



## PERSONNEL COMMITTEE MEETING AGENDA

**Monday, March 3, 2025 at 10:00 A.M.**

Sister Bay Liberty Grove Fire Department – 2258 Mill Road – Small Conference Room

For additional information check: [www.sisterbaywi.gov](http://www.sisterbaywi.gov) and click Meetings

### AGENDA

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Approve Meeting Minutes: February 5, 2025 and February 19, 2025 Meetings pgs. 2-4
5. Comments, Correspondence and Concerns from the Public
6. Discussion/Action Items
  - a) Review Personnel Handbook Updates pgs. 5-49
  - b) Review Personnel Committee Bylaws pg. 50
  - c) Discuss Contracts for Employees
7. Matters to be Placed on a Future Agenda or Referred to a Committee, Official or Employee
8. Next Meeting Date: To Be Determined
9. Adjourn

### Public Notice

Questions regarding the nature of the Agenda items or more detail on the items listed can be directed to Julie Schmelzer, Village Administrator, at [julie.schmelzer@sisterbaywi.gov](mailto:julie.schmelzer@sisterbaywi.gov). It is possible that members of and possibly a quorum of members of other governmental bodies may attend the meeting to gather information; no action will be taken by any governmental body other than the body specifically referred to above. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid or accommodation at no cost to the individual. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Sister Bay Village Administration Office at 854-4118, (FAX) 854-9637, or by writing to the Village Administration Building, 2383 Maple Drive, PO Box 769, Sister Bay, WI 54234. Copies of reports and other supporting documentation are available for review at the Village Administration Building during operating hours (8 a.m. – 4 p.m. weekdays). The Village of Sister Bay is an Equal Opportunity Provider and Employer.

PERSONNEL COMMITTEE MEETING MINUTES

Wednesday, February 5, 2025

(Approval Pending)

**Agenda Item No. 1. Call to Order**

The February 5, 2025 meeting of the Personnel Committee was called to order by Chair Louise Howson at 2:33 P.M.

**Agenda Item No. 2. Roll Call**

Present: Chairperson Howson and members Nate Bell and Lilly Orozco.

Staff: Village Administrator Julie Schmelzer and Clerk Heidi Teich

**Agenda Item No. 3. Approval of the Agenda**

*A motion was made by Orozco, seconded by Bell that the Agenda for the February 5, 2025 meeting of the Personnel Committee be approved as presented. Motion carried – All ayes.*

**Agenda Item No. 4. Approval of Minutes**

*A motion was made by Bell, seconded by Orozco to approve the minutes of the January 8, 2025 meeting of the Personnel Committee as presented. Motion carried – all ayes.*

**Agenda Item No. 5. Comments, correspondence, and concerns from the public**

No correspondence was received for this meeting and no additional comments were shared.

**Agenda Item No. 6. Discussion/Action Items**

**a) Personnel Committee Bylaws**

The committee proposed language for bylaws specific to the Personnel Committee at a prior meeting, and further revisions were made at the January committee meeting. The most current revisions were included in the meeting packet for review, although they are still waiting on a final draft of the Personnel Handbook so that can be referenced properly in these committee bylaws.

Schmelzer informed the committee that she had heard from the HR consultant yesterday regarding updates to the Personnel Handbook. Schmelzer will forward the suggested draft from the consultant immediately following this meeting and asked if the committee would like to meet in the next week to discuss suggested changes. The committee agreed to review the material Schmelzer will forward and set a follow-up meeting.

It was the consensus of the committee that the following change be made to the proposed Personnel Committee Bylaws, which will then be forwarded to the Village Board for approval:

*2. Review and establish employee recruiting, hiring, and retention procedures, including review of resumes, observation of interviews of department heads by a member of the committee (typically the Chair) or their designee, ~~and above~~, and participation in all Department Head Exit Interviews.*

**b) Review Personnel Evaluation Forms**

Howson had requested that the current village staff evaluation forms be revised and made more specific to employee roles. Schmelzer provided examples of the forms available in the meeting packet and noted that the forms were most recently revised in 2023.

The committee discussed the four separate forms provided and suggested several revisions including:

- Ensuring that each form has an appropriate title
- Including a check box on the form currently titled "Optional New Employee Performance Appraisal" to indicate if it is being used as a 90-day or Annual Review
- Adding more space to reviewers to add comments and suggestions for improvement, particularly on forms that are provided in PDF form
- Revising the scoring scale on general staff forms to remove the word "Greatly" from "Greatly Exceeds Expectations" and adding an option to choose N/A
- Revising the scoring scale on the administrator evaluation form to reduce the number of scoring choices to six as follows: 1- Unacceptable 2- Needs Improvement 3- Achieves/Meets Expectations 4- Exceeds Expectations 5- Outstanding/Excellent 6 - N/A
- Revising the item which reads "Relationship with Peers and Public" to two separate questions on the administrator evaluation form
- Revise the signature line on the administrator evaluation form completed by trustees to read "Trustee Signature" rather than "Supervisor Signature"
- Add a signature line for employees to sign the Employee Review of Administrator form

Schmelzer took note of the suggested revisions and revised drafts will be presented at a future meeting for further review.

**Agenda Item No. 7. Matters to be placed on a future agenda or referred to a committee, official or employee.**

It was the consensus of the committee that the following items be addressed at a future meeting:

- Continued discussion on revisions to the Personnel Handbook
- Review revised drafts of evaluation forms

**Agenda Item No. 8. Next Meeting Date**

*A special meeting of the Personnel Committee has been scheduled for Wednesday, February 12, 2025 at 11:00 AM.*

The next regular meeting of the Personnel Committee has yet to be determined.

**Agenda Item No. 9. Adjourn**

*A motion was made by Orozco, seconded by Bell to adjourn the February 5, 2025 meeting of the Personnel Committee at 3:17 P.M. Motion carried – all ayes.*

Respectfully submitted,



Heidi Teich  
Village Clerk

PERSONNEL COMMITTEE MEETING MINUTES

Wednesday, February 19, 2025

(Approval Pending)

**Agenda Item No. 1. Call to Order**

The February 19, 2025 special meeting of the Personnel Committee was called to order by Chair Louise Howson at 8:03 A.M.

**Agenda Item No. 2. Roll Call**

Present: Chairperson Howson and members Nate Bell and Lilly Orozco.

Staff: Village Administrator Julie Schmelzer and Clerk Heidi Teich

**Agenda Item No. 3. Approval of the Agenda**

*A motion was made by Bell, seconded by Orozco that the Agenda for the February 19, 2025 meeting of the Personnel Committee be approved as presented. Motion carried – All ayes.*

**Agenda Item No. 4. Comments, correspondence, and concerns from the public**

No correspondence was received for this meeting and no additional comments were made.

**Agenda Item No. 5. Executive Session**

**a) Consider a motion to convene into Closed Session pursuant to Wis. Stats., §19.85(1)(b) to consider dismissal, demotion, licensing or discipline of any public employee or the investigation of charges against such person, and the taking of formal action on any such matter; provided that the public employee is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. Affected employee: Village of Sister Bay Administrator.**

**b) Motion to reconvene into Open Session.**

**c) Motion for action, if appropriate.**

*At 8:04 A.M., a motion was made by Bell, seconded by Orozco to convene into Executive Session pursuant to Wis. Stats. 19.85(1)(b) to consider dismissal, demotion, licensing or discipline of any public employee or the investigation of charges against such person, and the taking of formal action on any such matter; provided that the public employee is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. Affected employee: Village of Sister Bay Administrator. A roll call vote was taken on the motion and the members voted in the following fashion:*

*Bell – aye; Orozco – aye; Howson – aye*  
*Motion carried.*

*A motion was made by Bell, seconded by Orozco to adjourn from Executive Session at 8:20 A.M.*

Respectfully submitted,

  
Heidi Teich  
Village Clerk



**VILLAGE OF SISTER BAY  
EMPLOYEE HANDBOOK**

Adopted: \_\_\_\_\_ 2025

## WELCOME

The Village of Sister Bay is a friendly, thriving community where residents and visitors alike enjoy the natural beauty of its surroundings enhanced by well-maintained parks, quality services and the natural environment. The unique charm of the Village's waterfront, library and businesses are enjoyed and utilized by all. As Northern Door County's year-round village, it balances the needs of a growing retirement community, while attracting and supporting its younger population with a viable economy.

### **Purpose/Important Facts About This Handbook**

We are pleased to present you with this Employee Handbook containing information in summary form about our workplace, the major benefits available to you, and your obligations as an employee. This handbook is for informational purposes only. Nothing in it constitutes a guarantee of employment or of any right or benefit, nor is it a contract of employment, expressed or implied, and it does not eliminate or change the employment-at-will status of the relationship between you and the Village of Sister Bay.

We reserve the right to alter, change, delete, deviate from, suspend or discontinue any part or parts of the policies in this handbook, including but not limited to any employee benefit without prior notice. It is to your advantage to follow the Personnel Committee and Board of Trustee meeting agendas and minutes to be aware of potential changes being discussed. No one other than the Village of Sister Bay Board of Trustees may alter or change any of the policies in this handbook. Any alteration or modification by the Board of Trustees must be in writing. No statement or promise by an elected official, administrator, supervisor, agent or other representative may be interpreted as a change in policy, nor will any such statement or promise constitute an agreement with any employee.

Should any provision of this handbook conflict with any statute, law, ordinance, regulation, or lawful provisions of a valid collective bargaining agreement to which the Village of Sister Bay is a party, the statute, law, ordinance, regulation or collective bargaining agreement (if any) shall control. Nothing in this handbook shall restrict employees from engaging in any concerted or other activity protected by Wisconsin or federal law.

It is your responsibility to read and become familiar with the information in the handbook and to follow the policies and procedures contained herein. If you have questions regarding the handbook or matters that are not covered in it, please discuss them with the Human Resources Manager, if employed by the Village; Benefits Coordinator contracted or employed by the Village; your supervisor or the Village Administrator.

## **EMPLOYMENT STATUS**

### **Nature of Employment**

Except as specified in a valid collective bargaining agreement or an individual employment contract, or as otherwise provided by law, employment with the Village of Sister Bay is not governed by any written or oral contract and is considered an “at will” arrangement. This means that you or the Village of Sister Bay can end the employment relationship at any time for any reason.

### **Employee Classifications**

We define an employee as a person who works for the Village of Sister Bay for compensation in the form of wages and excludes unpaid volunteers, independent contractors, elected officials and persons appointed to serve on boards, commissions, or committees. We use the following classifications to determine your employee benefits and eligibility for overtime.

1. Benefited Full-Time – an employee who is regularly scheduled to work more than 32 hours per week on a regularly scheduled basis for the calendar year. A benefited full-time employee is eligible for those benefits described in this handbook as well as any that are required by law.
2. Non-benefited Part-Time - an employee who is generally scheduled to work less than 30 hours per week throughout the year. Non-benefited part-time employees are only eligible for benefits required by law.
3. Temporary/Seasonal/Casual - an employee who works full-time or part-time hours on a temporary, sporadic, varying, seasonal, or as-needed basis. These employees are only eligible for benefits required by law.
4. Exempt - an employee whose position meets the overtime exemption requirements established by the Fair Labor Standards Act (FLSA). These employees must be paid on a salary basis and are exempt from overtime pay requirements.
5. Non-Exempt – an employee whose position does not meet FLSA overtime exemption requirements. Non-exempt employees are paid on an hourly basis and are eligible for overtime pay.

## CODE OF ETHICS

We expect you to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between your personal interests and those of the organization. We expect that the transactions you take part in are ethical and within the law, both in letter and in spirit.

There is no way to develop a comprehensive detailed set of rules to cover every business situation. We require you to act ethically when performing your duties so that your actions will reflect positively on you and on us. You must comply with all local, state, and federal laws.

Our policy and state law prohibit employees from engaging in the following conduct:

1. Soliciting or receiving from any person or acting as a mediator for any fee, gift, or other thing of value in the course of your work, when such fee, gift, or other thing of value is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person.
2. Threatening or attempting to use or using political influence or giving or being in any way involved in giving any money or any other thing of value in return for appointment, promotion, transfer, leave of absence, change in pay or other tangible employment benefit.
3. Engaging in political activity by making use of your position to further the candidacy of any person or engaging in political work during regular work hours. Nothing in this section shall be construed to interfere with your right outside of normal work hours to become a member of a political club, to attend political meetings, to express your opinion on political subjects, and to enjoy freedom from all interference in casting your vote.
4. Accepting anything of value from any person, business, or organization, if it may be viewed as a reward for any official action or inaction taken by you. State law also prohibits any local public official or public employee from accepting anything of value if it could reasonably be expected to influence your official actions or independent judgment. Speak with your supervisor or the Administrator regarding questions, concerns or issues addressed in or related to this policy.

## **EQUAL OPPORTUNITY, DISCRIMINATION, AND ACCOMMODATIONS**

### **Equal Opportunity and Non-Discrimination**

We are an equal opportunity employer. All employment decisions, including but not limited to, recruitment, hiring, compensation, benefits, promotions, transfers, layoffs, discipline, and involuntary termination are made without regard to an individual's age, arrest/conviction record, ancestry, color, national origin, race, religion, disability, marital status, military service, pregnancy, childbirth, sex, sexual orientation, off-duty use or nonuse of lawful products, or any other characteristic protected by federal, state, or local law.

1. Supervisors will see that the provisions of this section are met. It is also the duty of every employee to help create a work environment that promotes equal opportunity. You must report any incident or situation that you believe violates this policy to your supervisor (or in the event the incident or situation is in regard to your supervisor, report to the Village Administrator (see the *GRIEVANCE PROCEDURE* section).
2. Anyone who engages in unlawful discrimination will be subject to disciplinary action or involuntary termination. We will not tolerate retaliation against another person for filing a complaint, reporting alleged discrimination, or participating in an investigation. Anyone who engages in retaliation will be subject to disciplinary action or involuntary termination.

### **Reasonable Accommodations for Disabilities**

We are committed to full compliance with applicable federal and state disability laws (specifically, those outlined in the Americans with Disabilities Act). An employee who is a qualified individual as defined by state or federal law will be provided a reasonable accommodation if one exists that allows the employee to perform the functions of the employee's job unless such accommodation creates an undue burden or poses a direct threat to the safety of the employee or others. You should submit a request for workplace accommodations to your supervisor. Any supervisor who receives a request for a workplace accommodation must forward it to the Administrator immediately. After receipt of the request, your supervisor or the Administrator will meet with you to discuss all of the facts and circumstances necessary to make an accommodation determination.

## HARRASSMENT POLICY

### Overview

We are committed to providing a professional work environment that maintains employee equality, dignity and respect. We strictly prohibit and will not tolerate discriminatory practices or harassment against our employees based on their protected class status by anyone, including elected officials, supervisors, co-workers, visitors, vendors, citizens or any other persons. Similarly, employees are prohibited from harassing or discriminating against any other persons based on their protected class status.

1. Any protected class harassment is unacceptable and will not be tolerated. Anyone who violates this policy will be subject to disciplinary action or involuntary termination.
2. Harassment includes any conduct, whether verbal, physical, or visual, that is based on a person's protected status, including age, arrest/conviction record, ancestry, color, national origin, race, religion, disability, marital status, military service, pregnancy, childbirth, sex, sexual orientation, off duty use or nonuse of lawful products, or any other characteristic protected by federal, state, or local law. Conduct need not be directed at a particular individual to be considered a violation of this policy. Harassment can take many forms and may include, but is not limited to:
  - epithets, slurs, or negative stereotyping.
  - threatening, intimidating or hostile acts.
  - denigrating jokes.
  - verbal abuse.
  - written or graphic material that denigrates or is hostile toward a protected class.
  - nonverbal conduct, such as staring or making denigrating gestures.
  - physical conduct, such as stalking, assault, unwanted touching.

### Sexual Harassment

This policy protects all gender employees from sexual harassment. Our policy prohibits all conduct, whether physical, verbal, written, or visual that is based on gender, including but not limited to:

- unwelcome sexual flirtations, compliments, advances, requests, or propositions.
- unwelcome touching, patting, pinching, brushing against another's body, attention to an individual's body, or physical assault.
- any statements or referencing one's sexuality, gender, or sexual experience, sexual gestures, innuendoes, suggestions, "kidding," "teasing" or jokes.
- the display of sexually related or suggestive pictures or objects including emails or other computer images.

## **DISCRIMINATION AND/OR HARRASSMENT COMPLAINT PROCEDURE**

### **Overview**

We are committed to maintaining a workplace free of discrimination and harassment and take seriously all complaints or reports of harassing or discriminatory conduct by or against any of our employees, supervisors, elected officials, visitors, vendors, citizens, or any other party. The timely reporting and prompt effective resolution of complaints is crucial to preventing and ending prohibited conduct; therefore, the following procedures are in place to address prohibited conduct:

- If you believe that you have experienced or witnessed conduct that violates this policy, you must report the matter as soon as possible to your supervisor or the Administrator.
- Do not bring your complaint to your immediate supervisor first if your supervisor is the subject of the complaint, or if you feel more comfortable bringing the matter to the attention of one of the other designated representatives identified above.
- Please see the *GRIEVANCE PROCEDURE* section for more information.

### **Investigations and Remedial Action:**

- All complaints will be promptly and thoroughly investigated. If necessary, the Village will contract with a third party to conduct the investigation.
- We will take corrective action designed to end any harassment or discrimination in our workplace and prevent it from recurring.
- Corrective and preventive action may include the imposition of discipline or involuntary termination, training, referral to counseling, monitoring, demotion or reassignment, or any other action we deem appropriate under the circumstances. We will make follow-up inquiries to ensure that the harassment or discrimination has not resumed.

We recognize that false allegations of harassment or discrimination may have a serious impact on innocent individuals, and we will take appropriate action against anyone who makes a false claim of harassment or discrimination.

### **Confidentiality**

We understand that matters of harassment or discrimination can be sensitive, and when possible, we will keep complaints and related information in confidence. Disclosure will occur only when necessary to investigate and resolve the matter and when required by law.

### **Retaliation**

Any employee who reports harassment or discrimination, files a complaint, or takes part in an investigation, is protected from any retaliatory action. No reprisal or adverse action will be taken against you for coming forward or participating in the investigatory process. If you believe you are the subject of retaliation, even if the behavior is subtle or you are unsure that the conduct is retaliation, report it immediately to your supervisor or the Administrator. Anyone who violates this retaliation prohibition will be disciplined or terminated.

## **EMPLOYEE BEHAVIOR AND CONDUCT**

To ensure orderly operations and provide the best work environment, we expect you to conduct yourself at all times in a manner that is respectful and will protect the interests and safety of all employees and the organization. This handbook cannot address every conceivable circumstance that may arise. We consider all of our employees to be professionals, and you are expected to exercise responsible judgment.

We reserve sole discretion to determine when certain behaviors, conduct, decisions, etc. are inappropriate, even if they are not expressly prohibited or addressed in this handbook. The consequences for any infraction will depend on all relevant circumstances and may include discipline or involuntary termination as we determine appropriate.

### **Appearance and Demeanor**

The Village expects their employees to represent the Village in a professional manner while performing their duties. All Village employees have contact with people in the community who are either residents or visitors and will create lasting impressions with them by their interactions and by the observations of their work performance. All Village employees are encouraged to present a positive image and demonstrate an interest in their work. All employees are expected to be neat and clean in appearance and to dress in a manner appropriate to the nature of their position. Utilities Department and Parks and Streets Department employees will wear designated clothing and items provided by the Village during their on-duty hours. Uniform clothing and dress are described in detail in the *Clothing Allowances and Expectations* section of this handbook.

### **Personal Appearance**

As a Village of Sister Bay employee, your appearance reflects on us. We expect you to present yourself for work in a professional, presentable, modest, well-groomed manner at all times. You are required to adhere to the guidelines of the Safety Policy to the extent they apply to your position. Depending on considerations of individual departments certain employees may have to meet special dress, grooming, and hygiene standards that may be required for health or safety reasons, customer and public contact, or other professional/service considerations.

### **Inappropriate Behavior**

It is not possible to list all the behavior that is unacceptable. The list below is illustrative and not intended to be all-inclusive. These are examples of infractions that may result in disciplinary action or involuntary termination:

1. Harassment, discrimination, or any violation of federal civil rights laws.
2. Any form of theft, dishonesty or inappropriate removal, use or possession of property. Theft includes the purposeful falsification of time reporting, misuse of PTO, use of Village property for personal use, or other misuse of taxpayer funded time or equipment for a use not intended.
3. Falsification of records or documents.
4. Any form of violence.
5. Verbal or physical abuse; discourteous, disrespectful, insulting or inflammatory language or conduct, or any other form of behavior that could be deemed “bullying” towards another

person.

6. Negligence or improper care or conduct leading to ill-maintenance or damage of Village-owned property or property belonging to others, or injury to another person.
7. Insubordination or other failure to follow directives or instructions.
8. Violation of safety rules and policies or health rules.
9. Smoking in prohibited areas or village-owned buildings, equipment or vehicles.
10. Possession of dangerous or unauthorized materials, such as explosives or firearms.
11. Unacceptable attendance record, including habitual tardiness and absenteeism.
12. Unauthorized use or misuse of telephones, mail system, computers, social media or other village-owned equipment.
13. Unsatisfactory or inappropriate performance or conduct.
14. Disclose statutory or confidential information.
15. Being disrespectful to others while on duty.
16. Sleeping on the job.
17. Sloth, or performing not at the level expected or paid.
18. Gambling or creating a lottery with Village equipment or while being paid with taxpayer dollars.
19. Procuring legal favors.
20. Violation of any other policies/rules in this handbook.

### **Conduct**

On or off-duty conduct which may result in an employee be disciplined may include the following:

1. Unbecoming conduct
2. Conduct that adversely affects the morale or efficiency of the department
3. Behavior that adversely affects the employee's job performance or the willingness of other employees to work with the employee
4. Conduct that destroys public respect or confidence in the employee, department or provision of and operation of municipal services
5. Where the conduct substantially relates to job performance or job duties.

### **Gifts and Gratuities**

Marina and Shuttle Bus gratuities shall only be accepted if unsolicited and as allowed by law. No other fulltime, parttime, seasonal or casual employee shall solicit or accept any gift, campaign contribution, gratuity, service, promise of work, entertainment, loan, or other item of monetary value from a person or entity who has or is seeking activities or service from, or which are regulated by, the Village. Employees will need to determine whether the provider expects a service in return for the gift. Holiday gifts sent to departments from contractors can be accepted, provided the contractor annually sends the gift to similar departments as a 'thank you' for work performed throughout the year, provided the anticipated value does not exceed \$50. Employees attending meetings, seminars and conferences while representing the Village will be allowed to accept items that are given away to attendees and offered to all participants at the event, provided the item secured does not exceed an estimated value of \$25; if the item exceeds \$25, it shall be rejected, returned, or given to a non-profit serving Sister Bay.

### **Failure to Obey Medical Orders**

An employee may be disciplined or terminated for a failure to follow the medical orders issued by their medical practitioner. Failure to abide by the orders could put the employee, other employees, or the public at risk and will not be tolerated.

1. Employees shall obey their medical practitioner's orders and shall promptly notify their supervisor of any restrictions or instructions by their medical practitioner, or prescribed medications that could affect their ability to perform their assigned tasks.
2. The supervisor shall have the right to require an employee who has a physical or mental incapacity to submit a report from a licensed medical practitioner verifying that the employee can perform the essential functions of his/her assigned duties without limitations. The supervisor does not have the right to confidential information about the employee's diagnosis or treatment.
3. The Village may require a medical examination for an employee by a medical practitioner selected and paid for by the Village whenever the Village shall deem it necessary for the safety and welfare of the residents of the Village and the maintenance of standards within the Department. If the results of the examination would affect the employee's ability to work, then the employee may have a second opinion at his/her expense by a medical practitioner of his/her choice. If there is a difference of opinion by the first two medical practitioners, the employee may be examined by a medical practitioner mutually agreeable to the Village and the employee paid for by the Village.  
**Samm is this legal? Samm: There are some issues that you can run into as this is pretty broad. From an ACA compliance perspective there are only two times that you can require medical examination and that is after an offer has been made and if there is some requirement to perform an essential part of the job. I would suggest removing the language that says "Whenever the Village shall deem it necessary for the safety and welfare of the residents". This again is quite broad. I would suggest stating that it is only warranted if there is a legitimate concern that the employees' health could impact job performance or safety.**

**Suggested language - The Village may require a medical examination when there is a concern that an employee's health may affect their ability to perform essential job functions or create a safety risk. We will keep all medical information confidential and the employees' privacy will be protected.**

### **Confidential Information**

You may have access to confidential Sister Bay, resident, personnel or other sensitive information as a part of your job duties. The protection of confidential information is vital to our interests, and to the interests of our employees and citizens. You shall not disclose any confidential information to any Village of Sister Bay personnel who does not have a legitimate business need to know such information, or to any persons outside the Village of Sister Bay organization, without the authorization of the Administrator. If you receive a request for information that you know or should know is confidential, whether you are on or off duty, you will direct the person asking for the information to the Village Clerk. No confidential information concerning any citizen may be released to an unauthorized person or agency without the signed consent of the citizen. This section does not apply to individuals filing complaints about a property for which the village provides service to, such as a property regulated by Ch. 66 of the Municipal Code, Zoning.

## **DRUG AND ALCOHOL-FREE WORKPLACE**

The Village maintains a drug-free and alcohol-free workplace. Accidents, injuries, absenteeism, decreased productivity and property damage can result if you are under the influence of drugs, alcohol or other substances at work. Employees may be disciplined or fired if under the influence of alcohol, drugs, or other substances which can impair performance and judgment, even if residual.

### **Conduct and Discipline**

Employees must report to work free of drugs, intoxicants, alcohol, narcotics, or any other controlled substance. Employees may be disciplined, up to and including involuntary termination, for possession, consumption, not being free of, being under the influence of, or use of any drugs, drug paraphernalia, intoxicants, alcohol, narcotics, or any other controlled substance, on or about Village premises at any time.

Any medication that affects an employee's judgment or could affect an employee's performance should be brought to the supervisor's attention. Such prescription drugs are tolerated in the workplace only if given under medical supervision and does not interfere with the performance of job duties.

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

A violation of the following rules may result in disciplinary action or involuntary termination:

1. You are prohibited from using, possessing, manufacturing, selling, distributing, purchasing or dispensing alcohol or controlled substances/illegal drugs or drug paraphernalia on Village of Sister Bay property, while performing your job duties, or while engaged in a Village sponsored activity, or while representing the Village.
2. You are prohibited from reporting for or remaining on duty or performing assigned job duties while under the influence of alcohol or a controlled substance/illegal drug or having the prohibited level of alcohol or an illegal drug/controlled substance in your system to legally operate a vehicle.
3. You may not bring or consume prescription drugs that are not prescribed for you, or that impair your ability to do your job in the workplace. You must notify your supervisor or administrator before engaging in any work if your prescription medication could affect job performance and/or safety.
4. Criminal convictions for manufacturing, distributing, dispensing, possessing or using controlled substances/illegal drugs in the workplace must be reported in writing to your supervisor or the Administrator no later than 5 calendar days after such conviction.
5. You may not use any alcohol within 8 hours following an on-duty accident.
6. You must comply with requirements for treatment, after care, and return to duty, if applicable.
7. The Village may request you to voluntarily take a blood test to verify the presence or absence of alcohol or drugs in your bloodstream.
8. The Village reserves the right to perform routine, random drug and alcohol testing to ensure Village owner vehicles, equipment and property are not being operated by employees under the

influence of alcohol, illicit drugs, or non-prescribed controlled substance. Said test shall be administered at the Door County Medical Center and paid for by the Village, at a date and time selected by the Village. Any employee refusing to submit to a drug and/or alcohol test when directed to do so, under circumstances consistent with this policy, they will immediately be placed on suspension pending investigation. You may not engage in any conduct that prevents completion of a test, or provide false information when tested, or attempt to falsify a test result.

### **Employee Assistance Program (EAP)**

Employees are encouraged to voluntarily seek professional, confidential assistance for alcohol and drug issues. Contact and other information for the EAP provider is located in the Village Administration Office, by contacting the Benefits Administrator, or by reviewing your benefits information provided at time of hire. You are also encouraged to utilize any programs offered by our insurance programs.

### **Testing**

We may require drug and/or alcohol testing under the following circumstances:

1. Pre-Employment: As part of the evaluative procedure for new or returning employees, including seasonal employees, whether full-time or part-time, or employees transferring between departments. Said testing may be conducted upon a conditional offer of employment.
2. Reasonable Suspicion: "Reasonable suspicion" means observations of objective facts sufficient to lead a prudent person to conclude that you may be under the influence or have a prohibited substance in your system. Unless restricted by state or local law, we also require drug and breath alcohol tests for any employee who appears to be impaired or working under the influence of chemical substances. This could occur at any time determined necessary by management due to observed employee actions such as abnormal coordination, appearance, behavior, slurred speech, odor, excessive tardiness, absenteeism, or as a result of other credible information. Any member of management who is concerned about the behavior or appearance of an employee will attempt to have these observations confirmed by another member of management. If observation by management is not possible, a drug and alcohol test may still be requested for the employee in question. If impairment is suspected, the employee will be transported by a member of the management team or by the use of a transportation service paid for by the village. Before any test is administered, employees will be notified in a private setting of the reason for the supervisor's concern and will be given an opportunity to explain their unusual actions, behavior, or appearance. Testing shall occur at a provider selected by the Village.
3. Post-Accident/Work Related Incident: We may require drug or alcohol testing following a work-related incident/accident.
4. Random: Drug testing may be required on a random, routine basis for those in any safety sensitive positions.
5. Return-to-Duty: Any employee found to have violated this policy and who is allowed to return to work may be required to test prior to returning to duty, and then randomly thereafter, for a one-year period. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable laws.

I had Janal research this matter. We found out DCMC no longer does public sector testing. Blood testing is not allowed unless the employee is suspected of driving drunk or there is a court order. Blood tests are not available in Door County and we'd have to find a lab in Green Bay. Breathalyzer tests are not performed locally (due to previous allegations the technicians were not performing the test accurately). Prevea Occupational Health does urinalysis, hair follicle testing and saliva analysis. For a rapid urinalysis,

if the test detects any illegal substances, the samples are then sent to a lab in Green Bay for further testing. Per Prevea, the saliva analysis is the preferred test for measuring alcohol. They also said few employers due pre-employment testing anymore, and employers do random testing with no advance notice to avoid claims of discrimination (which we discussed previously).

## **DRIVING REQUIREMENTS AND PRACTICES**

The following policies cover operation of all Village of Sister Bay vehicles and personal vehicles used while performing your job duties. We reserve the right to make specific decisions regarding your ability to drive based on the particular circumstances of the situation.

1. Employees assigned Village of Sister Bay-owned vehicles are to use those vehicles for official business only; we do not permit personal use of Village property.
2. Any employee using a Village owned vehicle, or equipment that can be driven on a public road, shall follow safe driving practices and will comply with all federal, state and local laws governing operation of motor vehicles and rules of the road. This includes taking all steps to ensure your total concentration and safe operation of vehicles.
3. Smoking and vaping is prohibited in any Village of Sister Bay vehicle; there are no exceptions.
4. You will not manipulate radios, telephones, tablets, or other equipment while the vehicle is moving. You will not talk on cell phones while the vehicle is moving, unless using a hands-free device or an emergency renders the use of such device impractical.
5. You will not take your eyes off the road while the vehicle is moving.
6. You will not operate a vehicle when your ability to react is impaired.
7. You will not text in any manner on a cell phone, smart phone, tablet, or other device.
8. You must keep headlights and seat belts on at all times.
9. You must abide by all provisions of the Drug-Free and Alcohol-Free Policy in this handbook, meaning if alcohol or substances are still in your bloodstream from the previous evening, you may be legally impaired and may not be able to legally operate the vehicle or equipment.
10. You must maintain an acceptable driving record to drive for your job. You must report all infractions or violations incurred while driving, whether during work time or personal time, to your supervisor. We may check driving abstracts through the Department of Motor Vehicles.
11. If you use your personal vehicle to perform your job duties, you must carry insurance coverage as required by Wisconsin law.
12. You must notify a supervisor immediately when a Village of Sister Bay vehicle is inoperable, unsafe, or damaged.
13. You are responsible for the cleanliness of all Village of Sister Bay vehicles that you operate.
14. You shall not permit any non-employee to drive Village vehicles or equipment , nor can any unauthorized person ride in the vehicle.
15. If you are involved in an accident, you must:
  - a. Stay at the scene and turn on the four-way flashers.
  - b. Immediately contact law enforcement and your supervisor, or the Administrator if your supervisor is unavailable.
  - c. When requested, give your name, address, Village of Sister Bay affiliation and show your driver's license and proof of insurance to the other party and law enforcement personnel. It is the supervisor's responsibility to ensure proof of insurance is maintained in the vehicle at all times.

- d. Upon return to work, obtain and complete all necessary worker's compensation and incident report forms required by the village. See your supervisor for the required paperwork that needs to be completed, return it to the supervisor, and the supervisor will file it with the Administration Office.

## **HOURS OF WORK, ATTENDANCE AND PAY POLICIES**

### **Work Hours**

For most full-time staff, the regular work week will be 40 hours, excluding meal periods, performed in five, eight-hour workdays Monday through Friday. Specific hours of work shall be decided by your supervisor. A supervisor may set a rotational schedule for Utilities Department and Parks and Streets Department employees to ensure routine weekend work is addressed, such as cleaning restrooms in the parks; said rotation schedule may result in overtime hours worked beyond the normal 40-hour work week, but time worked shall be the minimum required to perform the rotational duties to minimize overtime. Rotational hours are considered anticipated routine work to be performed and may require an employee to be called back to work, if needed.

- Supervisors may authorize variations in your work schedule to accommodate your or departmental needs, or to eliminate or reduce overtime.
- Hourly employees cannot perform any work during their unpaid lunch period without specific authorization from your supervisor; if work is authorized, then the entire lunch period must be included as hours worked on your timecard. Unless for official business, employees may not leave the workplace (i.e. return to their homes) except during their unpaid lunch period and may not use a municipal vehicle. Unpaid time begins when the employee leaves the worksite.
- Exempt Employees. We expect exempt employees to work a normal full-time 40-hour work week and any additional hours required by your workload, which can include special and regular meetings and events outside of normal hours. In return, you may occasionally take time off without using time from your accrued leave banks when the workload of your office permits, provided you let your supervisor know. This flexibility is not an accrued benefit nor does it constitute compensatory time; use of personal time on an hour-for-hour basis for time worked in excess of a 40-hour work week is not permitted by exempt employees.

### **On Call/Call Back**

All employees are always on call; that is, when emergencies require it, any and all of them may be recalled to work at hours during which they are normally off duty. "On Call" will refer to the order in which employees are contacted, when the need for unforeseen work or an emergency arises. The order in which employees are contacted will rotate according to a schedule set by the supervisor. If a Parks & Streets employee or Utilities Department employee is scheduled to work on a rotational basis, the days they work on that rotational schedule will also be the days they are considered "On Call" and will be compensated \$25 as explained below.

The term "On Call" does not imply the need to remain constantly available for contact by phone, or the need to remain in close proximity to the workplace. Compensation for calls to work during periods when the employee is at the head of the "On Call" rotation will be normal overtime, assuming the normal 40 hours for the week have actually been worked, but no \$25 per day compensation will be paid in wages or compensatory time for "On Call" periods during which no calls to work are made except for Parks & Streets

employees and Utilities Department employees. In recognition of the impact that “On Call” status has upon Parks & Streets employees and Utilities employees, the Village will pay \$25 per day for an employee “On Call” for Saturday, Sunday and on holidays. This shall be in addition to any call-in overtime actually worked, which is paid in accordance with standard overtime pay policies identified herein.

If the employee at head of the rotation schedule is unable to come back to work for an emergency, the employee that is actually called back shall be entitled to the \$25 per day “On Call” pay.

### **Time-Keeping for Non-Exempt Employees, Including Part-time, Seasonal and Casual Employees**

Non-exempt staff shall maintain a daily attendance record in the format we provide. This record shall reflect daily your start and end times, including start and end times of your lunch period, overtime hours worked, “On Call” time, and all absences for vacation, illness, holidays, use of compensatory time, etc.

You must keep an accurate record of your time. If manual time-keeping is required, you must certify the accuracy of your time report by signing it and submitting the documentation to your supervisor, or by forwarding it by email for approval to your supervisor; the supervisor must sign the completed time reporting form to verify the hours claimed. If an electronic time-keeping process is implemented, you must accurately input your time; any errors or deviations from the time reported shall be discussed with your supervisor, and if warranted, the supervisor may make changes to the electronic report. If any corrections or modifications are to be made, both you and your supervisor must verify the accuracy of the changes by initialing the record at the time or by email to verify you are aware a change has been made.

- Reportable hours include any work performed in or out of the office, or outside of normal work hours, including but not limited to, texting necessary for your duties, checking email or doing other job-related computer work or phone calls. Supervisors are not to knowingly permit you to perform work without recording the time. Failure to record time worked violates wage and hour laws and our policies and could lead to disciplinary action. Improper time reporting may be viewed as the dishonest reporting of time and the individual may face disciplinary action or involuntary termination; gross inaccurate reporting may be viewed as theft of taxpayer dollars and appropriate action may be pursued.
- However, you must get permission from your supervisor before working in excess of any scheduled hours or overtime. Failure to obtain advanced approval in excess of the scheduled hours or overtime may result in disciplinary action.
- Accrued paid leave, if applicable to the employee, must be used if you are absent from work during your normal work hours. You may only take time off unpaid with approval from your supervisor; you will not be allowed an unpaid absence for the purpose of avoiding the use of accrued paid leave.
- Altering, falsifying, or tampering with time records, or recording time on behalf of another without authorization from a supervisor, is prohibited and will lead to disciplinary action.

### **Time-Keeping for Exempt Employees**

Exempt employees must report use of accrued and personal time taken using an exception report form or by utilizing an electronic time-keeping process, if implemented. If an electronic time-keeping process has not been implemented, such time must be reported in paper format and signed by you, and approved by the Administrator.

### **Attendance**

We require regular attendance of all employees. Excessive absenteeism and tardiness interfere with the delivery of services and is prohibited.

- Reporting Absences/Tardiness. If you will be absent from or late for work you must notify your supervisor prior to the normal start of your work day. You must indicate a reason and an expected return to work. If the return to work date changes, you must notify your supervisor of the new date as soon as possible.
- Whenever your supervisor believes that a work release from your doctor is needed to ensure your ability to safely return to your job, or if your return will include certain restrictions that may require accommodation, you will be asked to provide a doctor's report. We may also request a doctor's report or fitness for duty certification in cases of suspected sick leave abuse or to determine fitness for duty when needed.
- Leaving During Work Hours. You must get permission from your supervisor prior to leaving during work hours, unless there is an emergency.
- Seniority and the employment relationship shall be ended if you:
  - Are absent from work without notification to your supervisor or other member of management (unless you cannot notify us for a valid reason).
  - Fail to report for work at the termination of an authorized leave of absence.

### **Overtime**

We do not permit overtime without prior authorization from your supervisor. If you work overtime hours without pre-authorization, you will be subject to disciplinary action. Supervisors shall assign overtime work only as necessary and when circumstances prevent the accommodation of additional work through reassignment of work priorities or the rescheduling of hours within the same work week. In an effort to reduce overtime, in the event weekend work is required, the supervisor may adjust the employee's normal work schedule to accommodate the weekend work.

Non-exempt employees shall receive overtime pay for any hours worked over 40 hours in a work week. Our work week begins at 12:00 a.m. on Sunday and ends at 11:59 p.m. on Saturday. We use only hours worked in calculating overtime and do not calculate time spent travelling to perform the duties required for rotational work. Time spent traveling for call back work or work-related activities (attending training sessions, conferences, etc.) count towards hours worked. Paid time off does not count towards hours worked. Overtime will be calculated separately in each work week of the pay period. We pay overtime at 1.5 times your regular rate of pay.

### **Compensatory Time**

Non-exempt full-time employees may elect compensatory time instead of overtime pay subject to the provisions of this section. This selection must be made within the week in which the time is earned.

- You will receive compensatory time at the rate of 1.5 hours for each 1 hour of overtime worked. No more than 80 hours of compensatory time, herein referred to as the "Maximum Accumulation Cap", may be accumulated in your bank per calendar year. Any overtime hours worked beyond the maximum will be paid as overtime compensation. Unused compensatory time will be paid out at the end of the calendar year at the rate at which it was earned; compensatory time does not carry forward to the subsequent year.
- You must seek permission to use compensatory time from your supervisor. You may use such time within a reasonable period after making the request if use of the time does not unduly disrupt the operations of the department. Likewise, supervisors may require you to use compensatory time

within a reasonable period after receiving notice to do so.

- An employee who has accrued compensatory time off shall, upon voluntary or involuntary termination of employment, be paid for the unused compensatory time at the wage rate in effect during the year in which the compensatory time was earned.

#### **Resignation/Retirement/Final Pay**

- Notice and Return of Property. Should you decide to leave employment, please provide your supervisor with at least 2 weeks' notice prior to your last day on the job. If you are retiring, please notify your supervisor at least 30 days prior to retirement or as far in advance as possible. Employees who provide the requested notice will be considered to have resigned in good standing.
- The village requests all employees meet with the Administrator to complete an Exit Interview. Said interview information shall be kept confidential, if requested by the employee. Confidential information may be generalized and entered into a summary of all information obtained in exit interviews to address concerns raised by the employee. Information obtained from the interview is used to review operations and policies and make adjustments as needed.
- You must turn in all Village of Sister Bay property prior to your last day on the job.
- Pay at Termination (whether voluntary or involuntary). We will pay you all earned wages, earned compensatory time, and earned vacation time when you leave employment.

## TIME OFF AND LEAVE OF ABSENCE POLICIES

### Holidays

The following paid holidays will be granted to all full-time benefited employees and the Village of Sister Bay offices will be closed on these days.

1. New Year's Day
  2. Memorial Day
  3. Independence Day
  4. Labor Day
  5. Thanksgiving Day
  6. Day after Thanksgiving
  7. Christmas Day
- Whenever one of the above-designated holidays occurs on a Saturday, the Friday immediately preceding shall become the official holiday. Whenever a designated holiday occurs on a Sunday, the Monday immediately following shall become the official holiday.
  - Whenever it is necessary as determined by the supervisor or Administrator for a non-exempt employee to work on a holiday, as part of their rotational schedule to continue essential services, compensation for the actual hours worked shall be at the rate of 2 times your regular rate of pay.

### Paid Time Off (PTO)/Sick Time

PTO is available to all full-time employees. PTO includes vacation, sick leave, personal time, emergency or bereavement leave, and time off to care for dependents. Paid Time Off (PTO) is earned bi-weekly on the following basis:

| Completed Years of Service | Accrual Rate                    | Max Accumulation |
|----------------------------|---------------------------------|------------------|
| 0-4.99 years               | 20 days (6.15 hours/pay period) | 40 days          |
| 5-14.99 years              | 26 days (8 hours/pay period)    | 40 days          |
| 15+ years                  | 31 days (9.53 hours/pay period) | 41 days          |

Employees continuously employed full time by the Village of Sister Bay beginning prior to 2015 earn PTO on the following basis\*:

| Completed Years of Service | Accrual Rate                     | Max Accumulation |
|----------------------------|----------------------------------|------------------|
| 8-14.99 years              | 29 days (8.92 hours/pay period)  | 40 days          |
| 15+ years                  | 34 days (10.46 hours/pay period) | 44 days          |

\*Sick leave balances will be put into an account to be used to fund the Long-Term Disability elimination period (or as allowed by the Village-paid Long-Term Disability Policy) or for up to 5 days of emergency leave. Upon termination, up to 30 days of remaining sick leave may be converted to cash at 50% of the hourly rate in effect in December 2014 by full-time employees who have completed 20 or more years of service.

Time off must be scheduled in advance in increments of at least one hour and approved by your supervisor except for illness and emergencies. Approval of PTO requests will be based on seniority, staffing needs, and workload.

A supervisor may require a doctor's note from the employee for leaves due to illness that last for more than 3 days.

Long-term disability must be applied for when illness is expected to last more than seven days. PTO may be used to fund the elimination period (or as allowed by the Village-paid Long Term Disability Policy). Upon termination, 10 days of PTO will be deducted if two weeks' notice is not given. Any remaining balance earned but unused up to the maximum accumulation will be paid out upon termination or retirement.

### **Personal Days**

Annually all full-time employees shall be provided 24 hours of personal time to use at their discretion. Personal time shall be scheduled and approved by the supervisor. Any personal time not used by December 31<sup>st</sup> of the year shall be paid to the employee in the subsequent pay period or as accounting practices dictate.

### **Military Leave**

We support the military obligations of employees and grant leave for uniformed service under applicable state and federal laws. If you need time off for uniformed service, immediately notify your supervisor who will provide details regarding the leave. If you cannot provide notice before leaving for uniformed service, a family member should notify your supervisor as soon as possible. Upon return from military service, we will grant you seniority, pay, and benefits as required by applicable state and federal laws. We will consider failure to report for work within the prescribed time periods a voluntary termination of employment.

### **Jury or Witness Duty**

If you are directed by a court of law, or compelled by subpoena, to perform jury duty or to appear as a witness in a legal proceeding on a scheduled workday, you shall be granted time off without loss of pay to cover your regular work hours. We will consider you to be a witness only where you are not a party and are compelled to attend by subpoena. Your status for the purpose of determining seniority, status, responsibility, and salary shall be unaffected by jury duty or witness leave.

- Should you be required by subpoena to appear as a witness in any legal proceeding that arose out of or is related to your job duties with us, you will be paid for such time, even if that time is outside of your normal work hours.
- You must submit any stipends you receive for attendance at jury or witness duty to the Finance Director/Village Treasurer's office. You may keep reimbursements you receive for parking or mileage.
- Employees are to indicate jury, court, or deposition hours on their timecards.

### **Voting Leave**

If you are eligible to vote, you may take up to 3 consecutive hours of leave on Election Day for the purpose of voting. You can use vacation, holiday or compensatory time, or choose to take the time unpaid. You must notify your supervisor when you intend to vote prior to Election Day.

### **Bone Marrow and Organ Donation Leave**

The Village has opted to offer leave consistent with the Wisconsin Bone Marrow and Organ Donation Leave Act which allows an employee to substitute paid or unpaid leave consistent with FMLA for an employee serving as a bone marrow or organ donor. The employee is allowed up to 6 weeks leave in a

12-month period, provided the employee provides their supervisor with written verification they are to serve as a bone marrow or organ donor. Leave may be taken only for the time period to undergo the donation procedure and associated recovery time. For more information refer to the Wisconsin Department of Workforce Development, Civil Rights section.

### **Family and Medical Leave**

Wisconsin's Family and Medical Leave Act (FMLA) provides unpaid leave for an employee's serious health condition, the serious health condition of a parent, child or spouse, or for the birth or adoption of a child. A serious health condition is defined as a disabling physical or mental illness, injury, impairment or condition involving inpatient care or outpatient care that requires continuing treatment or supervision by a health care provider. The Village permits an employee to take up to two weeks of leave for their own serious health condition in a *calendar* year, up to 2 weeks for the serious health condition of a parent, child or spouse, and up to 6 weeks for the birth or adoption of a child. The leave may be taken as needed in blocks or intermittently as needed by the employee. During the leave period, the employee's health insurance remains in effect as it existed prior to the leave. The employee is not paid during the leave but may use accrued PTO. When the employee returns from leave, they are guaranteed their same position or an equivalent position. The village does require the employee to provide a medical certification of the need for the leave; the employee shall make all reasonable attempts to notify their supervisor, in writing, of the request for the planned leave in advance or as reasonably and practical as possible. More information is available from the Wisconsin Department of Workforce Development, Civil Rights.

The Federal Family and Medical Leave Act (FMLA) is slightly different and provides for 12 weeks of leave in a *12 month period* for the birth of a child and to care for the newborn child within one year of birth; adoption or foster care for a newly placed child within one year of placement; care for the employee's spouse, child or parent with a serious health condition; serious health condition that makes the employee unable to perform the essential duties of the job; or any qualifying event under the Federal FMLA Act. Also covered is 26 work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent or next of kin (considered military caregiver leave). In order to qualify for federal FMLA the employee must have actually worked 1250 hours during the 12 months prior to the start of leave. More information is available from the U.S. Department of Labor, Wage and Hour Division.

Be educated about FMLA and what it covers – it may cover your anxiety, depression, postpartum depression, and other conditions, if they meet the definition of a "serious health condition".

Wisconsin and Federal FMLA coverage runs concurrently with the employee entitled to the protections provided by the law which affords them the most favorable terms.

All paid PTO or other leave offered by the village runs concurrently with the FMLA leave. If an employee on FMLA leave exhausts all their leave balances, other Village employees can donate up to 24 hours of PTO each in a calendar year to the person on leave.

## **EMPLOYEE BENEFITS & RIGHTS**

In an effort to attract and retain employees, the Village offers an attractive benefits package to eligible employees (eligibility is determined by each program). An employee can enroll for the benefits at time of hire, and effective date of the benefit varies by program. Annually the village offers an open enrollment period when an employee can change their coverage. A qualifying event, such as a marriage, divorce, etc. would make an employee eligible to change their coverage outside of the open enrollment period. The Village contracts with an HR Consultant to administer the Village's benefits; for questions about your benefits ask the Village Administrator, who in turn will connect you with the Benefits Administrator.

There are also well-known civil rights laws incorporated into this Handbook, such as anti-discrimination laws, equal opportunity laws, harassment laws and laws for Americans with disabilities, but there are laws the Village wants to share with their employees to guarantee employees are treated fairly and given the greatest environment for success; those rights are included below with the list of benefits offered to employees. The below list is not exhaustive and subject to change at any time based on business needs and associated costs.

### **COBRA**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives you and your qualified beneficiaries the opportunity to continue insurance coverage under our plans when a "qualifying event" results in the loss of coverage. Under COBRA, you or your dependents pay the full cost of coverage at the group rates, plus an administration fee.

The employee who has had their hours reduced or employment terminated for any reason other than gross misconduct may continue their group coverage up to 18 months; during this period any spouse or dependent previously covered remains covered. A spouse and the dependents may opt to continue coverage up to 36 months upon the death of the employee, divorce or loss of dependent status due to age or the employee's eligibility for Medicare. For more information contact the Wisconsin Office of the Commissioner of Insurance, or the Wisconsin Department of Employee Trust Funds, who oversees many benefits for employees and our retirees.

### **Deferred Compensation**

We offer the Wisconsin State Deferred Compensation Program to supplement your retirement income. Participation in the program is voluntary and 100% funded by you through payroll deduction in the amount you authorize.

### **Employee Assistance Program (EAP)**

The EAP is offered to all employees at no cost to them. It is a completely confidential counseling program that offers support through short-term counseling issues.

### **Health, Dental and Vision Insurance**

We provide group health, dental and vision insurance to eligible employees. Insurance is effective on the first day of the calendar month following your start date. Plan details are set forth in separate plan documents issued when you become eligible to participate. We reserve the sole discretion to determine

what insurance and level of benefits to offer. You may be required to contribute toward the cost of the monthly premiums as established by the Personnel Committee and contributions will be payroll deducted.

### **Health Savings Account (HSA)**

A Health Savings Account (HSA) is type of savings account that lets you set aside money on a pre-tax basis to pay for qualified medical expenses. By using untaxed dollars in a HSA to pay for deductibles, copayments, coinsurance, and some other expenses, you may be able to lower your overall health care costs. For employees who choose the HSA-compatible health insurance plan, the Village will contribute 100% of the in-network deductible (pro-rata if joining mid-year) for a Single Plan HSA, and a portion of a Family Plan based on annual IRS contribution limits. The employee, based on plan type, is able to deduct additional pre-tax money from their paycheck to add to their HSA up to the annual IRS maximum. An HSA is a savings account and rolls over from year to year; there is no “use it or lose it” requirement.

### **Life Insurance**

The Village covers the cost of basic life insurance through the State Life Insurance pool. This benefit covers 1 times the employee’s annual earnings. Employees can purchase additional life insurance up to 5 times their salary. Smaller benefits can also be purchased for spouses and children. For more information refer to the Wisconsin Department of Employee Trust Funds, who oversees many benefits for employees and our retirees.

### **Long-term Disability Insurance**

This benefit is fully paid by the Village. Claimed benefits continue if the employee is disabled until their normal retirement age. The benefit covers 60% of annual earnings up to a monthly maximum of \$6,000 after a 60-day elimination period.

### **Payment in Lieu of Benefits**

Employees have the option to elect to not participate in the health, dental or vision insurance programs. Selection of this option must occur upon initial employment or annually during open enrollment. Changes cannot be made outside of those times unless the employee has a qualifying life event, and the change must be made within 30 days of that qualifying life event.

Employees will receive 50% of the savings from the waiver of benefits. Payments will be included with the employee’s regular payroll. While payments will be taxable, payments will not be included for the computation of wages including, but not limited to, WRS-eligible wages, COLA, overtime or other pay.

This benefit will expire December 31, 2025.

### **Pregnant Workers Fairness Act (PWFA) & Pregnancy Discrimination Act (PDA)**

PWFA protects pregnant employees or eligible individuals and provides for the right to unpaid leave as a reasonable accommodation, unless such leave would create an undue hardship for the Village. It also prohibits the Village from treating employees affected by pregnancy or related conditions differently from other employees similar in their ability or inability to work.

PDA prohibits the Village from treating employees affected by pregnancy or related conditions differently from other employees similar in their ability or inability to work. Postpartum depression is a condition related to pregnancy under the PDA. The Village cannot treat an employee with postpartum depression differently from other employees.

Under the nationwide Americans with Disabilities Act (ADA), you may have the right to reasonable accommodations at work, such as a modified work schedule, transfer to a less stressful position, or work from home, for postpartum depression.

More information about your rights under the PWFA is available from the U.S. Equal Employment Opportunity Commission.

### **PUMP Act**

The Federal Consolidated Appropriations Act of 2023, signed into law in December of 2022, introduced the Nursing Mothers Act, also known as the PUMP Act. This Act expands Pumping at Work rights for nursing employees. The employee is to be provided a reasonable break time in a private space (not a restroom) to pump at work for up to one year after their child's birth. Any employee needing time and space for pumping is to notify their supervisor.

### **Retirement**

Eligible employees shall be covered under the State of Wisconsin Retirement System (WRS). We will pay our contribution as set by the Department of Employee Trust Funds (ETF), and you shall pay your contribution as set by ETF via payroll deduction. Contributions vary by year and are beyond the control of the Village – they are based on investment earnings and an actuarial analysis. Information regarding the WRS plan is available from the Wisconsin Department of Employee Trust Funds, who oversees many benefits for employees and our retirees.

### **Supplemental Insurance**

If the employee chooses to have additional insurance coverage, they can participate in Aflac insurance and the Village will facilitate payment of the premium with paycheck deductions.

### **Unemployment Compensation Insurance**

Wisconsin administers an Unemployment Compensation Insurance program. If you are laid off and meet certain program qualifications, you may be entitled to weekly benefits. If you voluntarily resign or are terminated “for cause” by the Village, ordinarily the employee will not be eligible for the benefit. For more information contact the local Employment Security Commission Office, which in Wisconsin is the Department of Workforce Development.

### **Worker's Compensation**

All Village employees are covered by Wisconsin's Compensation Insurance (WC). WC covers those injuries sustained by employees on the job or on Village property. This program is administered by the State of Wisconsin and basically consists of the following types of benefits:

1. Medical and Hospital care

2. Disability benefits
3. Death benefits

To qualify for WC, an employee who is injured on the job must strictly follow the Village's accident reporting procedures, including immediate notification to a supervisor or the Village Administrator that an accident has occurred. All legal requirements established by the State and Federal Governments must be followed. The time lost from work for a worker's compensation accident shall not be charged against an employee's accrued sick time.

The Village will attempt to provide an employee with light duty work if the employee is able to return to work but unable to perform his or her regular assignment.

The Village's first and foremost objective is to do all that can be done to prevent injury by providing safety awareness, specific safety related skill training, and by continually encouraging each employee's active participation in the mutual quest for a safe workplace.

## EMPLOYEE EXPENSES

### Clothing Allowances and Expectations (Applicable to Utilities Department and Parks and Streets Department Employees)

- A. This policy is established for all the employees of the Parks and Streets Department and the Utilities Department. Each department shall annually budget \$400 per department *position* to provide a clothing allowance for workplace clothing for all staff employed throughout the year to fill those department positions. The budgeted amount shall be divided equally amongst full-time department staff and set aside in the annual budget for work-related clothing. The amount to be budgeted shall not exceed \$400 *per position*. Each employee is expected to manage their purchases to cover their needs for the entire year. If an employee elects to use a clothing service then the cost of that service shall count towards the total annual allocation. Part-time employees may receive an allocation, as budgeted by their supervisor, provided the allocation does not exceed 50% of the allowance made for a full-time employee. To plan for resignations and new hires, it is recommended the supervisor restrict purchases in increments to maintain an adequate balance for new employees and their anticipated clothing needs.
- B. Employees must purchase clothing through the Village Administration office to avoid paying sales tax. The supervisor shall review the balance in each positions 'account' twice a year with the employee hired to perform the duties of that position to ensure purchases do not exceed the allocated amount.
- C. The supervisor shall approve all purchases, including sizes, brands, colors and materials. Only shirts and outerwear that are ANSI Class III compliant shall be worn. Hats shall bear the Village logo, with the logo provided by the Village. Employees must wear or carry business or identification cards identifying themselves as being Village Employees. Each employee is expected to dress appropriately for work each day in clean clothing that is free from rips and stains.
- C. The following items are eligible for purchase under this program:
  - Long sleeve and short sleeve shirts
  - Pants and shorts (shorts to only be worn while performing approved activities)
  - Sweatshirts, coats and related items
  - Winter Hats
- D. The following items are eligible for reimbursement subject to the restrictions as follows:
  - Safety shoes subject to reimbursement up to \$200 per year
  - Shoes other than safety shoes may only be worn while performing approved activities
  - Prescription safety glasses subject to reimbursement up to \$150 every *other* year
- E. The Village will provide baseball hats with logos and logos for clothing. The Village will also provide the following items beyond the allocation above, said items to be considered Village property and to remain with the Village upon the employee's termination so they can be used by other employees, as needed:
  - Work gloves
  - Coveralls
  - Hard hats and other safety gear
  - Boots and rain gear for working in wet environments
- F. The employee is responsible for the regular cleaning of all items. If an employee has used all of their position's allocation for work clothing and items are damaged or worn-out they shall be replaced at the employee's expense. It shall be at the discretion of the supervisor to replace at Village expense any approved clothing item that is damaged by an accident, not normal wear or tear while the employee is working.

### **Job-Related Training**

You may be permitted to attend, with pay, work-related meetings, conferences, trainings, institutes, and seminars, and appropriate State of Wisconsin courses or examinations for continued certification related to your position and approved by your supervisor, provided the costs are included in the approved budget. We will pay you for this time under applicable state and federal laws.

### **Mileage**

When you must use your personal vehicle to travel as part of your duties from the workplace to a destination other than home or place of employment, you will be reimbursed for authorized travel at the current rate established by the Internal Revenue Service (IRS). Reimbursement requests must be submitted to your supervisor along with your record of time worked. Reimbursement requests made outside the pay period in which they were made shall not be reimbursed prior to approval of the oversight committee.

### **Travel Reimbursements**

Meals and Lodging. If we require you to travel outside the Village of Sister Bay, we will reimburse you for meals and necessary overnight lodging. Reimbursements are paid after submission of a Travel Expense Form along with receipts for meals and lodging and any out-of-pocket expenditures. Failure to submit a reimbursement request outside the pay period in which they were made shall not be reimbursed prior to approval of the oversight committee and may cause denial of the reimbursement.

- Lodging reimbursement is limited to the rate for a single room/single person at a licensed hotel or motel. When possible, you must make advance reservations. It is the employee's responsibility to make sure charges reflect proper tax exemption.
- Reimbursement for meals is set at the levels used by the State of Wisconsin. You must submit an itemized copy of your meal bill(s). A credit card receipt is insufficient. Alcoholic beverages will not be reimbursed. Reimbursable meal expenses are for employees only.

### **Other Travel Expenses and Requirements**

Other expenditures that qualify for travel reimbursement include parking, tolls, baggage handling, and necessary equipment rental. Receipts for fees must be attached to the Travel Expense Form. Tickets for driving infractions, unauthorized parking or other violations will not be paid or reimbursed.

### **Out-of-State Travel**

Travel outside the State of Wisconsin shall only be made and any expenses reimbursed only if budgeted and approved by the respective oversight committee.

## **GENERAL INFORMATION**

### **Bulletin Boards**

We use bulletin boards to inform you of important developments and legal rights. They are used only for official notices or announcements. You must familiarize yourself with the information communicated on the bulletin boards.

### **Emergency Closings**

When an emergency, such as severe weather, fires, power failures, etc., requires the closing of a Village of Sister Bay facility, you may elect to use accrued leave time to cover lost hours. If you choose not to use accrued leave time, or if you do not have any accrued time, the hours missed will be unpaid. If you cannot report to work due to weather, you may substitute accrued time to compensate for hours not worked, otherwise, the time off will be unpaid. Employees in essential service functions may be required to work when operations are closed. If you are unable to come to the office or facility stationed, your supervisor may assign work that can be completed remotely.

### **Employee Information**

It is important that you notify the Administrator of any change in your personal information, including any changes in name, mailing or email address, phone number, marital status, dependents, beneficiary designations, and emergency contact information.

### **Employment of Family Members or Close Friends**

Departments can hire relatives, domestic partners, and close friends of employees, but not if they would be in a direct supervisory relationship, or where such employment would otherwise create potential problems, safety or security concerns, or where a potential conflict of interest is deemed by us not to be in the best interest of the department or the Village of Sister Bay.

### **Medical Privacy Policy**

We strive to protect personal and medical information of our employees and have adopted the following practices:

- We keep medical information in your Personnel File in a locked file cabinet devoted only to your confidential information.
- Only Administration maintains employee personnel information, including medical records.
- Medical record access is limited to the Administrator and Finance Director/Treasurer.
- Medical records are not to be kept in any other location and are not to be kept by individual supervisors. All medical documentation is to be sent to the Administrator, and no copies are to be retained in paper or electronic formats by any other person or department.
- Disclosure is limited to legitimate business purposes, such as administration of benefits, reasonable accommodation decisions, and medical leave determinations, and any other purpose mandated by law.
- We limit disclosure of medical information to supervisors on a need-to know basis when necessary to disclose a staff member's need for time off, work restrictions or needed accommodations.

- Under Wisconsin Statutes § 103.13, employees can request to see their medical records in accordance with the provisions outlined in that section.

### **Personnel Records and Employment References**

Personnel records are the property of the Village of Sister Bay and we restrict access to them, in accordance with Wisconsin Statutes. Access to your personnel records is governed by Wisconsin Statutes 103.13. Should you want to review your record under Wis. Stats. 103.13, you must contact the Administrator. All requests from sources outside the Village of Sister Bay for personnel information or employment references concerning applicants, current employees, and former employees shall be forwarded to the Administrator and will be addressed in accordance with Wis. Stats. 19.36 (10)(10).

### **Performance Assessments**

Performance evaluations will be conducted on an annual basis, coordinated with the Village budgeting process. These are an important opportunity to let you know how you are performing, how performance can improve, and to receive input from you concerning training, supervision, job difficulties and other valuable feedback. In addition, performance directly relates to our annual compensation decisions; a successful evaluation results in advancing to the next step in our compensation schedule (aka wage schedule). For employees that have completed one year of employment with the village, annual step increases occur the first paycheck of the year.

For non-exempt employees, your performance evaluation shall be made by your immediate supervisor; exempt employees are evaluated by the Village Administrator. In the case of the Village Administrator, the Board of Trustees shall complete the performance evaluation. Each supervisor shall utilize the Village Performance Review Form, often referred to as the Personnel Evaluation Form.

### **Municipal Property**

Personal use of the Village of Sister Bay resources, such as equipment, tools, physical spaces or buildings, and other items for personal reasons is prohibited. If you are contemplating the personal use of a Village of Sister Bay resource for a reason that you believe is justified, you must get the written permission of the Administrator prior to using the resource.

### **Open Door Policy**

Your opinions, suggestions and questions are important to us. Talk with your immediate supervisor about issues at work that concern you or conflicts that you are having with a co-worker. We will attempt to provide straightforward responses to your questions and comments. If you/your supervisor cannot resolve your issues, please contact the Administrator.

### **Outside Employment**

We expect all regular employees to place the responsibilities and obligations of their positions with us first. You may engage in outside, non-Sister Bay employment, subject to the following conditions:

1. There is no conflict of interest between your secondary employment and your work with us and/or the work we do.
2. We may request you to cease any outside work or end your employment in the event of a refusal

to surrender the secondary employment, if such work is affecting the efficiency, quality, and effectiveness of your work with us or a potential conflict of interest develops.

3. There shall be no professional consulting work or side job by employees within the Village of Sister Bay limits where such work would pose a conflict of interest with your job duties or the work we do.
4. No outside employment or consulting work shall be carried on during your work hours with us, nor shall our vehicles, equipment, supplies, machines, or other property be used for your secondary work.
5. We will require you to provide us with a list of your outside employment annually on the proper form.

### **Personal Communications and Internet Usage**

Personal communications including calls and texts using village resources (village resources includes paid time and/or village owned equipment such as a phone or computer), and internet searches for non-work websites and the browsing on that site, in general are not allowed during work hours or on village owned equipment. We do realize, however, for efficiency purposes an employee must make a personal phone call or use village equipment, and must do so while working, but such usage shall be kept to a minimum and be only on rare occasions. Personal phone calls, texts and web browsing should occur during lunch hours and breaks.

Employees in the Parks & Streets Department, the Utilities Department, the Code Compliance Officer, and some employees in the Marina Department, may be assigned a cellular phone to perform their job duties. With limited exception listed elsewhere in this handbook, the phone is to be used for work purposes only. A password or PIN will be assigned to the phone and a copy of the password or PIN will be kept in your personnel file. Upon termination, the employee is to return the phone to their supervisor. Upon your termination we will take all steps necessary to ensure your information and search history is not transferred to a new user. Therefore, the subscriber identity module (SIM) card, or the embedded SIM (eSIM) built into the phone, will be removed or cleared and any data retained in your personnel file, when possible. A new SIM card will be installed (for phones using a card) and the phone reassigned to a new employee.

### **Personal Property**

We reserve the right to conduct searches and inspections of employees, their personal items, and Village of Sister Bay provided property when a business need, probable cause or reasonable suspicion exists in our opinion. We may conduct searches and inspections without notice.

### **Public Records/Media Contact**

Only our designated records custodian(s) may respond to a public record request. Should you receive a request, please forward it to the Village Clerk, who is our custodian. Only the Administrator or his/her designee will serve as the authorized media spokesperson for the organization. Any requests for comment or interviews regarding official business must be directed to the Administrator.

### **Safety**

Job safety is very important to all of us. We require safe work practices of all employees and expect you

to conduct yourself carefully and safely at all times. You are expected to observe all safety procedures and rules, and use required personal protective equipment (PPE) as outlined in your department's Safety Handbook.

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

A copy of your department's Safety Handbook is distributed separately from this handbook to each employee. You must familiarize yourself with these rules and abide by them. If you have questions about one or more of the rules, contact your supervisor.

### **Social Media**

We encourage the use of social media to further our goals and the mission of our departments. Departments may use social media to conduct departmental business, provided they follow the policies outlined below.

1. Social media sites must be approved by the Administrator prior to implementation. Unless approved otherwise, departmental use of social media will be for one-way communication only.
2. Social media sites are subject to the State of Wisconsin public records laws. Any content maintained in social media format that is related to our business, including a list of subscribers and posted communications, is a public record. Social media sites shall clearly indicate that any articles and other content posted or submitted for posting are subject to public disclosure.
3. Our website and citizen portal shall remain the Village of Sister Bay's primary and predominant internet presence. Social media is used to disseminate time-sensitive information as quickly as possible, and to increase our ability to communicate with the widest audience. Where possible, content posted to social media sites will be posted to our website/citizen portal.
4. Social media sites shall comply with all other applicable policies and standards, including but not limited to the technology policy, ethics policy, and anti-harassment and discrimination policy contained herein this Handbook.
5. Personal Use. Personal use of social media sites is prohibited during work hours. You should have no expectation of privacy in the use of social media accessed during work hours and/or via Village-owned technology resources. The Village of Sister Bay may monitor employees' social media activities during work hours and/or on Village owned resources.

The Village of Sister Bay respects your privacy and wants you to be aware of your rights as an employee. In accordance with state law,

1. We may access information, such as a password or PIN, on any electronic device provided to you by the village.
2. We may not request your access information for your personal internet account.
3. We may discipline or terminate your employment if you transfer proprietary, confidential or financial data to your personal internet account.
4. We may restrict access to certain websites while using our equipment or network.
5. We may view, access or use your personal internet account if it is available in the public domain.
6. We may request or require you to provide your personal email address.

### **Tobacco Usage**

Smoking, including electronic cigarettes, and use of tobacco products, is prohibited in any Village of Sister Bay buildings, vehicles, while operating any equipment, or inside any roofed, permanent structures in Sister Bay parks. Smoking will be permitted only outside of Village of Sister Bay buildings and vehicles/equipment in designated areas, during designated work break times, and in accordance with Wisconsin law.

### **Weapons**

We intend to promote a safe environment for employees and other individuals who interact with our employees.

1. A “weapon” is any device designed as or intended to be a weapon and capable of producing death or harm to another person including, but not limited to, firearms, handguns and explosive devices.
2. We strictly prohibit the possession, control, use, or threatening the use of a weapon in the course of employment whether on or off our premises. This prohibition does not apply to law enforcement officers performing their official duties.
3. Weapons stored in your personal vehicle while the vehicle is on our property or while the vehicle is being used in the course of your employment must be in accordance with Wisconsin law and kept and secured in the vehicle.

### **Workplace Violence**

We will not tolerate any threatening or abusive conduct or acts of violence by an employee, or against an employee, supervisor, committee member, trustee or the public, in the course and scope of employment or at function that we sponsor. You must report to any member of management any threats or violence that you have suffered or witnessed. Even without a specific threat, you should report any behavior you have witnessed that could be perceived as threatening or violent or that could endanger the health and safety of another person. We will take steps to protect you from retaliation or intimidation for making a report or participating in an investigation.

Any reported act or threat of violence will be taken seriously and investigated promptly. To the extent possible, we will keep any such report confidential; however, we cannot guarantee absolute confidentiality. Any person reported to have made threats, exhibited threatening behavior or engaged in violent behavior will be removed from the premises as quickly as safety permits and shall remain off our property pending the outcome of an investigation.

Any violation of this policy by an employee may result in disciplinary action or involuntary termination. We reserve the right to take any legal steps needed to protect our employees and third parties including involving law enforcement.

### **Personal Injury/Incident/Accident Reporting**

You are responsible for reporting any injury, or incident or accident you may have been a party to, whether damage actually occurred or not. We expect you to notify your supervisor as soon as possible when you have been injured or when there has been an accident involving village equipment or property; yourself; or persons or their personal property. Incident and accident reporting forms are available from your

supervisor. Once completed, return the completed form to your supervisor along with any supporting documentation. Your supervisor will then complete the form and submit it to the Administrator, who may file the incident report with the village's insurance carrier.

## GRIEVANCE PROCEDURE

This policy is not intended to create a legally binding contract or change at-will nature of employment.

1. This grievance procedure applies to employees; since this handbook is for employees, it does not apply to elected officials or persons appointed to serve on boards, commissions or committees.
2. This grievance procedure applies only to issues concerning workplace safety, discipline, and involuntary termination.
  - a. For purposes of this policy, “workplace safety” means conditions of employment affecting physical health or safety, safe operation of workplace equipment and tools, personal protective equipment, and workplace violence. “Workplace safety” does not include general working conditions unrelated to physical health and safety, such as hours, overtime, leaves of absence, work schedules, breaks, vacation, performance reviews, compensation, etc.
  - b. For purposes of this policy, “involuntary termination” does not include layoffs, workforce reductions, voluntary terminations including resignations and retirements, job abandonment, end of employment because of disability, lack of qualifications or licensure or other inability to perform job duties, and any other cessation of employment not involving involuntary termination.
  - c. For purposes of this policy, “employee discipline” shall include any employment action that results in an unpaid disciplinary suspension, disciplinary reduction in pay or benefits, or disciplinary demotion; it includes verbal and written warnings. It shall not include plans of correction or performance improvement, performance evaluations or reviews, documentation of employee acts and/or omissions, counseling, coaching, meetings, or other pre-disciplinary action, administrative suspension with pay, administrative suspension without pay pending investigation of alleged misconduct or nonperformance, non-disciplinary wage, benefit or salary adjustments, or any other action taken for non-disciplinary reasons.
3. Every reasonable effort should be made by supervisors and employees to resolve questions, problems, and complaints together. Thus, you should first discuss any issues concerning the subjects covered by this grievance procedure with your immediate supervisor.
4. If the complaint is not resolved by your immediate supervisor, or is about your supervisor, you may file a written grievance with the Administrator no later than 7 workdays from the date that you first knew, or should have known, of the condition or circumstance giving rise to your grievance. If the grievance is about the Administrator, the grievance shall be filed with the Chairperson of the Personnel Committee. It is not uncommon for a series of grievances to go unreported until they have accumulated to a point of intolerance – in such case the 7 workday filing may not be possible and a special exception may be made by the Administrator, or Personnel Committee Chair, if the Administrator has referred the matter to the Chair.

The written grievance must include your name, job title, a statement of the grievance, the date of the event or circumstances giving rise to your grievance, identification of the policy/procedure/rule that is being challenged, your signature and date; grievance forms are available from Administration.

Upon receipt of the grievance, the Administrator may determine a third party is necessary to investigate the grievance. If such is the case, you will be notified the matter has been referred to a third party investigator.

5. If the matter has not been referred to a third party investigator, the supervisor or Administrator may schedule a meeting with you and other relevant parties, but this meeting must occur within 10 workdays of the supervisor or Administrator’s receipt of the grievance. The supervisor or Administrator will provide a written response within 10 workdays of receiving the grievance or within

10 workdays of the meeting. The written decision of the supervisor shall be final unless you file a written request for review with the administrator no later than 5 workdays of the date of the written decision. The Administrator may schedule a meeting with you and other relevant parties, but this meeting must occur within 10 workdays of receiving the request for review. The Administrator will provide a written response within 10 workdays of either receipt of the request for review or the date of the meeting, whichever is later. If the administrator has already reviewed the matter as set forth above, the provisions of this paragraph do not apply and the next step is before an impartial hearing officer.

6. The written decision of the supervisor, Administrator or third-party investigator shall be final unless you file a written request with the Personnel Committee no later than 5 workdays after the date of the written decision, requesting a hearing before an impartial hearing officer (IHO) selected by us. The IHO shall not be a Village of Sister Bay employee. The hearing shall be held as soon as practicable.
  - a. The hearing shall be transcribed only if one or both parties agree to bear the cost. Witnesses may provide oral information if they are present, but written witness statements in lieu of a personal appearance are prohibited. Written documents may be submitted.
  - b. The IHO will determine which witnesses may speak and which documents will be accepted. The hearing is to be informal and the rules of evidence do not apply; however, no factual finding can be based solely on hearsay. There shall be no discovery. The IHO may request oral or written arguments. The IHO may also decide that a hearing is not necessary, and that he or she can make a decision solely on submission of written documents.
  - c. The sole question to be answered by the IHO is whether our decision was arbitrary and capricious. The grievant shall bear the burden of proof. The IHO must sustain or deny our decision; the IHO does not have the authority to modify the decision, nor to grant, in whole or part, the specific request of the grievant. The IHO shall provide a written decision within 30 calendar days of the hearing date or final submission of written documents.
7. The decision of the IHO shall be final unless the grievant or the Village of Sister Bay files with the Clerk's office a written request for review by the Village Board no later than 5 workdays of the date of the IHO's written decision. The Village Board shall review the matter as soon as practicable. Only the issues raised before the IHO may be appealed and considered by the Board. The Board shall not hear from any witnesses or take any additional documents or any other evidence, but rather will limit its review based on the written record before the IHO. The Board is not to substitute its judgment for that of the IHO, but rather will limit its determination to whether a rational basis exists for the IHO's decision. A simple majority vote of the Board shall decide the appeal. The Board decision shall be final and not subject to any further review.
8. Failure of the grievant to process a grievance within the time limits, or pursuant to agreed-upon written extensions, shall constitute a termination of the grievance; it shall not be processed any further and cannot be re-filed. Our failure to meet the timelines shall cause the grievance to automatically move to the next step.
9. All expenses incurred by either party in investigating, preparing, presenting or responding to a grievance shall be borne by the party incurring the expense. The cost of the IHO shall be borne by us.

## **DISCIPLINE**

To ensure compliance with this Handbook, the village may terminate your employment with us; however, in most cases we prefer to follow a discipline process. The severity of the infraction will determine whether the employee receives discipline or is terminated.

### **Corrective Action Plan/Self-Improvement Plans**

The purpose of corrective action plans, often referred to as self-improvement plans, are to eliminate inappropriate conduct, violation of policies, improper behavior or performance problems. Corrective action plans are not considered a form of discipline, rather they are a means to improve behavior or correct a deficiency.

### **Disciplinary Action**

If there are violations of this Handbook, you may face discipline. Discipline may include, but is not limited to, oral or written warnings, suspensions without pay, work restrictions, job transfers, involuntary termination or any other form of discipline, counseling or correction deemed necessary under the circumstances. The specific measures taken will depend upon the nature and severity of the conduct and the surrounding circumstances.

## **INVOLUNTARY TERMINATION**

The decision to terminate an employee's employment with the Village of Sister Bay shall be made by the supervisor, after consultation with the Village Administrator. After consultation with the Chair of the Personnel Committee, the Administrator has the authority to terminate the employment of a supervisor. The Administrator may be terminated by a majority of the Village Board, or as their contract prescribes.

**ACKNOWLEDGEMENT**

I have received the Employee Handbook. I understand that it is my responsibility to read and to comply with the policies contained in it and any revisions made to it. I also understand that if I have any questions about the content of the Handbook, I can speak with the Administrator for answers to my questions.

I understand the Village of Sister Bay has the right to change any provision in this Handbook at any time and that I will be bound by any such change. Every attempt will be made to make you aware of the revision to this Handbook.

I acknowledge that nothing in the Employee Handbook constitutes a guarantee of employment or an employment contract of any kind. I understand that my employment is "at-will" unless otherwise provided by Civil Service, applicable law or ordinances, or a collective bargaining agreement, if one exists. Where employment is "at-will," I understand that it can be terminated at any time for any reason, with or without cause or notice.

Name: \_\_\_\_\_  
(Please Print)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### **Suggested Policy Additions:**

#### **1) Telecommuting Policy (Only if Employee's are allowed to work from home)**

Employees are generally expected to perform their duties from their designated workplace to ensure accessibility and operational efficiency. However, in exceptional circumstances—such as inclement weather, natural disasters, public health emergencies, or other business needs—the organization may allow or require certain employees to work remotely to maintain business continuity.

In such cases, designated employees will be notified by their supervisor or department head. To facilitate remote work during emergencies, employees and managers should plan in advance by ensuring the availability of necessary hardware, software, communication tools, and secure data access. Support for remote work setup may be provided as needed.

For voluntary telecommuting arrangements, either the employee or their supervisor may propose a temporary remote work agreement when telework is deemed beneficial. The feasibility of such an arrangement will be determined based on job responsibilities, equipment needs, workspace suitability, and scheduling considerations.

All telecommuting arrangements must be documented, outlining the terms, conditions, and duration of remote work. Typically, this agreement will be approved by both the employee and the supervisor before implementation.

Employees are responsible for maintaining a suitable work environment at home. The organization is not responsible for costs related to home office setup, such as furniture, utilities, or modifications to the workspace.

The organization will determine equipment needs on a case-by-case basis. Any equipment provided is for business use only and must comply with company policies regarding confidentiality, data security, and acceptable use. Employees must take appropriate measures to protect sensitive information while working remotely.

Telecommuting arrangements are subject to change based on business needs, and employees may be required to return to their designated workplace at any time.

#### **2) Introductory Period for New Employees**

All new full-time and regular part-time employees are initially hired on a trial basis. The introductory period provides an opportunity for both the employee and the organization to assess mutual fit. During this time, employees are expected to demonstrate their ability to meet performance expectations, while also evaluating whether the role aligns with their career goals and personal expectations.

At least once during the introductory period, employees will participate in a performance review with their supervisor. This review will include a discussion of job performance, any concerns, and feedback on progress. Employees are encouraged to ask questions and share any concerns during this discussion.

The introductory period typically lasts until the first of the month following 60 calendar days of employment.

For example:

- Hire Date: November 5 → Introductory period ends: February 1
- Hire Date: April 29 → Introductory period ends: July 1

Any significant absences or performance concerns during this period may result in an extension of the introductory period.

During the introductory period, employees are only eligible for statutory benefits as required by law, such as Workers' Compensation, Unemployment Insurance, and Social Security/Medicare contributions. Additional company-sponsored benefits will become available upon successful completion of the introductory period and after satisfying any required waiting periods associated with specific benefit plans.

### **3) Progressive Disciplinary Policy**

The purpose of this policy is to state XXX position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

XXX own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with XXX is based on mutual consent and both the employee and XXX have the right to terminate employment at will, with or without cause or advance notice, XXX may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps:

- Verbal warning,
- Written warning,
- Suspension with or without pay
- Termination of employment

Depending on the severity of the problem and the number of occurrences. Written warnings shall remain in the employee's personnel file for 12 months from the date of the warning. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

XXX recognizes, however, that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and XXX.

#### **4) Whistleblower Policy**

The purpose of this policy is to foster an ethical and transparent work environment by encouraging employees to report concerns about illegal, unethical, or dishonest activities within the organization. This policy supports governance, accountability, and integrity while providing employees with a safe mechanism to raise legitimate concerns internally.

Examples of reportable activities include, but are not limited to:

- Violations of federal, state, or local laws.
- Fraud, theft, or misuse of company resources.
- Unethical or dishonest conduct.
- Falsification of records, including timekeeping or financial reports.
- Safety violations or non-compliance with regulatory standards.
- Unlawful discrimination, harassment, or retaliation.
- Unauthorized disclosure of confidential information.

Employees who have knowledge of or concerns about illegal or unethical activities should report them to their immediate supervisor or a designated company representative. The organization will investigate all reports promptly and take appropriate corrective action if necessary.

Confidentiality will be maintained to the extent possible while conducting a thorough investigation. However, disclosure may be necessary to comply with legal requirements and to provide due process.

The organization strictly prohibits retaliation against employees who report concerns in good faith. Any employee who believes they are experiencing retaliation should report it immediately. However, this policy does not protect employees from consequences related to their own misconduct.

Employees are expected to report concerns in good faith. Knowingly making false or reckless allegations may result in disciplinary action, up to and including termination.

#### **5) Bereavement**

Bereavement leave is a benefit available to regular full-time employees to provide time off for

the loss of a loved one. Employees should notify their supervisor as soon as possible regarding any bereavement-related absences. Bereavement pay applies only to scheduled workdays missed; if an employee is not scheduled to work, no loss of wages occurs, and no benefit is paid.

Full-time employees may receive up to three (3) days of paid leave for the loss of an immediate family member, including:

- Spouse
- Parent or step-parent
- Current parent-in-law
- Child or step-child
- Sibling, including step-sibling

Employees may receive one (1) day of paid leave for the loss of other close family members, including:

- Grandparent or step-grandparent
- Grandchild or step-grandchild
- Current sibling-in-law

Unpaid time off to attend services for extended family members (such as aunts, uncles, cousins, nieces, nephews) or close friends may be requested through a manager. Additional leave, including unpaid time, is subject to managerial discretion based on business needs.

#### Employment Applications

The organization relies on the accuracy of all information provided during the hiring process. Any misrepresentation, falsification, or material omission of information may result in disqualification from further employment consideration. If such issues are discovered after hiring, they may lead to disciplinary action, up to and including termination, regardless of the length of employment.

### **6) Background Checks and Consumer Reports**

As part of the hiring process or when applying for a new position within the organization, we may request your consent to conduct a background check, which may include a criminal history check, Department of Motor Vehicles (DMV) report, or consumer report. This information will be used solely for employment-related decisions.

Refusal to consent to a background check may result in disqualification from employment or other adverse employment action.

### **7) Employment of Minors**

The organization may occasionally hire employees under the age of 18. When doing so, we take special care in scheduling work hours and assigning job duties to ensure their safety and compliance with all applicable state and federal labor laws.

Employees under the age of 16 are required to obtain a work permit before their first day of employment. The organization will reimburse the cost of obtaining the permit.

All minor employees must adhere to legally mandated work hour restrictions and job duty

limitations based on their age.

### **8) Contagious Temporary Illness**

We realize that employees with contagious temporary illnesses, such as influenza, colds, and other viruses, need to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness may continue to work, the company considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee's continued presence must pose no risk to the health of the employee, other employees, and customers. If an employee disputes the company's determination that such a risk exists, the employee must submit a statement from his/her attending health care provider that his/her continued employment poses no significant risk to him/her, other employees, or customers. Managers and supervisors are encouraged to remind employees that the company provides paid sick leave to cover absences due to contagious temporary illnesses. All employees are urged to contact HR regarding any questions about the possible contagious nature of another employee's temporary illness.

### **9) Infectious Disease Illness or Exposure Guidelines**

We are concerned about the safety of all of our employees and will take all reasonable measures to ensure a safe workplace and work experience for all of our team members. We provide protective equipment and thoroughly clean and sanitize our facilities on a regular basis.

- If you are feeling ill or have a temperature, do not report to work - contact your supervisor for further directions
- If you have been exposed to a family member or other individual that has tested positive for a communicable disease, contact your supervisor BEFORE you return to work.
- If you are feeling ill and have gone to a medical provider for testing, stay home until you have the test results and approval from your doctor to return to work.
- If you have been diagnosed with a communicable disease you may not report to work until your doctor has provided written instructions that it is safe to return to work.
- If you have been advised to remain off work due to any health-related concerns, discuss with your supervisor if there is remote work available that can be performed during your absence, however, please note that many of our jobs are not able to be performed remotely.

Pay special attention to personal hygiene, frequent and thorough hand washing and sanitizing of all workstations - materials are available for cleaning your work area prior to the end of your shift.

Contact your supervisor as appropriate to inquire as to what benefits (if any) might be available for lost wages when off work due to illness. If you do not qualify for paid time off, you will be allowed to use vacation time, to cover your lost wages.

### **10) Nepotism/Relationships in the Workplace**

The employment of relatives of elected officials, committee members, or those involved in dating relationships in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day

working relationships.

XXX prohibits employment of relatives of elected officials. Though XXX has no prohibition against employment of relatives of committee members, employees, or persons involved in dating relationships, we are committed to monitoring situations in which such individuals may work in the same area. Generally, relatives and persons involved in dating relationships will not be allowed to report to one another or otherwise work in a position that has control or influence over the other person's hiring, advancement, performance evaluation, discipline, or termination. In case of actual or potential problems, XXX will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

### **11) Immigration Law Compliance**

XXX is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with XXX within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **12) Confidentiality & Non-Disclosure**

The protection of confidential information is important to XXX. Confidential information provided to employees is intended by XXX to remain confidential and protected from disclosure until such time as XXX specifically declares such information to be no longer confidential or unless disclosure is required by law.

Except as specifically directed by XXX, employees shall not make any disclosure of any confidential materials or information. Except as specifically directed by XXX employees shall not duplicate or otherwise copy any confidential materials or information. Immediately upon request from XXX, employees shall return all confidential materials or information in their possession.

Information and records requests as well as questions concerning whether certain information is considered confidential should be directed to the Human Resources Department.

Except as specifically directed by XXX, employees shall not make any disclosure of any confidential or protected health information. Except as specifically directed by XXX, employees shall not duplicate or otherwise copy any confidential materials or protected health information. Immediately upon request from XXX, employees shall return all confidential materials or information in their possession.

### **13) Job Posting**

The Village provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time and part-time job openings are posted (hard copy or electronically), although the Village reserves its discretionary right to not post a particular opening. Similarly, in the interests of trying to locate the strongest possible candidates for every position, the Village often will simultaneously post positions both internally and externally. The Village may choose to hire an external candidate over a current employee if the Village, at its sole discretion, determines that the external candidate best meets the needs of the position.

Employees who possess the required skills, competencies, and qualifications are encouraged to apply for openings. Employees who do not possess the required skills, competencies, and qualifications may not be considered for the position.

The Village recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

### **14) Background & Employment Reference Checks**

To ensure that individuals who work for XXX are well qualified and have a strong potential to be productive and successful, XXX may, at our sole discretion, conduct background and reference checks at a few critical junctures of the employment process. These critical junctures include, but are not limited to, the following:

- In connection with the application and hiring process;
- In connection with being given access to restricted or confidential items, information, or data;
- In connection with assignment to a particular project or client; and
- In connection with other significant employment events (such as promotions).

The types of checks we conduct may include such inquiries such as criminal history, credit history, degree confirmation, employment references, and licensure confirmation. The information we obtain via such inquiries will be considered in light of the needs and concerns underlying the check, and may take into account such things as client directives or restrictions, the recency of the conviction, and the relevance of the information to the work to be performed.

XXX retains the sole discretion to determine what impact the acquired information may have on the applicant or employee in question, including discontinuation of the application process, removal from client assignment, denying access to restricted items / information / and data,

and even termination of employment. The Village will assess criminal histories on a case-by-case basis.

### **15) Reference Checks from Third Parties**

The Human Resources Department will respond to all reference check inquiries from other employers. Employees receiving any such reference check requests are not to respond to them, and must direct the inquirer to the Human Resources Department. Responses to such inquiries will generally confirm only dates of employment, wage rates, and position(s) held.

### **16) Personnel Data Changes**

It is the responsibility of each employee to promptly notify XXX of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed notify the Human Resources Department.

### **16) Job Descriptions**

Each employee shall have a job description detailing a position's essential duties and responsibilities, essential knowledge, skills and abilities, and required experience, education and training and physical demands. Job descriptions may be reviewed and modified as necessary before filling a vacant position and may be updated as necessary by the Village Board or Fire Commission at any time.

### **17) Employment Applications**

XXX relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in XXX exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

### **18) Payday**

All employees are paid via direct deposit on a bi-weekly basis to the employee's designated bank or financial institution. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Employees will receive an itemized statement of wages.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday

### **19) Employment Resignation & Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION - voluntary employment termination initiated by an employee.

DISCHARGE - involuntary employment termination initiated by the organization.

LAYOFF - involuntary employment termination initiated by the organization for non-disciplinary reasons.

Since employment with XXX is based on mutual consent, both the employee and XXX have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state laws.

## **20) Resignation**

Resignation is a voluntary act initiated by the employee to terminate employment with XXX. Resigning employees must put their resignation notices in writing. To help manage workload and in order to facilitate a smooth transition, XXX requests thirty (30) days' written notice from management employees (i.e., supervisors, Department Heads) and two (2) weeks' written notice from all other employees, before the employee voluntarily terminates employment. In most cases, employees will not be permitted to use PTO during their notice periods.

For employees failing to provide sufficient advance notice of resignation, forfeiture of unused vacation may result, and such employees may be considered ineligible for rehire.

Prior to an employee's voluntary departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

## **21) Lunch**

What is the lunch period? Breaks? Looks like they are mentioned throughout the handbook but not clearly defined

EXERPT FROM THE RULES OF ORDER & ORGANIZATION FOR SISTER BAY  
COMMITTEES/COMMISSIONS

*(Text in black is already part of the Village Bylaws, text in red to be added)*

**Personnel Committee**\* (A Standing Committee)

The Personnel Committee shall consist of three trustees. The Personnel Committee shall:

- (a) Consider and review all matters relating to wages, hours, fringe benefits and conditions of employment for Village employees, including discipline, promotion and job descriptions;
- (b) Act on grievances submitted by employees and be the arbitrator between the employees and the Village Board;
- (c) Review requests for new positions from committees; and,
- (d) Prepare an annual budget and submit it to the Finance Director to present to the Finance Committee.

The committee shall also:

1. Approve, implement, and maintain a mechanism for the performance evaluation of employees.
2. Review and establish employee recruiting, hiring and retention procedures, including review of resumes, observation of interviews of department heads by a member of the committee (typically the Chair) or their designee, and participating in all Department Head Exit Interviews.
3. Recommend compensation schedules to the Finance Committee.
4. Develop, approve and annually update personnel policies in the Personnel Handbook.
5. Consider recommendations from the Village Administrator for the organizational structure and staffing levels of Village departments.
6. Review departmental requests for creation, deletion, reallocation, and changes in of position (not an individual).
7. Periodically review employment application forms and hiring guidelines,
8. Responsible for recruitment and hiring of the Village Administrator.
9. Conduct an annual performance evaluation of the Administrator and make recommendations to the Board.