qualifying event is the date the child enters the United States.

~~**3.3 Qualifying Event for Compassionate Leave.** The miscarriage or stillbirth of a child or the death of a minor child on or after the date this policy goes into effect.~~

4. Length of Leave.

~~**4.1 Maternity Leave.** An eligible employee who gives birth is entitled to 240 hours of paid maternity leave after the birth of the child(ren) to be taken within the first twelve (12) weeks following birth of the child(ren).~~

4.2¹ Parental Leave. An eligible employee ~~who is a non-carrying parent is entitled to eighty is~~ entitled to 320 hours (80) hours of paid parental leave after the birth of the child(ren) or following the adoption or placement of the child(ren) for adoption. Parental leave may be taken intermittently within sixteen (16) weeks of the qualifying event. Parental leave used after the 16th week must be used in one continuous block. Parental leave must be taken within one (1) year of the birth or placement. ~~to be taken within the first twelve (12) weeks following the birth of the child(ren).~~

4.2 Compassionate Leave. An eligible employee is entitled to forty (40) hours of compassionate leave after a qualifying event. Compassionate leave must be taken consecutively

immediately following the qualifying event. Compassionate leave can be combined with Emergency or Bereavement Leave in **Policy 419**

~~4.3 **Adoption Leave.**— An eligible employee who becomes an adoptive parent is entitled to eighty (80) hours of paid adoption leave to be taken within the first twelve weeks following adoption or placement of the child(ren). This leave may be split between post-adoption and post-placement.~~

5. Dual-employed parents. When both parents are employed by the Village, both parents are entitled to their respective leaves. One parent may elect to donate their leave to the other but the number of hours is calculated using the donor's current rate of pay. The Village Administrator is responsible for calculating the donated leave hours.

6. Concurrency with FMLA. Paid ~~maternity, parental, and adoption~~parental and compassionate leave run concurrently with FMLA.

POLICY 413 LEAVE – JURY AND WITNESS DUTY

1. Purpose. Employees are encouraged to appear before a court, public body, or commission in connection with Village business or for witness duty when subpoenaed to do so. Employees are excused from work to fulfill their civic responsibilities when required.

2. Compensation for Jury Duty.

2.1 Employees who are called for jury duty will receive regular Village wages that normally would have been paid during the period required for jury duty, up to a maximum of 160 hours per year. Exceptions to this limit may be authorized by the Village Administrator.

2.2. Jury duty pay will be calculated on the employee's base rate times the number of hours the employee would have otherwise worked on the day of the absence.

2.3 Employees will return any jury duty or witness fees less travel allowance and any jury duty pay earned to the Village (payroll department).

2.4 Should an employee not be selected to serve on a jury panel or should jury duty end prior to the end of the employee's work day, the employee will report back to work within one hour of dismissal by the court, except in limited circumstances with approval of the Department Head or Village Administrator.

2.5 In order to be compensated for hours missed, the employee must bring back a statement from the Court regarding the time frame the employee was in attendance.

3. Compensation for Witness Duty.

3.1 If employees have been subpoenaed or otherwise requested to testify as witnesses in connection to business with the Village of Shorewood Hills, but not as a plaintiff against the Village, they will receive time off with pay for the entire period of witness duty.

3.2 Employees will be granted unpaid time off to appear in court as a witness when requested or subpoenaed to appear in litigation which is not connected with Village business. Employees may use any available paid leave benefit to receive compensation for the period of this absence.

4. Documentation.

4.1 Employees are required to provide copies of the jury duty summons or the subpoena to their supervisors as soon as possible.

- 4.2 Employees are expected to report for work whenever the court schedule permits.
- 4.3 Employees are required to provide court documentation for all time away from work.
- 5. **Reporting to Work.** When possible, employees are to work their regularly scheduled hours that do not conflict with the jury or witness duty.
- 6. **Benefits.** Paid time off benefits will accrue during unpaid ~~jury-witness~~ duty leave.
- 7. **Overtime Calculation.** For the purposes of calculating overtime, time served on jury or witness duty does not count as time worked.

POLICY 415 LEAVE – UNPAID

- 1. **Purpose.** To provide an option for employees to be off without pay due to extenuating circumstances for an extended period of time.
- 2. **Policy.**
 - 2.1 An unpaid leave may only be granted when it is reasonably expected that the employee will return to employment when the condition(s) necessitating the leave permit, subject to the staffing needs of the department, and when granting a leave is in the best interest of the Village.
 - 2.2 Unpaid leaves are without pay and may only be requested after all compensatory time, vacation time, and sick time have been exhausted, unless otherwise prohibited by law.
 - 2.3 Paid benefit time and holiday benefits will be suspended during the leave and will resume upon the employee’s return to their normal work schedule for one full pay period.
- 3. **Authorization.**
 - 3.1 Short Term. 30 days or less. May be granted by the ~~department head~~Village Administrator.
 - 3.2 Extended Leave. Over 30 Days. Any unpaid leave request extending over 30 days will be submitted ~~in writing to the department head. The department head will submit their recommendation to the Village Administrator for review and approval or denial.~~to the Village Board for consideration.
 - ~~3.3 Personal leave. Personal leave may be granted by the Village Administrator for up to 3 months for the employee’s personal convenience or to relieve hardship to the employee and his or her immediate family.~~
 - ~~3.4 Educational leave. The Village Administrator may grant employees an unpaid leave to further their education. Any expenses incurred will not be reimbursed by the Village. Such leaves in aggregate will not exceed 24 months in any 5-year period.~~
 - ~~3.5~~4 Extended Leave. Employees who are not eligible for participation under the Family Medical Leave Act and have exhausted their accumulated paid benefit time ~~will~~may be granted a leave of absence, supportable by medical evidence, of up to six (6) months inclusive of paid benefit time.
- 4. **Procedure.**

- 4.1 Any employee request for an unpaid leave will be submitted in writing to the department head at least 30 days in advance and will state the reason for such leave and the period of time to be absent. The 30-day notice may be waived under emergency circumstances by the Village Administrator.
- 4.2 Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.
- 4.3 Employees will make their own arrangements in advance for payment of benefits for any full calendar month they are on leave of absence by remitting monthly premium payments to the ~~finance department~~Administration Department. Insurances will be cancelled if the employee fails to remit payment upon notice of delinquency.

5. Return to Active Employment.

- 5.1 An employee may return to work at an earlier date than scheduled if approved by the ~~department head~~Village Administrator.
- 5.2 The employee will be eligible for reinstatement to a vacant position or equivalent position, provided stated qualifications are met. If no vacant position is available for which the employee is qualified, the employee will be terminated.
- 5.3 Any employee failing to return to work upon expiration of unpaid leave will be considered to have resigned, not in good standing.

6. Leave restrictions.

- 6.1 Unpaid leave of absence will not be granted ~~for periods exceeding 6 months~~ to permit an employee to seek other employment or work at some other paid employment except for military service.

7. Appendices.

- 7.1 Unpaid Leave of Absence Request Form (Appendix 417 A)

POLICY 417 LEAVE – VOTING

1. **Purpose.** To encourage employees to fulfill their civic responsibilities by participating in elections.
2. **Time Off to Vote.**
 - 2.1 If employees are unable to vote in an election during their nonworking hours, the Village of Shorewood Hills will grant up to 3 consecutive hours of unpaid time off to vote, in compliance with Wis. Stat. §6.76.
 - 2.2 The Village of Shorewood Hills may specify the time during the day that leave can be taken.
3. **Requesting Time Off.**
 - 3.1 Employees are to request time off to vote from their supervisor at least two working days prior to Election Day.
 - 3.2 Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift or at another alternative time; whichever provides the least disruption to the normal work schedule.

- 3.3 Employees are not entitled to paid leave. Employees who choose to exercise their right to take time off from work to vote may use accumulated paid benefit time or the absence may be treated as excused without pay.

POLICY 419 LEAVE – ~~FUNERAL~~BEREAVEMENT & EMERGENCY

1. **Purpose.** To support employees during periods of bereavement.

2. **Policy.**

2.1 Immediate Family. For the purposes of this policy only, immediate family is defined as spouse, domestic partner, or child. Employees are eligible for up to ~~twenty-four~~forty (40)24 hours of ~~funeral~~bereavement leave for the death of an immediate family member.

2.2 Extended Family. For the purposes of this policy only, ~~immediate-extended~~ family member is defined as ~~wife, husband, father, mother, parent, parent-in-law, grandfather, grandmother, grandparent,~~ guardian, ward, ~~sister, brother, sibling, child, or~~ grandchild, ~~mother-in-law, father-in-law, grandfather-in-law, grandmother-in-law, daughter-in-law, son-in-law, sister-in-law, and brother-in-law.~~ Employees are eligible for up to twenty-four (24) hours of bereavement leave for the death of an extended family member.

2.3 Other Family. The Village Administrator may authorize eight (8) hours of ~~funeral~~bereavement leave for a family member not listed if the Village Administrator determines that the employee had a relationship with the deceased that would warrant funeral leave based on the recommendation of the Department Head.

3. **Use of Sick Leave.** Employees may use up to twenty-four (24) hours of sick leave to attend the funeral of a family member not covered by ~~funeral~~bereavement leave. Extensions of the use of sick leave for this purpose or for an additional bereavement period for the death of an immediate family member may be authorized by the Village Administrator under limited circumstances.

POLICY 421 VACATION, PERSONAL DAYS, & SICK LEAVE

1. **Purpose.** Vacation is intended to reward employees for their service to the Village and to provide employees with a break from their normal routine so that they can become refreshed and recharged before returning to work. Sick leave is intended to ensure that the workforce remains at home when they are too ill to work and also helps stop the spread of illness in the workplace. Sick leave is also intended to allow employees to address their physical and mental health needs and that of their dependents. The use of sick leave to care for other immediate family members on a limited basis may be approved by the Village Administrator.

2. **Eligibility.** Regular full-time employees are eligible for all the benefits documented herein. Regular part-time employees, scheduled for an average of twenty (20) hours per week qualify for half of the benefits documented herein. ~~Temporary;~~ and seasonal employees are not eligible for benefits.

3. **Vacation Accrual and Carryover.** Vacation is earned and accrued on a monthly basis. Eligible ~~Full-time~~ employees will accrue vacation according to the following accrual rates the calendar year in which they complete the required years of full-time service:

Non-Management Non-Department Head

Year 1-At Hire-Year 3*	Year 2 <u>1-3</u>	Year 4- <u>17</u>	Year 6 <u>18+</u>
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8040 hours	80 hours	96-80 hours + 8 hours per year over three years	120 <u>200</u> hours
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*Vacation the first calendar year of employment is prorated

Management Department Head (or Exempt staff)

<u>Year 1-At Hire - Year 2*</u>	<u>Year 3-14</u>	<u>Year 15+</u>
120 hours	128-120 hours +8 hours per year over two years	168 hours <u>224</u> hours

*Vacation the first calendar year of employment is prorated

- 3.1 Employees shall ~~accrue~~ be awarded their appropriate vacation amounts ~~on their anniversary date~~ on the date of hire for the first year of employment. All future years' vacation will be distributed on January 1st.
- 3.2 Vacation is earned and accrued on a monthly basis. If an employee is terminated, an adjustment is made in the final paycheck for any vacation and personal time the employee used but to which the employee was not entitled, prorated based on each full month of service completed, and a payroll deduction, if appropriate, will be made from the last paycheck. Vacation will not accrue during unpaid leaves ~~and cannot be taken before it has been earned~~ unless authorized by the Village Administrator.
- 3.3 ~~For non-exempt staff, vacation shall be used during the calendar year in which it is awarded. If not used, it is forfeited unless a carryover of vacation has been approved by the Village Administrator.~~
- 3.4 ~~Exempt employees~~ All employees are entitled to a vacation carryover from one year to the next of a maximum of forty (40) hours. For exempt employees, ~~the~~ Village Administrator may authorize, on a case-by-case basis, an additional carryover or a cash payout of up to twenty-four (24) hours of vacation beyond the carry-over amount if an exempt employee is unable to use sufficient vacation hours to not be subject to forfeiture.
 - a. Exceptions for the Village Administrator must be approved by the ~~Village Board~~ Village President (unless otherwise stated in the employment contract).
- 3.5 When a holiday observed by the Village falls within an employee's vacation period, the day is charged against the holiday bank and is not charged against vacation leave.
- 3.5 ~~For the purposes of this policy, management staff include all department heads, the Assistant Village Administrator, the Clerk-Treasurer, the Utility Finance Director, and the Police Captain.~~

4. Personal Days. All regular non-represented full-time employees will receive twenty-four (24) hours of personal time each year. Regular part-time employees working an average of at least 20 hours a week will receive a prorated portion. These hours are deposited into the employee's vacation bank and considered effective as of January 1st. Do we really need to have this be separate? Why not just increase the vacation?

~~4.1 — New employees receive their personal hours on the first day of employment but are not eligible to use them in the first ninety (90) calendar days of employment without authorization of the Department Head or Village Administrator.~~

5. Sick Leave Accrual and Carryover. Sick leave is accumulated at a rate of eight (8) hours per month for a total of 96 hours per year. Unused sick pay is accumulated and carried over into the subsequent calendar years for future use but shall not exceed 960 hours of accumulation.

5.1 Sick leave cannot be utilized before it is earned unless approved by the Village Administrator.

5.2 Sick leave will not accrue during unpaid leaves.

5.3 Any employee with more than 960 hours of sick leave as of the effective date if this manual will retain their excess sick leave hours but will not be permitted to accrue additional sick leave until their balance falls below 960 hours.

6. Planned Absences. Employees must request approval for paid planned absences as far in advance as practicable and must be approved in advance by the department head or designee, but not less than twenty-four (24) hours in advance. Department Heads or designees may approve planned absence requests of less than twenty-four (24) hours-notice on a case-by-case basis. Employees will follow established procedures for requesting vacation. Vacation requests may be denied based on the needs of the department and the scheduled time off of other department employees.

7. Medical Certification/Returning to Work After Medical Absence.

7.1 The Village may require verification of illness.

7.2 After a medical absence, a physician's statement may be required to be submitted to the Village (payroll department) on the employee's first day back to work, indicating the date the employee was seen and the date the employee may return to work, stating that the absence from work was medically necessary, and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

7.3 A physician's statement will be required for unplanned absences after three consecutive days of illness and will be required prior to returning to work.

7.4 Any work restrictions must be stated clearly upon the employee's return to work. Employees who have been asked to provide such a statement may not be allowed to return until they comply with this provision. Sick leave may be denied for any employee failing to meet this requirement.

7.5 The Village has the right to obtain a second medical opinion to determine the validity of an employee's worker's compensation or illness claim, or to obtain information related to restrictions or an employee's ability to work. The Village will arrange and pay for an appropriate medical evaluation when it has been required by the Village.

7.6 If the absence qualifies as FMLA, the Policy 409 Leaves – Family, Medical, & Military will apply. The appropriate medical certification form(s) will be required.

8. Unpaid Leave.

8.1 With the exception of qualified FMLA leave, unpaid leave may not be taken until the employee’s accumulated vacation or sick leave (if applicable) has been exhausted. At no point will an employee’s vacation or sick balances be allowed to fall below zero without prior approval of the Village Administrator. Should this happen, the employee will revert to unpaid time, and if this occurs without the prior authorization of the ~~department head~~Village Administrator, the employee may be subject to corrective or disciplinary action.

8.2 Vacation and sick leave will not accrue during unpaid leaves. Unpaid leaves may be approved in accordance with the Village personnel policies.

9. Family Medical Leave Act. State FMLA, employee may substitute accrued paid leave time or choose to take unpaid leave; Federal FMLA, employees may be required to use all accrued paid leave time before receiving leave without pay.

10. Payment Upon Separation. Regular employees who leave employ of the Village in good standing and upon giving proper notice or employees separated by the Village for other than disciplinary or performance reasons will receive payment for unused earned vacation as outlined in Policy 105 Separation from Employment and Policy.

11. Conversion of Sick Leave.

11.1 Employees may convert sick leave upon full retirement, as defined by the Wisconsin Retirement System, from the Village or in the event the employee is terminated or laid off because the employee is determined to be permanently disabled and receives benefits under the Village’s long-term disability policy to pay for continued health or dental-insurance premiums. For the purposes of the Conversion of Sick Leave, “retirement” means that the employee has retired from the Village under the Wisconsin Retirement System criteria. The conversion is based on the number of years of service, with a minimum of ten full years of service, based on the percentages in the table below:

10 Years of Service	65%
15 Years of Service	90 80%
20 Years of Service	95 90%
25 Years of Service	100%

11.2 Conversion Formula. Employee’s last 12 months’ base wage divided by two thousand eighty hours (2080) for full-time and the total number of hours worked for regular part-time multiplied by the number of hours of accumulated sick leave.

~~**11.2.1** Employees who work a six on and three off schedule will have their last 12 months’ base wage divided by one thousand nineteen hundred and forty seven hours (1947).~~

~~**11.2.2** Grandfather Clause. Employees with at least fifteen (15) full years of service as of January 1, 2020 will have their sick leave conversion calculated using wages as of the date of retirement.~~

11.3 Employees separated for disciplinary or performance reasons or who fail to provide a two-week notice (30 days for department head ~~and administrative staff~~ positions) of intent to terminate will receive no separation benefits.

12. Vacation Service Credit at Hire.

- 12.1 ~~A department head may recommend to the~~The Village Administrator ~~that a new hire be given is~~ authorized to provide credit for length of service for employment experience directly related to the position to which the employee is being appointed or to match the current leave accrual provided by the employee's most recent employer. The ~~recommendation must be in writing and decision must~~ be based on ~~the department head's~~an assessment of the employee's qualifications beyond the minimum requirements, recruitment considerations, or service accrual provided by the employee's previous employer.
- 12.2 The length of service credit plus the employee's subsequent actual length of service with the Village will be the basis for future accrual determinations. No additional length of service credit shall be granted after initial appointment to the Village.

13. Restrictions.

- 13.1 An employee cannot be paid for time at work and receive vacation pay at the same time.
- 13.2 Employees who are ill should not report to work. ~~The Village Administrator and/or~~ Department Heads ~~or supervisors~~ have the right to judiciously assess the health of an employee and, if the employee is deemed too sick to work, ~~the Department Head or supervisor~~ can send the employee home.

POLICY 423 – LEAVE – BONE MARROW AND ORGAN DONATION LEAVE

1. **Purpose.** To provide security for employees who elect to serve as a bone marrow or organ donor. The leave is only for the period necessary for the employee to undergo the bone marrow or organ donation procedure and to recover from the procedure.
2. **Eligibility.** Bone marrow and organ donation leaves only applies to a full-time employee who has worked for the Village for more than fifty-two (52) consecutive weeks and for at least one-thousand (1000) hours during that 52-week period.
3. **Paid Time Off.** When an employee qualifies for bone marrow or organ donation leave, the Village will provide paid time off while the bone marrow and organ donation leave is being used as follows:
- 3.1 Any employee who is eligible as a bone marrow donor will receive from the Village up to forty (40) hours of paid leave for the procedure and to recover from the procedure.
- 3.2 Any employee who is eligible as a human organ donor will receive from the Village up to one hundred sixty (160) hours of paid leave for the procedure and to recover from the procedure.
- 3.3 Should the leave exceed the number of hours as noted above, the employee will be required to substitute vacation, sick, or compensatory leave for the remainder of the absence.
4. **Notice.** The employee shall give the Village advance notice of the bone marrow or organ donation in a reasonable and practicable manner. The employee shall make a reasonable effort to schedule the bone marrow or organ donation procedure so that it does not unduly disrupt the Village's operations, subject to the approval of the healthcare provider of the bone marrow or organ recipient.
5. **FMLA.** Eligibility requirements for bone marrow or organ donation will normally meet requirements for FMLA and allow the Village to count the time used for these leaves against employee's FMLA entitlement. Therefore, FMLA forms are required for all bone marrow or organ donor leaves in excess

of three (3) consecutive scheduled workdays and may be required for less than three (3) days given the circumstances.

POLICY 425 DONATION OF SICK, VACATION, OR COMPENSATORY LEAVE

- 1. Purpose.** To permit an employee to donate sick leave, vacation leave, or compensatory time to another employee who is experiencing an FMLA-qualifying event that is not covered by employer disability policies or compensated by Worker's Compensation. It is not intended to provide for the donation of leave for common illnesses of short duration.
- 2. Eligibility.** Only full-time employees who are not in a probationary status and are eligible to accrue paid time off but have exhausted all forms of their own paid leave, or plan on exhausting all forms of paid leave, during the qualifying FMLA leave event are eligible to request leave donations.
- 3. Responsibility.** The Village Administrator is responsible for coordinating donations, reviewing donation requests, and authorizing eligibility. Final decisions on eligibility and distribution of donated leave time rests with the Village Administrator and shall not be subject to any grievance or appeal procedure.
- 4. Procedures.** The following procedure shall be used in all cases.
 - 4.1** Upon becoming aware of a qualifying FMLA leave need, a department head shall submit a paid leave donation request to the Village Administrator.
 - 4.2** Upon verifying the need for additional paid leave, the Village Administrator shall issue a Village-wide communication by reasonable means, including by e-mail to all departments and employees advising of the leave need. Such communication shall not identify the individual with the leave need but may disclose the type of illness or injury provided the requesting employee has provided written authorization for the disclosure.
 - 4.3** Employees wishing to donate leave must complete and submit a leave donation form to the Village Administrator.
 - 4.3.1** Leave donations must be in whole hours with a minimum of four hours per donation.
 - 4.3.2** Employees may donate as many hours as they wish, but the donation may not reduce the employee's sick leave account balance below eighty (80) hours.
 - 4.4** Donated hours will be converted to dollars by the Village Administrator by multiplying the hours donated by the donor's hourly base rate of pay at the time of processing. Once the donation has been processed, neither the donor nor the recipient may revoke the transaction.
 - 4.4.1** Leave donations from one ~~major accountfund-(General Fund, Utilities, Library)~~ to another will be charged against the donor's ~~accountfund~~.
 - 4.5** Donated hours shall be available to the recipient to draw upon during the qualifying leave event as needed. In no case shall donated hours be converted to cash as a lump sum payout or result in overtime payment.
 - 4.6** The Village Administrator shall cap donated hours and shall reject offers to donate additional hours if the donated hours and the accumulated paid leave hours in the residual bank would exceed the anticipated duration of the leave need. Total maximum donations for any individual leave event shall not exceed 2080 hours for those normally working 40 hours a week, ~~and 1947 hours for those normally working 37.5 hours a week.~~

- 4.7 FMLA leave shall run concurrently with donated leave for up to the first twelve weeks of the leave.
- 4.8 Recipients may refuse to accept donated hours at their discretion.
- 4.9 The Village will not inform the recipient of the name(s) of anyone donating hours or the number of hours donated.
- 4.10 Donated leave will expire and revert back to the donor one year from the date initial request for donations.

5. Solicitation Prohibited. Recipients are prohibited from soliciting co-workers for donations of paid leave. Donations are strictly voluntary. Any recipient found soliciting for donations of paid leave will lose all donated leave not taken.

6. Benefits While on Donated Leave. Sick Leave will not accrue during the use of donated leave. All other benefits will accrue and health, vision, and dental insurance will continue to operate as if the recipient were using his/her own paid benefits.

~~**POLICY 427 FIRE DEPARTMENT RESPONSE POLICY**~~

- ~~**1. Purpose.** To support the response capabilities of the Village’s volunteer Fire Department by allowing Village employees who are also a volunteer member of the Fire Department to respond to calls during the workday.~~
- ~~**2. Authorization.** An employee who is also a member of the Fire Department is authorized to immediately respond to a call when performing the duties of their regular full-time employment position. Employees should make an attempt to notify their immediate supervisor but are not required to unduly delay their response in order to provide such notification.~~
 - ~~**2.1 Exception.** Any absence that would result in a safety violation or create an undue hardship on a department must be approved by the department head or Village Administrator. Safety violations must be correctable prior to the absence being authorized.~~
- ~~**3. Pay.** An employee who responds to a call during normal working hours will receive their regular rate of pay for response hours that occur within their normal working hours. Any response time outside of their normal working hours will be paid at the current rate of pay for fire response calls and will not count as hours worked for the purposes of overtime.~~
- ~~**4. Overnight Calls.** Department Heads should make every attempt to make considerations for employees who respond to calls overnight by permitting employees to report to work late.~~

Notes:

Military Leave is called out in section 6.07 of the current manual. Based on my interpretation, it appears that, for periods of less than fifteen days of military duty, will pay the difference between the employee’s military pay and the regular rate of pay. Am I correct in this understanding? If so, do we want to continue that policy?