

# **Menominee County/Town**



## **Personnel Policies and Procedures Manual**

**As Approved and Amended**

**Current Through the February 17, 2026 Amendment**

(Supersedes All Previous Revisions)

# MENOMINEE COUNTY/TOWN PERSONNEL POLICIES AND PROCEDURES

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## **MENOMINEE COUNTY/TOWN PERSONNEL POLICIES AND PROCEDURES**

- 1. PURPOSE.** The purpose of this manual is to provide authoritative guidance and direction to employees and officials in the performance of their official duties as representatives of Menominee County and the Town of Menominee. In addition, this manual prescribes certain rights, privileges, and benefits to employees and officials, but in no way constitutes a contract of employment of any kind, whether express or implied; all employees are at will employees. All employees and officials are given access to a copy of this manual and will be asked to sign a form acknowledging their receipt and review of this manual (See Appendix 1-A).
- 2. QUESTIONS AND CLARIFICATIONS.** Employees who have any questions regarding this policy manual should direct their questions to their immediate supervisor or to the Administrative Coordinator. Questions that require clarification of the manual due to ambiguous policy language or the absence of policy language shall be provided by a clarification memo jointly issued by the Administrative Coordinator, Human Services Director, and Menominee 911 Director. The Administrative Coordinator shall promptly draft and forward for approval an amendment to this policy manual whenever a clarification memo is jointly issued that warrants revision to this policy manual.
- 3. DEFINITIONS.** For purposes of this Manual, the following definitions are used:

  - A. Appointed: Employees who are appointed by the Board or Elected Official per Wisconsin Statutes
  - B. At-will employer: An employer who can terminate an employee’s job at any time, for any reason (except an illegal one), or for no reason at all, without warning, as long as it doesn’t violate employment laws or an employment contract.
  - C. Board: Menominee County/Town Board of Supervisors
  - D. Deputy: Employee who is appointed by an Elected Official, per Wisconsin Statutes, and whose appointment runs concurrent with the Elected Official’s term.
  - E. Elected/Appointed Officials: Certain positions in Menominee County/Town are controlled by statute. Elected and appointed officials are expected to conform their conduct to these personnel policies and to the statutes, as amended from time to time. These elected and appointed officials include the Administrative Coordinator, County Clerk and Deputy Clerk(s), Treasurer and Deputy Treasurer, Sheriff, Clerk of Court and Deputy Clerk of Court, Register of Deeds and Deputy Register of Deeds, Highway Commissioner, Human Services Director, and Medical Examiner.
  - F. Employee: Appointed and approved for hire, including all General Municipal Employees

as defined by Wisconsin Act 10.

- G. Exempt: Certain positions designated by the County/Town subject to certain standards and not eligible for overtime pay as defined in the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. and 29 C.F.R. Part 541.
  - H. Flex time: Flex time is a work schedule arrangement that allows hourly employees to vary their start and end times within limits established by the Director/Supervisor/Manager. Hourly employees are still required to work the designated number of hours per day or week but have flexibility in scheduling those hours to better accommodate personal needs or departmental demands. Core business hours may be designated during which all employees must be present.
  - I. Immediate Family: Mother, father, spouse, children, brother, sister, grandchildren, grandparents, current son-in-law, current daughter-in-law, current father-in-law, and current mother-in-law. This includes current foster and current stepfamily members.
  - J. Non-Immediate Family: Aunts, uncles, nieces, nephews, current sister-in-law, current brother-in-law, current grandparent in-law and first cousins.
  - K. Regular Full-Time: Employee who works 30-40 hours per week for an undefined period of time with benefits.
  - L. Regular Part-Time: Employees who work less than 30 hours per week but on a regularly scheduled basis for an undefined period of time with limited benefits, per insurance policy, and are paid per hour.
  - M. Temporary Full-Time: Employees who work 30-40 hours per week but whose employment is limited to a definite number of months, weeks, days, hours, or by funding.
  - N. Temporary Part-Time: Employees who work less than 30 hours per week but whose employment is limited to a definite number of months, weeks, days, hours, or by funding.
- 4. CONFIDENTIALITY.** All employees shall be required to sign a Confidentiality Agreement, Appendix 1-B, as part of their employment with Menominee County/Town. This form acknowledges that the employee or official will abide by all confidentiality rules established by the County/Town and by law. There may be additional specific confidentiality requirements and agreements issued by each department.
- 5. EQUAL EMPLOYMENT OPPORTUNITY.** Menominee County/Town is an equal opportunity employer. Employees of Menominee County/Town shall not discriminate against other employees or other applicants for employment because of race, color, creed, national origin, age, gender, handicap or any other protected classification under the law and will act to ensure that applicants and employees are treated on a nondiscriminatory basis. Allegations of discrimination will be investigated jointly by the Administrative Coordinator, Human Services Director, and a 3rd person designated by the two.
- 6. RIGHTS OF ORGANIZATION.** Employees shall have the right of self-organization and the right to bargain, join or assist labor organizations as described in 2011 Wisconsin Act 10. Employees shall have the right to bargain collectively through representatives of their choosing and engage in lawful activities for purposes of collective bargaining or other

mutual aid or protection. Employees shall similarly have the right to refrain from such activities. Activities and functions occurring during normal working hours shall not be allowed unless the employee is on personal time and or has approved personal leave by his or her immediate supervisor or Department Head.

**7. PARTISAN POLITICAL ACTIVITY**

- A. No employee is precluded from engaging in political activity provided that such activity does not interfere with normal work performance and is not conducted during normal working hours and does not involve the use of County/Town equipment or property. Employees are specifically prohibited from directly or indirectly coercing any person to hold or contribute monetary or other types of assistance to any political candidate, party or purpose.
- B. No employee shall be offered any award or incentive for supporting any political party or candidate for public office. Any employee who is offered an award or incentive for the support of a political party or candidate should immediately notify his or her supervisor or the Department Head. Any violation of this policy may result in discipline including termination.

**8. NEPOTISM.** Menominee County/Town may employ members of the same family, individuals that are considered to be a significant other and individuals living in co-habitation, however, such persons may not be directly supervised by another immediate or non-immediate family member, their significant other or individuals where co-habitation exists. Any change in a relationship which could act to violate this policy must be reported by the employee to the Department Head.

**9. CODE OF ETHICS.** The provisions of the Codes of Ethics for Local Government Officials, Employees and Candidates, appearing at Wisconsin Statutes 19.59 [see [Appendix 2](#)], apply to all elected and appointed officials, and employees. The Code of Ethics adopted pursuant to Menominee County Ordinance No. 66 [and Town Ordinance No. 70] also applies. Department specific codes of ethics may also apply.

**10. RECRUITMENT AND SELECTION**

- A. Except as provided for below, all regular job openings will be posted at major locations in the community to include at a minimum: Courthouse, Post office (Keshena & Neopit), CMN, WRDC, and MITW for a minimum of five (5) working days. Recruitment for the position may also be sought through media sources for sufficient time to attract qualified candidates.
- B. Position vacancies shall be filled by the most qualified individual by promotion, transfer, or new hire.
- C. All newly created positions shall be posted in the manner described above. Existing vacant positions may first be posted internally or available for transfer of a current qualified employee.
- D. All vacant positions shall be screened and interviewed by the immediate supervisor, Department Head, and Administrative Coordinator, (or their designee) to determine which applicants meet the minimum education, experience, and other qualifications as outlined in the job description. Screening shall be conducted using the Application

Screening Checklist (Appendix 13). Applicants who meet the minimum requirements shall be interviewed by the immediate supervisor, Department Head, and Administrative Coordinator, (or their designee).

- E. For positions that are supervised by or appointed by a committee or board, the screening and interview process shall be conducted by the respective committee or board, in accordance with applicable policies and procedures.
- F. Recruitment and selection of employees at Human Services shall further be subject to the provisions of Health and Family Services (HFS) 5.03(1)(2), which is attached to this policy as Appendix 3. Human Services Board may elect to have interviews conducted by a panel of their choosing.
- G. **Emergency Hire.** A department head may, with the consent of the Administrative Coordinator, forego the job posting requirement, engage in targeted recruiting, and hire an individual that has formally applied for a vacant position on a temporary and emergency basis if the position is critical to the department's mission. The duties and qualifications of the position may be restructured to reflect the emergency nature of the position. The department head and Administrative Coordinator, or their designee shall screen the applicants to verify the individual best meets the qualifications, conduct the interviews, and hire the most qualified candidate based on the application, interviews and, if applicable, test results. Emergency hires shall be subject to the pre-employment drug testing and all other terms and conditions of the Personnel Policies and Procedures Manual. Under no circumstance shall an emergency hire be employed for a period longer than eighty-nine (89) calendar days, and no person employed as an emergency hire may be re-employed as an emergency hire within the department for a period of three months. Persons employed as an emergency hire shall not be entitled to earn, accrue, or use personal time or any other type of leave customarily available to regular or part-time employees. The Sheriff's Office shall not be entitled to use this provision to hire a certified or non-certified deputy.
- H. **Miscellaneous Provisions:**
  - 1. All job postings shall include a posting date and deadline date.
  - 2. All revisions to job descriptions shall include a note stating that it supersedes a previous job description, the date of that job description, and the occupational title.
  - 3. All job position screenings shall be performed by the supervisor (or designee) and the Administrative Coordinator or his/her designee.
  - 4. Timely notice shall be sent to applicants informing them of their acceptance or rejection for an interview following the screening.
  - 5. Timely notice shall be sent to applicants in the event a position for which they applied is placed on hold.
  - 6. No position shall be revised after applicants have applied and before screening has taken place, or after the screening has taken place and before the interviews have been held.
  - 7. Revisions to job descriptions shall be reviewed with the Administrative Coordinator or his/her designee prior to their being incorporated.

8. Copies of all job postings shall be filed with the Administrative Coordinator's Office before they are posted.
9. Copies of all notices provided to applicants shall be filed with the Administrative Coordinator's Office.

**11. POST OFFER EMPLOYMENT TESTING.** As a condition of employment, the prospective applicant shall be required to submit to a drug test and may be required to submit to a physical exam and psychological exam.

**12. ORIENTATION.** New employees will be provided a copy of their current job description and given access to the Personnel Policies and Procedures Manual. Items to be discussed include County/Town policies, chain of command, benefit programs, and information technology requirements. Introduction to co-workers and assignment to work area will be conducted. The employee will be required to sign various acknowledgment forms.

**13. PERFORMANCE MANAGEMENT**

- A. Menominee County/Town employees shall receive written performance evaluations by their immediate supervisor. New hires will be evaluated after the first six (6) months of employment. The County/Town reserves the right to conduct additional evaluations as deemed necessary. An annual review shall be conducted on the anniversary of employment in current position with such reasonable extensions of time as may be necessary.
- B. Unsatisfactory performance may result in disciplinary action.
- C. The performance evaluation shall be in accordance with the approved evaluation form Appendix 1-D. All completed forms shall be submitted to the office of the Administrative Coordinator for inclusion in the personnel record.
- D. Evaluation of Human Services employees shall further be subject to the provision of HFS 5.04 and 5.06 attached hereto Appendix 3.

**14. PROMOTIONS, TRANSFERS AND DEMOTIONS**

- A. In the event of a vacancy in a previously created position, a Department Head may promote or transfer a current full-time or regular part-time employee of the department into the vacant position; provided, however, that: (a) the job description was not substantively changed after the position became vacant; (b) the employee to be promoted or transferred meets the minimum qualifications contained in the job description; (c) the employee accepts the promotion or transfer; and (d) the supervisor of the employee, if applicable, consents to the promotion or transfer. The Department Head shall notify the assigned Committee at its next regularly scheduled meeting of all promotions and transfers.
- B. A Department Head may demote an employee for disciplinary or non-disciplinary reasons. For the purpose of this section, "demotion" means the loss of responsibility, authority, and/or pay. The Department Head shall provide the assigned Committee the following information at its next regularly scheduled meeting: (a) justification for the demotion (e.g. was it disciplinary or non-disciplinary and the specific reasons for it); (b) a description of what authority and/or wages were removed from the employee;

(c) how that authority and/or wages was redistributed; and (d) such other information as the Department Head deems necessary and appropriate.

## **15. DISCIPLINARY ACTIONS**

- A. Employees shall comply with all reasonable work rules. All offenses, which may lead to discipline, are not of the same degree of seriousness. Any employee who fails to maintain, at all times, proper standards of conduct or who violates any of the following rules shall be subject to disciplinary action including immediate discharge. This list is not exhaustive; there may be other violations not listed that could be considered a violation of maintaining proper standards of conduct.
- B. Discipline shall be commensurate with the employee's failure to follow Menominee County/Town policies and procedures or violations of state or federal law. It is within the discretion of the supervisor to decide whether oral reprimand, written reprimand, suspension or termination is warranted, depending upon the violation. The Supervisor is not required to impose lesser forms of discipline before imposing more severe forms of discipline. Disciplinary actions shall be maintained in the employee's file. Supervisors shall discuss terminations with the Department Head, and the Department Head shall consult with the Administrative Coordinator. The employee's immediate supervisor shall carry out all disciplinary actions. The following list is not exhaustive:
1. Aggressive verbal or physical behavior, such as fighting, threatening, abusive or vulgar language, racial slurs, etc.;
  2. Possession of firearms or weapons of any kind on County/Town property;
  3. Negligence or willfully damaging, destroying or stealing property belonging to another;
  4. Falsifying records (e.g., time cards, applications, reports, etc.);
  5. Reporting for duty under the influence of drugs or alcohol during working hours, including lunch periods;
  6. Use, possession, and/or sale of alcohol or illegal drugs/paraphernalia while on duty;
  7. Insubordination, such as disobedience, refusal or failure to carry out assignments or instructions, or encouraging another to do either;
  8. Disrespectful behavior;
  9. Unauthorized disclosure of confidential information or records;
  10. Willful or habitually violating safety or health regulations, includes horseplay which does or could cause serious loss or injury to an employee or customer;
  11. Unauthorized use, operations or removal of County/Town property or equipment; including vehicles, machines, tools, or equipment such as telephone, computers, radios, etc.);
  12. Making false or malicious statements concerning other employees or supervisors;
  13. Sexual harassment;
  14. Illegal discrimination;

15. Promotion of organized gambling, money lending schemes, etc.;
16. Excessive absenteeism, including tardiness and leaving early or any unauthorized absence;
17. Not being in a fit physical condition to perform regular job or other assigned work, other than physical and/or mental conditions which the County/Town has agreed to or is obligated to accommodate;
18. Engaging in any personal or outside business during work time when it interferes with County/Town business;
19. Unapproved parking on County/Town property;
20. The removal of any official County/Town notices, signs, posters, or correspondence of any type or description on County/Town bulletin boards or property without approval from a Department Head or the Administrative Coordinator's Office;
21. Unsatisfactory production, work performance; including slowing down or holding back production and any act which indicates an employee's lack of cooperation or unwillingness to work;
22. Inappropriate apparel respective to position and job duties;
23. Unlawful or improper conduct off the County/Town's premises or during non-working hours which affect the employee's relationship to his/her job, his/her fellow employees, his/her supervisors, or the County/Town's services, property, reputation, or good will in the community. Notwithstanding this provision, the County/Town acknowledges and agrees that it will not discriminate against employees for off-premises use of legal substances to the extent such use does not affect or inhibit work performance;
24. Abuse of County/Town time, such as sleeping on the job, excessive visiting, and interruption of other employees in the performance of their duties, etc.;
25. Lack of discretion in disclosure of non-confidential information or records that could be considered a conflict of interest or detrimental in carrying out County/Town business;
26. Posting inappropriate material on County/Town property;
27. Violation of the County/Town Technology and Equipment Use Policy;
28. Violation of the County/Town Vehicle Use Policy;
29. Violation of internal department policies and/or procedures.

**16. CONTACT WITH THE PUBLIC.** All County/Town employees shall be courteous and accommodating to the public. Complaints by members of the public as to interaction with a County/Town employee shall be taken seriously and may subject the employee to discipline, including termination.

**17. TERMINATION OF EMPLOYMENT RELATIONSHIP**

**A. Resignation/Separation**

1. It is requested that the employee shall give at least two (2) weeks' notice prior to the last day of expected employment.
2. Employees in a supervisory position are asked to notify the Department Head of their intent to resign as far in advance as possible; however, in no circumstances less than two (2) weeks' notice should be provided.
3. Employees who are separated from employment due to curtailment of work will be provided a minimum of two weeks advance notice by the County/Town.
4. Employees who resign or are separated from employment shall be paid available personal leave, subject to any limits or restrictions contained in Section 19.A., and compensatory time earned.

**B. Termination**

1. Termination by the employer for disciplinary reasons shall be deemed effective immediately. The County/Town shall pay to the employee all salary, wages and compensatory time earned.
2. Any employee who is absent from work without notifying the Supervisor or the Department Head for three (3) consecutive days will be terminated.
3. As provided for in Sec. 19.A.6(e), employees who are terminated for disciplinary offenses or who fail to provide two weeks' notice of resignation shall not be paid any personal time upon their separation.
4. The Department Head shall be required to provide notice of termination of employment to the office of Administrative Coordinator.

**C. Exit Interview.**

1. All separating employees shall be offered an exit interview by the administrative Coordinator. Participation is voluntary, but employees are encouraged to provide feedback.
2. Upon receipt of an employee's resignation or notice of separation, the Administrative Coordinator shall provide the employee with the exit interview questions (Appendix 15) and offer an exit meeting.
3. Completed questionnaires returned by the employee shall be filed in the employee's personnel record as well as an exit interview file.
4. Trends, common feedback, or serious issues shall be reviewed, addressed, and shared with the appropriate oversight committee(s) as determined by the Administrative Coordinator. A summary may also be shared with management, supervisors, or department heads; however, individual employee responses shall not be disclosed without the employee's consent.

**D. Pre-Separation Preparation/Transitioning**

1. Employees, appointive and elective officials shall have their access to computers, networks, servers, and peripheral devices owned, leased or operated by the

County/Town severed immediately upon their separation of employment or service to the County/Town.

2. To the maximum extent practicable, advance notice of an employee, appointive or elective official's separation shall be provided by the immediate supervisor or responsible official (e.g., committee chairperson, or County or Town Chairperson) to the Technology Services Department, or as soon as practicable after said employee or official's separation.
3. The supervisor or responsible official may designate who can access the electronic files, voice mail, e-mail, and such other electronic data; such access may be read-only or read-and-write access.
4. In the absence of such designation, the Technology Services Department shall archive all data however he/she deems necessary and proper.
5. The immediate supervisor or responsible official shall be responsible for completing employee separation checklist (Appendix 16) and promptly collecting, inventorying, and determining the condition of any electronic equipment assigned to the separating employee or official, and for reporting the damage, loss or theft of such equipment to the Administrative Coordinator's Office.
6. Separation of Human Services employees shall further be subject to the provisions of HFS 5.06(2) attached hereto Appendix 3.

**18. GRIEVANCE PROCEDURE.** Menominee County/Town has adopted a Grievance Procedure which is attached hereto as Appendix 11 and incorporated herein by reference. The Grievance Procedure is the exclusive procedures for resolving covered employee termination, employee discipline as defined, or workplace safety issues.

## **19. EMPLOYEE BENEFITS**

### **A. Personal Time**

1. Full-time and part-time employees shall receive personal time to be used as the employee deems fit. Personal time represents paid time off that may be used for illness, planned vacations, medical, optical, and dental appointments, or any other personal purpose that the employee may have, subject to the approval of the employee's immediate supervisor and any other limitations or restrictions contained in this policy.
2. Prior to submitting a request for leave under this policy, employees are expected to consider the impact his or her leave will have on unfinished assignments, deadlines and other commitments, coworkers, and their department.
3. Paid Time Off (PTO) will not be paid out if it causes the employee's total hours to exceed their regularly scheduled work hours for the week. Any unused or disallowed PTO from such requests will be returned to the employee's PTO bank.
4. Personal time is calculated, accrued and available biweekly by multiplying the employee's regular hours, personal leave time, overtime hours, and holiday leave by a predetermined multiplier based on years of continuous service. Non-

working hours (i.e., administrative leave, emergency leave, funeral leave, and leave without pay) are not included in the calculation. The schedule of years of service and multiplier values is as follows:

5.

#	Years of Service	Multiplier
1.	0 to 4 years	0.10
2.	4 to 9 years	0.12
3.	9 to 14 years	0.14
4.	14 to 19 years	0.16
5.	19 years plus	0.18

6. The County may, at the time of hire, offer new employees up to 40 hours of personal time.
7. At the time of separation from employment, employees with one or more years of service may cash out personal time hours in an amount equal to the hours appearing in the following schedule:

#	Years of Service	Maximum Payout
1.	1 to 5	Up to 80 hours
2.	5 to 10	Up to 120 hours
3.	10 to 15	Up to 160 hours
4.	15 to 20	Up to 200 hours
5.	20+	Up to 240 hours

\* NOTE: Refer to personal time cash-out limitations/restrictions in subpar. 8 below.

8. Limitations or restrictions:
- (a) Personal time must be used in increments of 15 minutes.
  - (b) Supervisors may require employees that take personal time off due to personal illness to provide a physician’s statement after three days of continuous absence and shall require employees that take personal time off due to personal illness to provide a physician’s statement after five days of continuous absence.
  - (c) Employees shall not be allowed more than three continuous weeks off using personal time without the counter approval of the department’s assigned oversight committee.
  - (d) Employees that have personal time available cannot use leave without pay, except in the event of FMLA leave, worker’s compensation, short-term disability, or disciplinary action.
  - (e) Employees who are terminated for disciplinary offenses or who fail to provide two weeks’ notice of resignation shall not be paid any personal time upon their separation.

- (f) Employees who are on leave using personal time may not substitute personal time with emergency leave or administrative leave.
  - (g) Employees who have exhausted their FMLA protected leave benefit and require additional leave time for an unknown or excessive duration may not be granted paid or unpaid leave after their FMLA protected leave benefit has lapsed. Any leave requests after the FMLA protected leave benefit lapses requires counter-approval by Administration.
  - (h) Elected officials are not entitled to receive personal time.
  - (i) Sheriff deputies are not entitled to receive personal time under this policy. Personal time for Sheriff deputies is covered by the collective bargaining agreement.
9. Employees with 10 or more years of continuous service or 20 or more years of combined service may, at the time of their retirement, elect to have the cash value of up to 480 unexpended personal time (i.e., personal time hours multiplied by the employee’s final hourly rate of pay) cover the employer share of healthcare premiums associated with continuation of health benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

**B. Donation of Leave**

1. Employees may donate to a donation of leave pool once each calendar year in accordance with the following schedule:

#	Donating Employee’s Years of Service	Maximum Yearly Donation
1.	1 to 5	Up to 25 hours
2.	5 to 10	Up to 30 hours
3.	10 to 15	Up to 40 hours
4.	15 to 20	Up to 50 hours
5.	20+	Up to 60 hours

2. Employees that (1) worked for the County a total of one year or longer; and (2) exhausted all available leave balances; and (3) are themselves experiencing, or an immediate family member is experiencing, an FMLA-qualifying serious health condition requiring a prolonged absence from work, may apply to Administration for a donation of leave from the pool, subject to the approval of the employee’s department head.
3. Employees who are approved for a leave donation shall receive leave hours equivalent to the amount of their regular weekly gross wages, less any disability benefits or personal time that has accrued, for up to six weeks. Administration has the sole discretion in determining whether an employee is qualified for a leave donation and the amount of leave hours to be assigned to the employee from the pool.
4. All paid leave granted to the recipient employee is considered wages and is subject to appropriate tax withholding. To the extent necessary, this policy shall be construed pursuant to IRS Rev. Rule 90-29. Any employee donating personal time does so with the understanding that it is possible

that a taxing authority may nevertheless assess income taxes against the employee for the donated portion of personal time.

5. Administration shall develop an appropriate application and form for employees requesting a leave donation or who are donating leave. See Appendices 1-H and 1-I.

**C. Holidays**

1. The following shall be considered paid holidays:

New Year's Day	Martin Luther King JR Day (2026)	President's Day
Friday before Easter	Memorial Day	Juneteenth (2026)
4 <sup>th</sup> of July	Labor Day	Indigenous/Columbus Day (2026)
Veteran's Day	Thanksgiving Day	Friday after Thanksgiving
Christmas Eve Day	Christmas Day	New Year's Eve Day

2. For employees not normally scheduled to work over the weekend, a holiday landing on a Saturday will be observed on the preceding Friday, and a holiday landing on a Sunday will be observed on the following Monday. For employees normally scheduled to work on a weekend, holidays that land on the weekend will be observed on the day of the holiday.
3. Hourly employees who are not scheduled to work on a holiday and who would otherwise be deprived of enjoying the benefit associated with holiday leave shall be entitled to receive holiday pay.
4. Due to the nature of their schedules and workload, exempt employees may observe a holiday on any day within a given workweek, subject to the approval of their immediate supervisor.
5. In order to receive pay for a holiday, all qualified employees must be at work or on approved paid leave during the scheduled workday immediately preceding and immediately following the holiday.
6. Hourly employees, who are scheduled to work on any paid holiday, will receive one (1) and one-half (1/2) their hourly rate plus holiday pay.
7. An hourly employee who is not normally scheduled to work during an extended holiday weekend and is asked to work during said weekend due to exigent circumstances (e.g., natural disaster, inclement weather, or other emergency) shall be compensated at a rate of one and one-half (1.5) times his/her regular rate of pay for work actually performed during said weekend. Such compensation shall not be in addition to any overtime pay the hourly employee may otherwise be entitled to.
8. Except as may be expressly authorized under this section or the terms of a collective bargaining agreement, no employee shall be paid a combination of regular hours and leave hours exceeding 40 hours per week (or the maximum hours standard under a Section 7(k) schedule).

- D. **Funeral Leave.** Three (3) paid bereavement days will be allowed for the death within the immediate family, as defined in Section 3, Par. G. One (1) bereavement day will

be allowed for non-immediate family as defined in Section 3, Par. H.

**E. Leave Without Pay**

1. Department heads may grant an employee up to one week of LWOP within a 30-day period for any reason. LWOP from one to three weeks may only be granted by a supervisor for education leave, professional development (outside of their current work scope), or volunteer or community service. LWOP in excess of three weeks may only be granted by a supervisor and the oversight committee for education leave, professional development, or volunteer or community service.
2. Employees requesting LWOP are required to exhaust their personal time before using LWOP. As a basic condition for approval of LWOP, there should be a reasonable expectation that the employee will return to work at the end of the approved absence. The authorization of LWOP is a matter of administrative discretion, so a supervisor is not obligated to approve LWOP except in the following instances: (1) when members of the armed forces reserves and National Guard are ordered to military training or active duty and the employee requests to take LWOP; or (2) when an employee is entitled to take leave under the Family Medical Leave Act and requests to take LWOP after all leave has been exhausted; or (3) when an employee is on leave while under worker's compensation or short- or long-term disability; or (4) while an employee is on jury duty. This policy provision shall not be construed to limit the authority of supervisors to issue LWOP pursuant to disciplinary action or when an employee fails to report his/her absence pursuant to Section 22.

**F. Emergency Leave/Closings**

1. The County/Town Board Chair, or designee, may excuse employees from duty with pay for the workday or portions thereof, if an emergency situation arises. Examples would be extreme weather, loss of heat or fire, etc.
2. Employees on approved leave at the time emergency leave/closing is granted shall not substitute their approved leave with emergency leave.
3. Employees required to report to work due to the nature of their position or other commitments will receive no additional compensation. Supervisors should try to rotate these employee's schedules whenever possible.

- G. Emergency Responders Leave.** Employees who are emergency responders (e.g., active Emergency Medical Technicians or volunteer firefighters) may be granted leave with pay to respond to emergency calls and attend emergency responder training, subject to the approval of their immediate supervisor. Employees shall provide their supervisors documented evidence of their current status as an emergency responder in order to participate. Not more than six hours of such leave may be provided each month unless the County/Town Board Chairperson or his/her designee has declared an emergency as provided in Par. G above. Dispatchers, while on duty, shall not be permitted to leave their position to respond to emergency calls. Supervisors are encouraged to support employees who are emergency responders and their requests for time off to the maximum extent practicable. While on such leave, and not working under a county or town position, employees are deemed not to be acting in their official capacity as an employee of the County/Town, and the County/Town is not liable for any damages or injuries the employee may sustain or cause while taking such leave.

- H. **Administrative Leave.** Department heads, in consultation with the Administrative Coordinator, may grant Administrative Leave to an employee on a case-by-case basis for rare and extraordinary circumstances that are deemed to be in the best interest of the department and the employee.
- I. **Family Medical Leave Act**
1. The County/Town board acknowledges an employee's right to request leave under the Federal and State Family Medical Leave Acts. The County/Town's policy concerning the FMLA appears more fully in Appendix 4.
  2. The FMLA allows employers to make deductions from an exempt employee's salary for FMLA leave without affecting the employee's exempt status, even for partial day absences.
- J. **Military Leave.** An employee called to active duty will receive no loss of income. The employee will receive a salary of their gross income minus service pay. All benefit accruals will continue during the employee's service on active duty.
- K. **Training, Travel and Other Employee Expense**
1. Authorization to Travel. Employees who travel to training sessions and other work-related activities shall fill out and submit a training/travel authorization form for supervisor approval [Appendix 1-F].
  2. Per Diem. Per diem shall only be made available for overnight travel. Per diem is based upon the General Services Administration's (GSA) travel regulations, which are codified at 41 CFR Part 301. Meals included as part of a workshop, seminar, conference or other type of training opportunity shall be deducted from the per diem allowance.
  3. Meal Reimbursement. Employees who are on travel and who are not eligible to receive per diem may be eligible for meal reimbursement. Reimbursement of meal expenses shall be based on reasonable and actual costs associated with such meals upon furnishing the original receipt(s) for such meals to the supervisor. Such reimbursement shall not exceed the maximum reimbursement rate for breakfast, lunch and/or dinner established by GSA.
  4. Mileage. Mileage for employees shall be reimbursed at the standard General Services Administration (GSA) rate. Employees claiming mileage reimbursement must have a current certificate of insurance on file with the County/Town. Mileage will be reimbursed on the basis of the commonly used route. To the extent possible, mileage reimbursement requests shall be submitted monthly on the appropriate form. Mileage reimbursement requests submitted later than ninety (90) days after the date of travel shall not be reimbursed. County/Town vehicles will be used for travel whenever they are available. [See Appendix 1-G for an example of a mileage report form]
  5. Lodging. Employees who book rooms exceeding standard hotel room accommodations shall be responsible for any additional charges associated with extra amenities (e.g., hot tub, full kitchen, upsized rooms, etc.). When reserving rooms, employees must inform the hotel beforehand that they are travelling on behalf of the County or Town and that the transaction is tax exempt. Any additional expenses charged to the room (e.g., food and beverage service, movie

rentals, laundry or dry cleaning, etc.) are the responsibility of the employee and not the County or Town. The original receipt for lodging shall be returned to the employee's immediate supervisor and/or the County Clerk, if reservations were placed by the County Clerk, within ten (10) business days of the employee's return from travel.

6. Allowable Expenses. Claims for reimbursement of travel expenses shall represent actual, reasonable, and necessary expenses. Postage, telephone calls, taxi and shuttle service, use of a business center, wireless access, and the cost of parking (excluding valet parking) are cost-reimbursable expenses.
7. Unallowable expenses. Parking tickets, speeding tickets, or other municipal fines and fees are the responsibility of the employee. Reimbursement of entertainment expenses and alcoholic beverages is prohibited. Any loss, theft, or damage to personal property is the responsibility of the employee.
8. Prizes and raffles. Prizes, raffles, and drawings won by an employee attending a meeting, conference, or seminar that are under \$250.00 may be kept by the employee. Prizes, raffles, and drawings equal to or greater than \$250.00 shall be provided to the County/Town and reported to the appropriate oversight committee. The oversight committee may authorize the employee to keep the prize, raffle, or drawing, or may direct that the prize, raffle, or drawing be donated to an employee morale boosting function or charitable cause.
9. Gifts and Gratuities. Gifts and gratuities equal to or greater than \$25.00 provided to individual employees by any person, partnership, corporation or other business entity shall be declined by the employee, unless such gift or gratuity is provided ceremonially and denial of such gift or gratuity would violate the custom of the provider or ceremonial etiquette. Gifts and gratuities received by employees equal to or greater than \$25.00 shall be provided to the County/Town and reported to the appropriate oversight committee. The oversight committee may authorize the employee to keep the gift or gratuity, or may direct that the gift or gratuity be donated to an employee morale boosting function or charitable cause. Small gifts (e.g., over \$25.00 and under \$100.00, such as chocolates, cashews, etc.) given in the name of the County/Town or a department and not an individual may be kept by the department for all County/Town or department employees to enjoy, or donated to an employee morale boosting function or charitable cause.
10. Travel Report. Supervisors may require an employee to provide a travel report upon the employee's return from travel.
11. Basis for Reimbursement. Reimbursement of any allowable expense referred to above shall be done solely on the basis of receipts. Employees must obtain and retain copies of their receipts and promptly submit them to their supervisor upon return from travel.
12. Behavior and Conduct. Employees are reminded that they represent the people of Menominee County/Town of Menominee and are to conduct themselves professionally at all times during their travel. Employees are further reminded of their obligation under the Code of Ethics for Public Officials and Employees, which appears at Wis. Stats. 19.59.

**L. Insurance**

1. Health Insurance. The County/Town shall provide insurance pursuant to its current insurance policies. Employees are eligible for health insurance on the first day of the month following their date of hire.
2. Disability. The County/Town shall provide short-term disability insurance coverage and may provide long-term disability, subject to the eligibility criteria, terms, and conditions described in the short-term and long-term disability plans.
3. Life Insurance. The County/Town shall provide for a basic life insurance benefit, subject to the eligibility criteria, terms, and other conditions described in the insurance benefit plan.
4. The County/Town reserves the right to amend insurance policies and plans from time to time as it deems necessary.

**M. Continuing Education/Internships**

1. The Board agrees to reimburse employees for verified out of pocket costs for approved College/Technical School credit courses relating to their job duties. The employee may request up to three (3) hours per week during regular working hours for participation in a continuing education course that relates to his/her job duties. All requests for participation in continuing education courses shall be submitted to, and are subject to the approval of, the Department Head or designee.
2. The Board agrees to allow flexibility in scheduling to accommodate participation in Internships. All requests for participation in Internships shall be made to and approved by the Department Head or designee.
3. An employee requesting education leave or participation in an internship must be in good standing. Failure to remain in good standing may result in the supervisor's denial of current or future education leave or denial of current or future participation in the internship. For the purposes of this section, "good standing" includes all of the following:
  - (a) The employee shall have completed one year of continuous employment after successful completion of any required probationary/introductory period;
  - (b) The employee shall not have any disciplinary actions within the twelve-month period preceding the request;
  - (c) The leave shall not create a hardship for the department or unit, as determined by the department head and supervisor;
  - (d) The employee shall remain in good standing during the course of the leave; and
  - (e) The employee shall maintain all job performance standards (i.e., meeting deadlines, making court appearances, attending to duties that cannot be reassigned, etc.).

**N. Overtime, Compensatory Time, and On-call Rates**

1. Non-exempt employees who are required by their immediate supervisor to work in excess of forty (40) hours per week are eligible for overtime at the rate of one and a half (1 1/2) their regular hourly wage pursuant to federal and state law. Employees can, upon mutual agreement of the employee and supervisor, elect to earn comp-time in lieu of receiving overtime compensation. By law any time off does not count towards the forty (40) hours that are required for overtime. That the provisions of this paragraph relate to hourly employees only.

(a) Compensatory Time:

- (1) Employees who are required by their immediate supervisor to work more than forty (40) actual worked hours per week can elect comp-time at the rate of one and one-half (1-1/2) hour.
- (2) Employees may accumulate a balance of up to one-hundred and twenty (120) hours of comp-time at any given time within a given fiscal year.
- (3) To the maximum extent practicable, employees shall use their compensatory time by or before December of each year.
- (4) All comp-time shall be paid out to the employee the first payroll in December of each year. Any overtime hours earned by an employee after the first payroll in December up to the end of the year must be paid out rather than banked as compensatory time.

(b) On Call. Employees of the Human Services Department, Highway Department, and ~~Menominee 911~~ who are required to serve on-call shall be reimbursed at the rate established by their respective oversight committees.

**O. Retirement Recognition.** It is a time-honored practice among the County/Town to recognize employees upon their retirement for their dedication, commitment and years of public service by providing the following recognition bonuses (paid from the department's retirement line):

1. Retiring employees with 6 to 15 years of combined service will be provided \$100.00, plus \$10.00 for each year of service, upon separation;
2. Retiring employees with 16 to 24 years of combined service will be provided \$100.00, plus \$20.00 for each year of service, and a farewell gift (not to exceed \$200.00) upon separation; and
3. Retiring employees with 25 years or more of combined service will receive \$200.00, plus \$20.00 for each year of service, and a farewell gift (not to exceed \$200.00) upon separation.

**P. Retirement Plan.** Regular employees will be covered under the Wisconsin Retirement System. Contributions to the Wisconsin Retirement System shall be pursuant to state rules, regulations and other guidelines.

**20. DISCLOSURE OF INFORMATION**

**A. Personnel Records.** The Office of the Administrative Coordinator shall maintain the master file of personnel records for each employee. The personnel records of

employees shall be treated as confidential and shall be made available pursuant to Section 103.13 Wis. Stats.

1. Employees may review their records, but only in the presence of the Administrative Coordinator and/or Department Head and shall not be removed from the office.
2. Release of information shall be allowed when necessary to comply with State and Federal laws.
3. Supervisory personnel shall have access to the personnel records of staff under their supervision for purposes of staffing, consultation and/or evaluation.
4. All requests for references from other employers and/or individual employees relating to their employment with the County/Town, or other requests for information, shall be forwarded to the Administrative Coordinator, who shall confirm the dates of employment, position held, rate of pay and that the termination of the employment relationship was upon mutually acceptable terms. No other information shall be provided in response to a reference request unless specifically authorized by the Menominee County/Town employee.
5. Request for employment information shall be controlled by Section 103.13 Wis. Stats.

**B. Open Records Request**

1. It is the policy of the State of Wisconsin that government is dependent on an informed electorate and that citizens are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them. Providing information to its citizens is an important part of the duties of Menominee County/Town employees. Each request shall be reviewed with a presumption of complete public access. Denial of public access is the exception to the rule.
2. Exceptions to the Wisconsin Open Records law include drafts and preliminary documents, personnel matters, public business involving investments and competitive factors and negotiations, requests which contain privacy concerns, including medical records and other documents which have been designated as confidential. Other public information requests may also be protected from public disclosure and any questions as to whether such information should be disclosed should be immediately referred to the Administrative Coordinator and/or Corporation Counsel. No requests for information shall be denied by a Menominee County/Town employee until the denial of access has been approved by the Administrative Coordinator and/or Corporation Counsel.

**C. HIPAA (Health Insurance Portability and Accountability Act of 1996)**

1. Privacy regulations insure privacy protections by limiting the use of a patient's personal medical information. The regulations protect medical records and other individually identifiable health information, whether it is on paper, in computers or communicated orally.
2. These regulations address the following issues:
  - (a) A patient's access to medical records.

- (b) Notice of privacy of practices to provide patients with information as to how personal medical information and their rights under the new privacy regulations will be handled.
  - (c) Limits on use of personal medical information. Personal health information generally may not be used for purposes not related to healthcare and only the minimum amount of protected information needed for a particular purpose may be used or shared. Further, specific authorizations need to be signed in order to release medical information for purposes not related to healthcare.
  - (d) Confidential communications. Reasonable steps should be taken to ensure that communications are kept confidential.
  - (e) Complaints. Consumers may file a formal complaint regarding the privacy practices in the event of a violation with the United States Department of Health and Human Services.
- 3. Any Menominee County/Town employee who is requested to provide personal medical information and other individually identifiable health information shall consult with his or her supervisor, the Administrative Coordinator or Corporation Counsel to insure such disclosures are in compliance with HIPAA.
  - 4. Menominee County/Town maintains a comprehensive HIPAA policy, which can be accessed through the Administrative Coordinator, Operations manager or the Executive Director of the Menominee County Human Services.

## **21. HOURS OF WORK**

- A. Unless otherwise determined by the employer, employees are expected to be working starting at 8:00 a.m. and the workday shall conclude at 4:30 p.m. Monday through Friday, excluding approved holidays. The employer shall have the right to determine employees work hours which may be modified from time to time by the Department Head. The employer may adjust an employee's work schedule in order to avoid payment of overtime.
- B. Upon approval of supervisor hourly employees may flex their hours within one week (Sunday through Saturday) to meet their 40 work hours.
- C. Employees are entitled to one (1) fifteen (15) minute break in the morning and one (1) fifteen (15) minute break in the afternoon provided that they have worked at least seven (7) hours.
- D. Employees are entitled to one-half (1/2) hour for lunch without pay. An employee upon Department Head approval may combine their breaks with their lunch for a one-hour lunch period.
- E. Employees are expected to be on time and being tardy or leaving work early can subject the employee to discipline including termination. The work hours outlined above may be modified subject to approval of employee's supervisor and the Department Head. The employer may adjust an employee's work schedule in order to avoid payment of overdue wages.
- F. Salaried/Exempt employees who work a portion of a business day, who leave before the work day is completed, will be paid as regular time for the remainder of the work

day without being required to use PTO hours (FLSA, Section 13(a)(1)). To qualify as having worked a portion of the business day, the employee must perform those hours on County premises or at the designated work location. Remote work is not permitted and, if an exception is made due to extraordinary circumstances, any remote time will be deducted from any PTO used while out of the office during that time. Supervisor approval must be given prior to the employee leaving before the end of the work day.

- G. Wisconsin Statutes 59.20(3)(a) requires that elective offices (i.e., Clerk, Clerk of Courts, Register of Deeds, Sheriff, and Treasurer) 'keep their offices open during the usual business hours of any day except Sunday, as the board directs'. The County Board has determined that:
1. The usual business hours for elective offices are Monday through Friday, from 8:00 a.m. to 4:30 p.m., except for the Register of Deeds Office, whose usual business hours are Monday, Wednesday, and Friday, from 8:00 a.m. to 4:30 p.m.;
  2. Such offices shall remain open for the entire eight-hour daily duration unless only one person is available to staff the office;
  3. The officer, its deputies, and support staff are entitled to a 15-minute break in the morning, a half-hour lunch break, and a 15-minute break in the afternoon, and may consolidate the morning and afternoon breaks to provide up to an hour lunch break;
  4. The officer, deputies, and support staff shall stagger their breaks in order to maintain open office hours for the entire eight-hour daily duration;
  5. If only one person is available to staff the office, the office shall not be closed from 12:00 p.m. to 1:00 p.m. in order to accommodate constituents who are unable to transact business outside of their normal lunch period;
  6. Hours of operation shall be conspicuously posted near the main entrance to the office and on the County website;
  7. In the event closure of an elective office is unavoidable due to circumstances beyond the control of the elective officer, the elective officer or his/her deputy shall promptly provide notice to the County Clerk, Administrative Coordinator, and County Board Chairperson, and shall take reasonable efforts to inform the public of the elective office closure; and
  8. Violation of this requirement may constitute a violation of Section 15 of the Code of Ethics for Menominee County (Ordinance No. 66).

## **22. ATTENDANCE**

- A. It is expected that all Menominee County/Town employees will be present for work on dates they are scheduled. Failure to follow policy will subject the employee to discipline including termination.
- B. Absences
1. Employees must notify their immediate supervisor of an absence at least within one hour of the employee's scheduled start time or any other reasonable department-specific timeframe prescribed by the department head. The employee shall inform the supervisor of the absence, including the reason for the absence,

the expected date of return, a number where the employee can be reached and if the absence should be of an extended nature shall continuously keep the supervisor informed as to this information. An employee who does not give notification within the specific time as indicated above shall be on Leave Without Pay until notification is made.

2. Any Employee who is absent for more than three (3) days without an acceptable medical excuse shall be considered to have quit their employment.

C. Excused Absences. Absences will be considered excused in the following situations:

1. Where the employees have received advanced written approval from their immediate supervisor and/or Department Head.
2. For court appearances in which the employee is a party or has been served with a subpoena the employee shall be entitled to leave without pay.
3. An employee subpoenaed by a duly constituted body to act as a juror before said body shall be entitled to leave with pay. An employee must submit any reimbursement if they are taking their regular pay.
4. Absences due to an emergency beyond the control of the employee. The County/Town will expect evidence to be provided by the employee as to the emergency and/or uncontrollable nature of the absence and determination as to whether to excuse the absence shall be solely within the discretion of the employee's supervisor or the Department Head.

**23. OUTSIDE EMPLOYMENT.** Full-time and part-time employees of the County/Town shall be free to engage in any employment activities outside of their working hours, which do not constitute a conflict with their assigned duties, or interfere with the performance of their duties for the County/Town. Employees shall not use materials, office space, or equipment of the County/Town to perform outside employment activities. Violation of this policy may be grounds for termination.

**24. WAGE PLAN**

- A. Salaries and wages shall be paid bi-weekly and will not be paid in advance.
- B. Direct Deposit: Requests for direct deposit at any financial institution will need five participating employees and shall be approved by the Personnel and Finance Committee. No fees shall be assessed for approved direct deposit.
- C. Wage deductions and assignments shall be charged a \$2.00 fee per deduction. Exemptions include all Board approved programs and any court ordered assignment.
- D. In the event of a position vacancy, a department head may temporarily authorize an employee to assume the responsibilities of the vacant position and to receive compensation equal to not more than 33% of the former employee's hourly rate of pay at the time of his or her separation from employment. A department head may, with the consent of his or her assigned oversight committee, authorize more than one employee to receive such compensation or to exceed the 33% cap, but in no event shall total compensation exceed 100% of the former employee's hourly rate of pay at the time of his or her separation from employment. A department head may only receive such compensation upon approval of the assigned oversight committee.

Department heads are required to report on and review any temporary wage adjustments authorized pursuant to this provision with their assigned oversight committee on at least a quarterly basis.

- E. Non-Routine Pay Adjustments. The Personnel and Finance Committee will only consider granting a salary or wage increase to an employee outside of the normal budget process if all of the following criteria are met:
  - 1. The request concerns the obvious, unavoidable, and substantive increase in responsibility and duties, or exposure to hazards; and
  - 2. The supervisor and department head provide written justification in support of the pay adjustment that includes: (a) a description of how the employee(s) were chosen for the additional responsibility and duties, or hazard exposure, over other similarly situated and skilled employees; (b) a financial plan for supporting the increase with existing appropriations; (c) an analysis assuring that the increase will not create a hardship for other employees or will result in a pay disparity among similarly situated and skilled employees; (d) a copy of the employee(s) job description showing the proposed change; and (e) if the change is the result of a department or section reorganization, a flowchart depicting the department or section configuration before and after the change; and
  - 3. The request is supported in writing by the Administrative Coordinator; and
  - 4. The request is supported by the oversight committee assigned to the department in which the employee works.

**25. GRANT INCENTIVE PAY.** In order to encourage productivity, Menominee County/Town will provide incentive pay under the following circumstances:

- A. Incentive pay is available for preparation of grants that are not considered as part of a regular wage increase. All requests for proposals must have Department Head approval and standing committee approval if time permits.
- B. Incentive pay is only available to salaried employees.
- C. Incentive pay shall be paid at the rate of \$250.00 to \$500.00 depending on the degree of competitiveness and time spent on the application.
- D. Only new grants or programs that bring in substantial revenue will qualify.
- E. Incentive pay shall be paid only upon County/Town Board approval.

**26. SUBSTANCE ABUSE POLICY.** [Appendix 5](#)

**27. EMPLOYEE ASSISTANCE PROGRAM.** [Appendix 6](#)

**28. MANAGEMENT INFORMATION SERVICES AND EQUIPMENT USE.** [Appendix 7](#)

**29. VEHICLE USE POLICY.** [Appendix 8](#)

**30. SEXUAL HARASSMENT/DISCRIMINATION AND RETALIATION POLICY.** [Appendix 9](#)

**31. DRESS CODE.** Appendix 10

**32. FOOD, BEVERAGE, AND HEALTHIER WORK ENVIRONMENT POLICY.** Appendix 12

**33. SHERIFF DEPARTMENT WATER/BOAT PATROL INCENTIVE PAY.** Appendix 14

**Appendix 1-A**  
**INTRODUCTION AND ACKNOWLEDGMENT**

These policies are for all Menominee County employees, which should be referred to if you have any questions regarding your employment you will be asked to sign an acknowledgment that you have received a copy of the Menominee County Personnel Policies and by your signature further acknowledge that you have reviewed the policies and are familiar with them. If you have any questions regarding the policies those questions should be directed to your supervisor or to the Menominee County Administrative Coordinator.

By your signature below you further acknowledge that these policies do not constitute a contract of employment of any kind. The employees that are subject to these policies are at will employees; having policies providing guidance for employees in no way promises or guarantees continued employment by Menominee County and does not create a contract whether express or implied.

Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Employee

**Appendices 1-B**  
**CONFIDENTIALITY AGREEMENT**

During my employment with Menominee County, I will gain access to information which is confidential in nature with regard to the various matters including those of clients and patients with whom I had direct or collateral contact. As an employee of Menominee County, I am aware of the confidential policies and procedures and HIPAA requirements. I further agree to abide by these policies and procedures. I understand that any unlawful disclosure of confidential information could result in disciplinary action or immediate termination of employment and possible referral to Federal and State authorities for prosecution which could result in fines and/or imprisonment.

I further agree to hold all Menominee County client information in the strictest confidence. I understand and agree not to divulge or remove client information in possession or control of Menominee County without express, written consent of the client except as otherwise provided by applicable Federal and State law. I further understand that any unlawful disclosure and confidential information may result in disciplinary action or immediate termination of employment with Menominee County and possible referral to Federal and State authorities for prosecution which could include fines and/or imprisonment.

By my signature below, I agree that:

1. I will abide by the policies and procedures established with Menominee County relating to confidential information.
2. I will only access information where there is a legitimate need and which I have authority to access.
3. I will use and disclose only confidential information that falls within the scope of my duties.
4. I will not disclose, divulge, release or alter or destroy any Protected Health Information.
5. I will immediately report violations of Menominee County confidentiality policies to my immediate supervisor.
6. I will not destroy or remove Protected Health Information unless expressly authorized.
7. To the extent I have any questions about the application of Menominee County's confidentiality policies that I will seek clarification from my immediate supervisor.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Appendix 1-C**  
**MENOMINEE COUNTY**  
**EMPLOYMENT APPLICATION**

**INSTRUCTIONS:** Please fill this application out completely. A resume may not be substituted for this official application, either in whole or in part. Late, incomplete and/or unsigned applications will be screened out. Send completed applications and attachments to: Menominee County, Attn: Administrative Coordinator, P.O. Box 279, Keshena, WI 54135 or ltourtillott@co.menominee.wi.us

Which position are you applying for?	Date of Application:
--------------------------------------	----------------------

**A. Contact Information**

First Name:		Middle Name:	Last Name:	
P.O. Box or Street Address:	Apt/Suite #:	City:	State:	Zip Code:
Primary Phone Number:	Alternate Phone Number:	E-Mail Address:		
Can notices and correspondence be sent to your e-mail address in lieu of regular mail? <input type="checkbox"/> Yes <input type="checkbox"/> No		When is the best time to contact you? <input type="checkbox"/> Morning <input type="checkbox"/> Afternoon <input type="checkbox"/> Other: _____		
Name of Emergency Contact:	Relationship of Emergency Contact:	Emergency Contact Phone #:		

**B. Employment Information**

Are you legally eligible for employment in the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No	Are you 18 years of age or older? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If you previously worked for Menominee County, please list the last position you held, your dates of employment, and reason for leaving				
Department:	Position:	From:	To:	Reason for leaving:
How soon can you start if you are offered the position?				
<input type="checkbox"/> After I provide a 2-week notice to my employer <input type="checkbox"/> Immediately <input type="checkbox"/> Other: _____				

**C. Driving Record Information**

Do you currently have a valid Wisconsin driver's license? <input type="checkbox"/> Yes <input type="checkbox"/> No		No, but I currently hold a valid license in the State of:..... <input type="checkbox"/> Yes <input type="checkbox"/> No	
Please note that the job posting may require you to attach a copy of your driver's license to this application.			
Which Class of Drivers License do you hold? <input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C <input type="checkbox"/> Class D <input type="checkbox"/> N/A		If applicable, what CDL endorsements do you have? _____ <input type="checkbox"/> N/A	
Do you currently own a vehicle? <input type="checkbox"/> Yes <input type="checkbox"/> No	Do you have a <i>minimum</i> of liability insurance coverage on your vehicle? Please note that the job posting may require you to attach proof of insurance to this application. <input type="checkbox"/> Yes <input type="checkbox"/> No		

**D. Education**

The job description may require you to attach copies of your official transcripts.

School:	Name and Location:	Program/Major:	Did you graduate?	Type of degree received:
High School		Not applicable	<input type="checkbox"/> Yes <input type="checkbox"/> No	
College/ Technical			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Graduate			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other			<input type="checkbox"/> Yes <input type="checkbox"/> No	

Please request any special accommodations you might need for the interview in advance

**E. Licenses or Certifications** Please describe any professional or special licenses or certifications you possess:

License or Certification:	Issued by:	Issue Date:	Expiration Date:

**F. Special Skills and Qualification** Describe any specialized training, apprenticeships, and/or job-related skills you have.

**G. Employment History** Please list your last three employers below, beginning with your most recent employer first.

<b>1</b> Name of Employer:		Address:			Phone Number:	
Start Date:	End Date:	Hourly Wage:	Hours Per Week:	Status:	# of People Supervised:	
				<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time	<input type="checkbox"/> N/A	
Job Title:		Brief Description of Duties Performed:				
Reason for Leaving:					May we contact this <input type="checkbox"/> Yes <input type="checkbox"/> No employer?	
					<input type="checkbox"/> Still Employed	

<b>2</b> Name of Employer:		Address:			Phone Number:	
Start Date:	End Date:	Hourly Wage:	Hours Per Week:	Status:	# of People Supervised:	
				<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time	<input type="checkbox"/> N/A	
Job Title:		Brief Description of Duties Performed:				
Reason for Leaving:					May we contact this <input type="checkbox"/> Yes <input type="checkbox"/> No employer?	
					<input type="checkbox"/> Still Employed	

<b>3</b> Name of Employer:		Address:			Phone Number:	
Start Date:	End Date:	Hourly Wage:	Hours Per Week:	Status:	# of People Supervised:	
				<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time	<input type="checkbox"/> N/A	
Job Title:		Brief Description of Duties Performed:				
Reason for Leaving:					May we contact this <input type="checkbox"/> Yes <input type="checkbox"/> No employer?	
					<input type="checkbox"/> Still Employed	

**H. Employment Gaps** Please describe any significant gaps in employment.

**I. Military Service**

If you are a military veteran, which branch did you serve in?  Army  Navy  Marines  Air Force  Coast Guard  Space Force

Are you currently serving in the National Guard or Reserves?  Yes  No

**J. Criminal Convictions**

List all felony convictions. List all misdemeanor convictions that have occurred in the past seven years. Convictions are not an automatic bar to employment. This information will only be considered if they are reasonably related to the particular position. The County may consider misdemeanor convictions occurring outside of seven years for certain positions (e.g., positions having contact with vulnerable adults/children).

Date of Conviction:	Name of Jurisdiction (e.g., Federal, State, County, Tribal):	Offense/Law Violated:	Disposition (e.g., sentence, probation, fine, etc.):

**K. References** List two professional and one personal references. Do not include family members.

Name:	Occupation:	Type of Reference:	Phone Number:	Years Known:
		<input type="checkbox"/> Professional <input type="checkbox"/> Personal		
		<input type="checkbox"/> Professional <input type="checkbox"/> Personal		
		<input type="checkbox"/> Professional <input type="checkbox"/> Personal		

**L. Interview Schedule** We cannot guarantee we can accommodate your schedule or that interviews will be held in-person/remotely.

Which days of the week and times work best for you if you are granted an interview? (AM=8 to Noon | PM=1PM to 4PM). Select all that apply.

Any Day & Time	Mon	Tue	Wed	Thu	Fri
<input type="checkbox"/>	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> AM <input type="checkbox"/> PM

Are you able to conduct video-enabled interviews remotely using Zoom or other video-conferencing software?  Yes  No

**M. Notice of Job Opportunity** How did you hear about this position opening?

Employment Agency  
  State Employment Office  
  Family/Friend  
  Website  
  E-Mail  
  Other: \_\_\_\_\_  
 Newspaper Ad  
  College Placement Office  
  Bulletin Board  
  Other Employer  
  Video Kiosk  
  Targeted Recruitment


**N. Authorization & Signature**

By signing and submitting this application to Menominee County, you voluntarily agree to the following:

- Agree    Disagree   The answers given by me to the questions and statements on this application are true and correct. I understand that any untruthful statements may result in rejection of my application and/or subsequent termination of employment.
- Agree    Disagree   Menominee County has my permission to contact references, past or present employers (except as noted above), persons, schools, law enforcement agencies, departments of motor vehicles, and other sources of information which may be relevant to my application for employment. Accordingly, I will provide Menominee County my social security number, date of birth, drivers license number, and such other information as may be necessary for Menominee County to perform records or reference checks required of the position. I further give my consent to past or present employers (except as noted above), persons, schools, law enforcement agencies, departments of motor vehicles, and other sources of information to release information requested by Menominee County.
- Agree    Disagree   I will submit to a pre-employment drug test.
- Agree    Disagree   If I am hired by Menominee County, I will carefully read and conform to the County's work rules and regulations.
- Agree    Disagree   I understand and agree that if I am hired, my employment is "at will", and my position with the County and my compensation can be terminated at any time.

**Note:** If you fail to check any of the statements above or disagree with any of the statements, your application will be rejected.

**ELECTRONIC SIGNATURE CERTIFICATION.** This application must be signed manually and scanned or signed electronically utilizing Adobe Acrobat signature feature only. By signing your name electronically on this application, you are agreeing that your electronic signature is the legal equivalent of your manual

Applicant's Printed Name:	Applicant's Manual or Electronic Signature: 	Date:
---------------------------	--	-------

**Non-Discrimination:** Menominee County does not discriminate based upon sex, age, race, handicap, sexual orientation, creed, color, marital status, national origin, ancestry or arrest and conviction record.

## MENOMINEE COUNTY PERFORMANCE EVALUATION FORM - MANAGER (Appendix 1-D)

<b>Employee's Name:</b>		<b>Employee's Title:</b>		<b>Employee's Department:</b>	
<b>Supervisor's Name:</b>		<b>Supervisor's Title:</b>		<b>Supervisor's Department (if different):</b>	
<b>Date of Evaluation:</b>	<b>Effective Date of Evaluation:</b>	<b>Evaluation Type:</b>		Describe "Other" (if applicable)	
		<input type="checkbox"/> Annual <input type="checkbox"/> 6-Month <input type="checkbox"/> Other:			

### General Performance Factors...

<b>1</b>		<p><b>Knowledge and Technical Competence.</b> Describe how well the employee knows, understands, and utilizes job-related information, procedures, and skills. Describe the steps the employee has undertaken to improve his/her knowledge and technical competency.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>2</b>		<p><b>Quality of Work.</b> Describe how well the employee performs his/her duties correctly and accurately, and how well the employee's work reflects on him/her, the department, and the organization.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>3</b>		<p><b>Quantity of Work.</b> Describe how much work the employee accomplishes on average each day under normal working conditions, and how well the employee utilizes his/her time effectively. Describe the employee's ability to work on several assignments simultaneously.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>4</b>		<p><b>Teamwork.</b> Describe how well the employee works with others, coordinates his/her activities effectively with others, and resolves disputes among his/her coworkers. Describe the employee's approach or tact in dealing with others.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>5</b>		<p><b>Communication Skills.</b> Describe how well the employee writes, speaks, and listens; describe the employee's report writing, presentation skills, and physical communication (e.g. gestures, expressions, posture, etc.); describe the employee's participation in meetings.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>6</b>		<p><b>Adaptability.</b> Describe how well the employee adapts to changing conditions, such as the pace of work, his/her work setting, new policies and practices, and/or new duties. Describe the employee's efforts to overcome the challenges associated with such change.</p>
	Strengths:	
	Challenges:	
	Comments:	
<b>7</b>		<p><b>Initiative and Motivation.</b> Describe the self-initiative the employee has demonstrated to improve upon his/her own performance, the performance of the department, and/or of the organization.</p>
	Strengths:	
	Challenges:	
	Comments:	

# MENOMINEE COUNTY PERFORMANCE EVALUATION FORM - MANAGER (Appendix 1-D)

<b>8</b>	<p><b>Dependability/Reliability.</b> Describe how well the employee can be depended upon to carry out instructions and complete assignments on schedule. Describe the employee's willingness to accept responsibility and to own his/her successes and failures.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>
<b>9</b>	<p><b>Decisiveness and Soundness of Judgment.</b> Describe the employee's ability to make reasonable decisions, and ability to evaluate, plan, and arrive at sound conclusions. Describe the employee's ability to identify and analyze potential problems before acting.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>

<b>Job Specific Performance Factors...</b>	<b>Note:</b> All employees in this class must have the same performance factors.
<b>10</b>	<p>[Supervisor identified competency]</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>

<b>Managerial Performance Factors...</b>	
<b>11</b>	<p><b>Planning and Organization.</b> Describe how well this manager plans, organizes and performs his/her work. Describe how well the manager establishes goals, directs workflow to achieve those goals, adjusts to achieve those goals, and measures his/her own accomplishments.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>
<b>12</b>	<p><b>Leadership.</b> Describe the manager's ability to provide an example for employees to follow; the ability to lead and train others and to get results through teamwork; the ability to train, monitor, and correct employee performance; and the ability to inspire confidence.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>
<b>13</b>	<p><b>Budgeting.</b> Describe how well the manager plans the budget (e.g develops his/her budgets), directs funds (e.g. incurs expenses and/or raises revenues), and controls funding (e.g. monitors his/her expenditures and revenues). Describe how well the manager reports on his/her financial activities.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>
<b>14</b>	<p><b>Professionalism.</b> Describe how well the manager carries him/herself as an individual, as a member of his/her team, and as a member of the organization. Describe the discretion and loyalty the manager exhibits, and his/her acceptance of responsibility for his/her actions and those of his/her team.</p>
	Strengths: <input style="width: 90%;" type="text"/>
	Challenges: <input style="width: 90%;" type="text"/>
	Comments: <input style="width: 90%;" type="text"/>

# MENOMINEE COUNTY PERFORMANCE EVALUATION FORM - MANAGER (Appendix 1-D)

## Job Description...

1 Was the job description reviewed with the employee?     Yes     No

If you answered "No", please describe why in the space below:

2 Is the employee's job description up-to-date?     Yes     No

If you answered "No", please attach a copy of the revised job description.

## Goals and Objectives...


## Comments...

Supervisor's Comments:


Employee's Comments:


## CERTIFICATION

**Supervisor.** The undersigned supervisor certifies that he/she personally reviewed the evaluation with the employee.

**Employee.** The undersigned employee certifies that the supervisor personally reviewed the evaluation with him/her.

Supervisor's Signature

Date

Employee's Signature

Date

**MENOMINEE COUNTY PERFORMANCE EVALUATION FORM - NON-MANAGER (Appendix 1-D)**

<b>Employee's Name:</b>		<b>Employee's Title:</b>	<b>Employee's Department:</b>
<b>Supervisor's Name:</b>		<b>Supervisor's Title:</b>	<b>Supervisor's Department (if different):</b>
<b>Date of Evaluation:</b>	<b>Effective Date of Evaluation:</b>	<b>Evaluation Type:</b>	Describe "Other" (if applicable)
		<input type="checkbox"/> Annual <input type="checkbox"/> 6-Month <input type="checkbox"/> Other:	

**General Performance Factors...**

1	<b>Knowledge and Technical Competence.</b> Describe how well the employee knows, understands, and utilizes job-related information, procedures, and skills. Describe the steps the employee has undertaken to improve his/her knowledge and technical competency.
	Strengths:
	Challenges:
	Comments:
2	<b>Quality of Work.</b> Describe how well the employee performs his/her duties correctly and accurately, and how well the employee's work reflects on him/her, the department, and the organization.
	Strengths:
	Challenges:
	Comments:
3	<b>Quantity of Work.</b> Describe how much work the employee accomplishes on average each day under normal working conditions, and how well the employee utilizes his/her time effectively. Describe the employee's ability to work on several assignments simultaneously.
	Strengths:
	Challenges:
	Comments:
4	<b>Teamwork.</b> Describe how well the employee works with others, coordinates his/her activities effectively with others, and resolves disputes among his/her coworkers. Describe the employee's approach or tact in dealing with others.
	Strengths:
	Challenges:
	Comments:
5	<b>Communication Skills.</b> Describe how well the employee writes, speaks, and listens; describe the employee's report writing, presentation skills, and physical communication (e.g. gestures, expressions, posture, etc.); describe the employee's participation in meetings.
	Strengths:
	Challenges:
	Comments:
6	<b>Adaptability.</b> Describe how well the employee adapts to changing conditions, such as the pace of work, his/her work setting, new policies and practices, and/or new duties. Describe the employee's efforts to overcome the challenges associated with such change.
	Strengths:
	Challenges:
	Comments:
7	<b>Initiative and Motivation.</b> Describe the self-initiative the employee has demonstrated to improve upon his/her own performance, the performance of the department, and/or of the organization.
	Strengths:
	Challenges:
	Comments:

**MENOMINEE COUNTY PERFORMANCE EVALUATION FORM - NON-MANAGER (Appendix 1-D)**

<b>8</b>	<p><b>Dependability/Reliability.</b> Describe how well the employee can be depended upon to carry out instructions and complete assignments on schedule. Describe the employee's willingness to accept responsibility and to own his/her successes and failures.</p>
	Strengths: _____
	Challenges: _____
	Comments: _____

<b>9</b>	<p><b>Decisiveness and Soundness of Judgment.</b> Describe the employee's ability to make reasonable decisions, and ability to evaluate, plan, and arrive at sound conclusions. Describe the employee's ability to identify and analyze potential problems before acting.</p>
	Strengths: _____
	Challenges: _____
	Comments: _____

**Job Specific Performance Factors...** **Note:** All employees in this class must have the same performance factors.

<b>10</b>	[Supervisor identified competency]
	Strengths: _____
	Challenges: _____
	Comments: _____

**Job Description...**

1 Was the job description reviewed with the employee?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If you answered "No", please describe why in the space below:			
2 Is the employee's job description up-to-date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If you answered "No", please attach a copy of the revised job description.			

**Goals and Objectives...**


**Comments...**

Supervisor's Comments:	
Employee's Comments:	

**CERTIFICATION**

<p><b>Supervisor.</b> The undersigned supervisor certifies that he/she personally reviewed the evaluation with the employee. See <b>Note 1</b> for more information.</p>	<p><b>Employee.</b> The undersigned employee certifies that the supervisor personally reviewed the evaluation with him/her. See <b>Note 2</b> for more information.</p>		
Supervisor's Signature	Date	Employee's Signature	

# Menominee County Payroll/Personnel Change Report Form



<b>Employee Name:</b>	<b>Employee Title:</b>	<b>Department:</b>
<b>Employee Address (if new or changed):</b>		<b>Effective Date of Change:</b>

CHANGE(S):		FROM:	TO:
<input type="checkbox"/>	Rate of Pay		
<input type="checkbox"/>	Position		
<input type="checkbox"/>	Department		
<input type="checkbox"/>	Supervision		
<input type="checkbox"/>	Classification		
<input type="checkbox"/>	Account Distribution		

REASON(S) FOR CHANGE(S):					
<input type="checkbox"/>	Comp/Class Plan	<input type="checkbox"/>	Length of Service Increase	<input type="checkbox"/>	Transfer
<input type="checkbox"/>	Demotion	<input type="checkbox"/>	Merit Increase	<input type="checkbox"/>	Re-Evaluation of Present Job
<input type="checkbox"/>	Discharge	<input type="checkbox"/>	New Address	<input type="checkbox"/>	Union Contract
<input type="checkbox"/>	Hired	<input type="checkbox"/>	Rehired	<input type="checkbox"/>	COBRA Insurance
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Resignation	<input type="checkbox"/>	Union Dues
<input type="checkbox"/>	Leave of Absence	<input type="checkbox"/>	Retired	<input type="checkbox"/>	Annual Increase
<input type="checkbox"/>	Change in Deductions	<input type="checkbox"/>		<input type="checkbox"/>	

COMMENTS/REASONS:	

PRINTED NAME/TITLE OF SUPERVISOR:	SIGNATURE:	DATE:

DISTRIBUTE COPIES TO:	FORM FILLED OUT BY:
<input type="checkbox"/> Employee File <input type="checkbox"/> Employee's Supervisor <input type="checkbox"/> Human Resources / Coordinator's Office	

# MENOMINEE COUNTY TRAVEL AUTHORIZATION FORM (App. 1-F)

R. 08/2022

Name of Traveler:	Department:	Division/Section:	Date of Request:
Name of Conference/Training/Meeting:		Travel Start Date:	Travel End Date:
Brief Description of Training/Conference/Meeting: <input type="checkbox"/> Mandatory <input type="checkbox"/> Annual <input type="checkbox"/> Personal Growth <input type="checkbox"/> Continuing Education			
Special Instructions:			<input type="checkbox"/> Need Hotel Reserved by Clerk

## A. REGISTRATION

Registration is used to cover the costs associated with enrolling in a conference or seminar, or participating in a training session. Travelers are required to reimburse the County for registration costs associated with their guest.

Acct. No.	Traveler Registration Cost:	Guest Registration Cost:	<b>Amount:</b>
Check Payable to: <input type="checkbox"/> Traveler	Date Needed by:	Other: <input type="checkbox"/> County CC Used <input type="checkbox"/> Personal CC Used <input type="checkbox"/> Agency will be billed <input type="checkbox"/> Need PO	

## B. MILEAGE

Mileage is based on the current GSA rate. Mileage rate will be reduced if a County vehicle is available. The most direct route possible must be travelled. Mileage rate for motorcycle is less.

Acct. No.	Travel Miles:	Mileage Rate:	<input type="checkbox"/> Co. Vehicle Not Available <input type="checkbox"/> Prefer to Use Own Vehicle	<b>Amount:</b>
-----------	---------------	---------------	---	----------------

## C. LODGING

The County will pay for standard lodging only. The County Clerk may hold reservations using the County credit card upon request. The traveler is personally responsible for any costs charged to the room. Lodging is tax exempt.

Acct. No.	Standard Lodging/Night:	# of Nights:	Payable to: <input type="checkbox"/> N/A - PO/CC Used <input type="checkbox"/> Traveller <input type="checkbox"/> Hotel	<b>Amount:</b>
Name of Hotel:	Address:	Phone #:		

## D. PER DIEM

Per diem is based on the GSA rate. Payment equals 75% for the first and last day of travel, and 100% for full travel days. Meals provided by the training/conference must be deducted from per diem. Refer to the GSA.gov website for more details.

Acct. No.	Per Diem Rate:	Days Travel:	<b>Amount:</b>																												
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"></td> <td colspan="3" style="text-align: center; background-color: #e0e0e0;">Deductions of Meals Provided at Training/Conference</td> </tr> <tr> <td>1st Day: _____</td> <td>Breakfast Rate: _____</td> <td># Covered: _____</td> <td>Deduct: _____</td> </tr> <tr> <td>Full Day: _____</td> <td>Lunch Rate: _____</td> <td># Covered: _____</td> <td>Deduct: _____</td> </tr> <tr> <td>Last Day: _____</td> <td>Dinner Rate: _____</td> <td># Covered: _____</td> <td>Deduct: _____</td> </tr> <tr> <td>Totals: _____</td> <td></td> <td></td> <td>Totals: _____</td> </tr> <tr> <td>Less Deduct: _____</td> <td colspan="3"></td> </tr> <tr> <td>Per Diem: _____</td> <td colspan="3">* Obtain individual meal rates from GSA</td> </tr> </table>					Deductions of Meals Provided at Training/Conference			1st Day: _____	Breakfast Rate: _____	# Covered: _____	Deduct: _____	Full Day: _____	Lunch Rate: _____	# Covered: _____	Deduct: _____	Last Day: _____	Dinner Rate: _____	# Covered: _____	Deduct: _____	Totals: _____			Totals: _____	Less Deduct: _____				Per Diem: _____	* Obtain individual meal rates from GSA		
	Deductions of Meals Provided at Training/Conference																														
1st Day: _____	Breakfast Rate: _____	# Covered: _____	Deduct: _____																												
Full Day: _____	Lunch Rate: _____	# Covered: _____	Deduct: _____																												
Last Day: _____	Dinner Rate: _____	# Covered: _____	Deduct: _____																												
Totals: _____			Totals: _____																												
Less Deduct: _____																															
Per Diem: _____	* Obtain individual meal rates from GSA																														

## E. MISCELLANEOUS

The County may provide for certain other expenses, such as parking, taxi/shuttle service, airline, tolls, etc. Please list any anticipated miscellaneous expenses in the area below.

Acct. No.	Parking:	Taxi/Shuttle:	Airline:	Other*:	<b>Amount:</b>																								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td>* Other: _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td></td> </tr> <tr> <td>* Other: _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td></td> </tr> <tr> <td>* Other: _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: center;">Total Other: _____</td> <td></td> </tr> </table>						* Other: _____	_____	_____	_____	_____		* Other: _____	_____	_____	_____	_____		* Other: _____	_____	_____	_____	_____		Total Other: _____					
* Other: _____	_____	_____	_____	_____																									
* Other: _____	_____	_____	_____	_____																									
* Other: _____	_____	_____	_____	_____																									
Total Other: _____																													

Supervisor's Signature:	Supervisor's Printed Name and Title:	Date:	<b>TOTAL COST:</b>
-------------------------	--------------------------------------	-------	--------------------

Attach copies of training/conference/meeting agendas or announcements to this travel authorization form.  
Travelers must keep original lodging receipts and submit them to their supervisors within ten (10) days of return from their trip.



**Appendix 1-H**  
**VOLUNTARY DONATION OF LEAVE**

I, the undersigned employee of Menominee County, having read and understand the Donation of Leave Policy contained in Section 19.C of the Personnel Policies and Procedures Manual, hereby voluntarily donate to the Donation of Leave Pool the following amounts of leave:

Leave Type	Hours Donated	Current Balance of Leave	Balance After Donation
Vacation:			

I understand that once the donation is made, the donation cannot be rescinded. I further understand that my donation of leave cannot be directed to any one single individual.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date

**\*\*\* DETERMINATION OF ABILITY TO MAKE A LEAVE DONATION \*\*\***

Upon my review of this donation authorization and verification of accrual balances, I have determined that the donor:

- Has sufficient leave balances to make the donation.
- Does not have sufficient leave balances to make this donation.

\_\_\_\_\_  
Authorized Representative,  
Administrative Coordinator's Office

\_\_\_\_\_  
Date

**Appendix 1-I**

**APPLICATION FOR LEAVE DONATION**

I, the undersigned employee of Menominee County, have read and understand the Donation of Leave Policy contained in Section 19.C of the Personnel Policies and Procedures Manual and hereby request a donation of leave from the Donation of Leave Pool. I certify the following:

1. I have worked for Menominee County a total of one year or longer; and
2. I have exhausted or will soon exhaust all available paid leave balances; and
3. I, or an immediate family member, am experiencing an FMLA-qualifying serious health condition requiring a prolonged absence from work.

I have attached a physician or practitioner's statement evidencing the nature of the FMLA-qualifying serious health condition and will provide such other documented proof necessary to help Administration determine my eligibility for the Donation of Leave benefit.

I understand that Administration has the sole discretion in determining whether an employee is qualified for a leave donation and the amount of leave hours to be assigned to the employee from the Donation of Leave pool.

I understand that if I am determined to be eligible for this benefit, the benefit is only available for up to six weeks, after which my employer may be required to exercise its right to terminate my employment consistent with applicable federal or state law.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date

**\*\*\* DETERMINATION OF ELIGIBILITY \*\*\***

Upon careful review of the application and attachments, I have determined that the applicant:

- Meets the criteria contained in the Donation of Leave policy.
- Does not meet the criteria contained in the Donation of Leave policy.

Accordingly, \_\_\_\_\_ hours available in the pool are being donated to the employee, which represents  the full amount available in the pool or  the full amount the employee is entitled to.

\_\_\_\_\_  
Authorized Representative,  
Administrative Coordinator's Office

\_\_\_\_\_  
Date

## APPENDIX 2

### CODE OF ETHICS FOR LOCAL PUBLIC OFFICIALS

(Wisconsin Statutes, Chapter 19, Section 19.59)

#### **19.59 Codes of ethics for local government officials, employees and candidates.**

(1)

(a) No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. A violation of this paragraph includes the acceptance of free or discounted admissions to a professional baseball or football game by a member of the district board of a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by ch. 11.

(b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph does not prohibit a local public official from engaging in outside employment.

(br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any person who is subject to a registration requirement under s. 11.05, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

(c) Except as otherwise provided in par. (d), no local public official may:

1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.
2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

(d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

(f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 289.33 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 289.33, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

(g)

1. In this paragraph:

a. "District" means a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229.

b. "District board member" means a member of the district board of a district.

2. No district board member may accept or retain any transportation, lodging, meals, food or beverage, or reimbursement therefor, except in accordance with this paragraph.

3. A district board member may receive and retain reimbursement or payment of actual and reasonable expenses for a published work or for the presentation of a talk or participation in a meeting related to processes, proposals and issues affecting a district if the payment or reimbursement is paid or arranged by the organizer of the event or the publisher of the work.

4. A district board member may receive and retain anything of value if the activity or occasion for which it is given is unrelated to the member's use of the time, facilities, services or supplies of the district not generally available to all residents of the district and the member can show by clear and convincing evidence that the payment or reimbursement was unrelated to and did not arise from the recipient's holding or having held a public office and was paid for a purpose unrelated to the purposes specified in subd. 3.

5. A district board member may receive and retain from the district or on behalf of the district transportation, lodging, meals, food or beverage, or reimbursement therefor or payment or reimbursement of actual and reasonable costs that the member can show by clear and convincing evidence were incurred or received on behalf of the district and primarily for the benefit of the district and not primarily for the private benefit of the member or any other person.

6. No district board member may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person, if the information has not been communicated to the public or is not public information.

7. No district board member may use or attempt to use the position held by the member to influence or gain unlawful benefits, advantages or privileges personally or for others.

8. No district board member, member of a district board member's immediate family, nor any organization with which the district board member or a member of the district board member's immediate family owns or controls at least 10% of the outstanding equity, voting rights, or outstanding indebtedness may enter into any contract or lease involving a payment or payments of more than \$3,000 within a 12-month period, in whole or in part derived from district funds unless the district board member has first made written disclosure of the nature and extent of such relationship or interest to the government accountability board and to the district. Any contract or lease entered into in violation of this subdivision may be voided by the district in an action commenced within 3 years of the date on which the government accountability board, or the district, knew or should have known that a violation of this subdivision had occurred. This subdivision does not affect the application of s. 946.13.

9. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of the district with which he or she was associated as a district board member within 12 months prior to the date on which he or she ceased to be a district board member.

10. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of a district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former member's responsibility as a district board member within 12 months prior to the date on which he or she ceased to be a member.

11. No former district board member may, for compensation, act on behalf of any party other than the district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former member participated personally and substantially as a district board member.

(1m) In addition to the requirements of sub. (1), any county, city, village or town may enact an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices.

(2) An ordinance enacted under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions to which the ordinance applies.

(3) An ordinance enacted under this section may contain any of the following provisions:

(a) A requirement for local public officials, other employees of the county or municipality and candidates for local public office to identify any of the economic interests specified in s. 19.44.

(b) A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(c) A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.

(e) Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of local public officials and other employees of the county or municipality or on the part of former local public officials or former employees of the county or municipality.

(f) A provision prescribing a forfeiture for violation of the ordinance in an amount not exceeding \$1,000 for each offense. A minimum forfeiture not exceeding \$100 for each offense may also be prescribed.

(4) This section may not be construed to limit the authority of a county, city, village or town to regulate the conduct of its officials and employees to the extent that it has authority to regulate that conduct under the constitution or other laws.

(5)

(a) Any individual, either personally or on behalf of an organization or governmental body, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit, an advisory opinion regarding the propriety of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The county or municipal ethics board or the county corporation counsel or attorney shall review a request for an advisory opinion and may advise the person making the request. Advisory opinions and requests therefor shall be in writing. It is prima facie evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to a county or municipal ethics board or a county corporation counsel or attorney for a local governmental unit and abides by the advisory opinion, if the material facts are as stated in the opinion request. A county or municipal ethics board may authorize a county corporation counsel or attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in par. (b), neither a county corporation counsel or attorney for a local governmental unit

nor a member or agent of a county or municipal ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

(b) A county or municipal ethics board, county corporation counsel or attorney for a local governmental unit replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the county or municipal ethics board, the county corporation counsel or the attorney for the local governmental unit in connection with the request for an advisory opinion.

(6) Any county corporation counsel, attorney for a local governmental unit or statewide association of local governmental units may request the board to issue an opinion concerning the interpretation of this section. The board shall review such a request and may advise the person making the request.

(7)

(a) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that the accused has violated sub. (1) (br), the court may, in addition, order the accused to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained.

(b) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that a local public official has violated sub. (1) (br) and no political contribution, service or other thing of value was obtained, the court may, in addition, order the accused to forfeit an amount equal to the maximum contribution authorized under s. 11.26 (1) for the office held or sought by the official, whichever amount is greater.

(8)

(a) Subsection (1) shall be enforced in the name and on behalf of the state by action of the district attorney of any county wherein a violation may occur, upon the verified complaint of any person.

(b) In addition and supplementary to the remedy provided in sub. (7), the district attorney may commence an action, separately or in conjunction with an action brought to obtain the remedy provided in sub. (7), to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

(c) If the district attorney fails to commence an action to enforce sub. (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the district attorney refuses to commence such an action, the person making the complaint may petition the

attorney general to act upon the complaint. The attorney general may then bring an action under par. (a) or (b), or both.

(cm) No complaint alleging a violation of sub. (1) (br) may be filed during the period beginning 120 days before a general or spring election, or during the period commencing on the date of the order of a special election under s. 8.50, and ending on the date of that election, against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

(cn) If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.

(d) If the district attorney prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the county wherein the violation occurs. If the attorney general prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the state.

## Chapter DHS 5

### PERSONNEL ADMINISTRATION IN LOCAL HUMAN SERVICES AGENCIES

DHS 5.01	Purpose.
DHS 5.02	Delegation of authority.
DHS 5.03	Recruitment, selection and appointment.
DHS 5.04	Classification and compensation plan.

DHS 5.05	Training and employee development.
DHS 5.06	Separation and performance evaluation.
DHS 5.07	Equal employment opportunity and appeals.
DHS 5.08	Political activity.

**Note:** Chapter PW-PA 10 as it existed on July 31, 1981, was repealed and a new chapter HSS 5 was created effective August 1, 1981. Chapter HSS 5 was renumbered chapter HFS 5 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, April, 1997, No. 496. Chapter HFS 5 was renumbered to chapter DHS 5 under s. 13.92 (4) (b) 1., Stats., and corrections made under s. 13.92 (4) (b) 7., Stats., Register November 2008 No. 635.

**DHS 5.01 Purpose.** The purpose of this chapter is to ensure fair and efficient personnel administration of local aging, mental health, alcohol and other drug abuse, developmental disabilities, public health, income maintenance and social services positions supported by federal funds which require that personnel standards on a merit basis be established and maintained. The department of health services, pursuant to ss. 46.016, 49.78 (4) and (7), 51.42 (7) (b), 51.437 (16) and 227.11 (2), Stats., shall ensure the continued receipt of those federal funds by providing direct merit personnel services to local employees or assigning that responsibility to local employers.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81; corrections made under s. 13.93 (2m) (b) 7., Stats., Register November 2004 No. 587; correction made under s. 13.92 (4) (b) 6., Stats., Register November 2008 No. 635.

**DHS 5.02 Delegation of authority.** (1) OFFER AND ACCEPTANCE OF DELEGATION. Determination by the department of health services that the local employer has a staff capability to administer this chapter shall lead to an offer by the department of health services of delegation, and acceptance of that offer shall make the local employer responsible for the administration of this chapter.

(2) PERIODIC EVALUATION BY THE DEPARTMENT. (a) The department of health services shall continue periodic evaluations of the performance of the local employer to ensure that this chapter is being administered fairly and efficiently.

(b) Any violations of merit principles discovered by the department of health services in its evaluation of the local employer's performance shall be reported to the employer for correction.

(c) Failure by the employer to correct violations identified by the department of health services may result in withdrawal of the delegation.

(3) ADMINISTRATION BY THE DEPARTMENT. The department of health services shall administer this chapter until such time as it determines that the local employer has a staff capability to administer the chapter and agrees to administer it, or following a determination that an employer has failed to correct violations identified and reported to the employer by the department of health services.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81; corrections made under s. 13.92 (4) (b) 6., Stats., Register November 2008 No. 635.

**DHS 5.03 Recruitment, selection and appointment.** Recruitment, selection and appointment of applicants for employment and advancement of employees shall be on the basis of their relative ability, knowledge and skills.

(1) RECRUITMENT. Recruiting efforts shall ensure that interested and qualified applicants from outside the employing agency are considered for employment.

(a) Emphasis shall be placed on recruiting efforts to attract minorities, women and members of other groups substantially

underrepresented in the work force to help ensure they are among the candidates from whom appointments are made.

(b) The recruiting program shall be designed to meet current and projected work force needs and shall be tailored to the number and type of positions to be filled and to labor market conditions.

(2) SELECTION AND APPOINTMENT. Selection procedures shall assess applicant attributes necessary for successful job performance, shall be based upon the duties and responsibilities of the job to be filled and shall provide for the appropriate ranking of applicants from the most qualified to the least qualified which shall constitute the employment list.

(a) Appointments shall be made from employment lists established on the basis of the relative ability, knowledge and skills of the applicants.

(b) The number of applicants to be considered for employment shall be determined prior to the initiation of any selection procedure.

(c) Job related minimum training and experience requirements shall be established for each job. The requirements shall be met by all candidates in order for them to be eligible for examination and appointment.

(d) Permanent appointments shall be contingent upon satisfactory performance by the employee during a fixed probationary period.

(e) Temporary appointments shall have a reasonable time limit. If the employment lists of eligible applicants are available, they normally shall be used for filling temporary positions. Temporary appointments may be made to provide for maintenance of essential services in an emergency situation.

(3) CAREER ADVANCEMENT. Only employees who successfully complete a fixed probationary period may be promoted to higher level jobs provided the agency ensures that all those considered eligible for promotion are qualified for the job.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

**DHS 5.04 Classification and compensation plan.** Equitable and adequate compensation shall be provided.

(1) CLASSIFICATION PLAN. The classification plan shall be maintained on a current basis. It shall include all job groupings with similar duties, responsibilities, training and experience requirements and other characteristics to which common job titles and compensation provisions may be applied. It shall be utilized for decision making on compensation, selection, employee development and other personnel program activities.

(2) COMPENSATION PLAN. The compensation plan shall assign pay rates or ranges to the different job groupings in the classification plan on a current basis and shall take into account the responsibility and difficulty of the work and the compensation needed to compete in the labor market.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

**DHS 5.05 Training and employee development.**

(1) EMPLOYEE TRAINING. Employees shall be trained as needed to assure high quality performance.

(2) ORGANIZED TRAINING PROGRAMS. Organized training programs shall be established as needed for the purpose of enhancing

the knowledge, proficiency, ability and skills of employees in order to keep them abreast of current developments in their occupational fields in order to assure high quality performance.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

#### **DHS 5.06 Separation and performance evaluation.**

Employees shall be retained on the basis of the adequacy of their performance.

**(1) EMPLOYEE EVALUATION.** Employees shall be evaluated periodically on a job related basis by their supervisors to ascertain the adequacy of their job performance in relation to agency performance standards.

(a) Performance evaluations determined through a joint review by supervisor and employee of job results achieved shall be the basis for personnel actions to recognize or to reward superior performance.

(b) Where performance deficiencies exist, a performance improvement plan shall be initiated by the supervisor and the employee.

(c) Procedures shall be established to provide for the transfer, demotion, or discharge of employees whose performance continues to be inadequate after reasonable efforts have been made to correct it.

**(2) LAYOFFS AND SEPARATIONS.** Employees who have completed a fixed probationary period shall not be subject to layoff except for reasons of curtailment of work or lack of funds.

(a) A layoff procedure to reduce the work force shall be developed based upon an evaluation of performance and length of service that shall ensure the retention of the most competent senior employees.

(b) Employees who have completed a fixed probationary period shall not be discharged except for good cause. Grounds for discharge include, but are not limited to, inefficiency, neglect of duty, official misconduct or malfeasance in office.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

**DHS 5.07 Equal employment opportunity and appeals.** Fair treatment of applicants and employees in all aspects of personnel administration shall be assured.

**(1) EQUAL EMPLOYMENT OPPORTUNITY.** Fair treatment and freedom from unlawful discrimination in personnel administra-

tion, as provided in subch. II of ch. 111, Stats., and relevant federal statutes including, but not limited to, the Equal Employment Opportunity Act of 1972 (42 USC 2000e-2000e-17), the Rehabilitation Act (29 USC 701-709), the Age Discrimination in Employment Act (29 USC 621-634) and the Equal Pay Act (29 USC 206), shall be assured to all persons.

**(2) AFFIRMATIVE ACTION.** An affirmative action plan shall be developed and implemented to increase the utilization of women, minorities and handicapped persons previously underutilized and underrepresented by the identification of goals and establishment of timetables formulated to correct substantial disparities. The plan shall include:

(a) Provision for the collection and maintenance of data on applicants and employees by race, sex, ethnic group and handicapped status to determine the impact of the selection process on the composition of the work force;

(b) Periodic evaluation of results to assess the effectiveness of the plan in achieving both long term and interim goals on a timely basis; and,

(c) Prohibitions against unlawful discrimination.

**(3) APPEALS.** In the event of demotion or separation, permanent employees shall be provided with the right to appeal through an impartial process that may be recommendatory or enforceable on the employer. Appeals of alleged discrimination of an applicant or employee shall also be provided through an impartial process that shall result in timely, enforceable decisions.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

**DHS 5.08 Political activity.** **(1) RESPONSIBILITY OF LOCAL GOVERNMENTS.** Local employers shall inform their employees of their political rights and of prohibited practices under the Hatch Act (5 USC 1501-1508).

**(2) POLICIES CONCERNING POLITICAL ACTIVITY.** (a) Policies on political activity shall be adopted and enforced to ensure that all employees have the right to express their views as citizens, to pursue their legitimate involvement in the political system and to vote.

(b) Policies on political activity shall ensure that employees not engage in or be subject to coercion for political purposes or seek candidacy for public office in a partisan election.

**History:** Cr. Register, July, 1981, No. 307, eff. 8-1-81.

## APPENDIX 4

### FAMILY AND MEDICAL LEAVE

Family, medical and medical/servicemember leaves are available to employees as specified below or as may be provided under other existing policies or agreements. The intent of this policy is to comply with both the Wisconsin and Federal Family and Medical Leave Acts. Should this policy conflict in any way with the applicable federal and state statutes or regulations, then the statutes or regulations shall control.

#### (1) GENERAL REQUIREMENTS

- (a) Eligibility and Length of Leave: Family & Medical Leave refers to unpaid family, care-taking and medical leave for eligible employees. Eligible employees may be able to take unpaid family, care-taking or medical leave under Federal and/or State law.

Wisconsin law allows employees who have worked at least 1,000 hours in the past 52 weeks to take leave in a calendar year.

1. Up to 6 weeks of family leave during any 12 month period for the birth or adoption of a child. This leave must begin and end within 16 weeks of the birth or adoption of a child:
2. Up to 2 weeks of family leave during any 12 month period to care for a child, spouse, or parent suffering from a serious health condition.
3. Up to 2 weeks of medical leave during any 12 month period for an employee to care for his/her own serious health condition.

Federal law allows employees who have worked at least 1,250 hours and 12 months to take up to 12 weeks of leave in a year, which is calculated in one of four ways prescribed by federal law, for one or more of the following reasons:

1. Family leave for the birth of an employee's child or because of the placement of a child with the employee for adoption or foster care.
2. Family leave to care for a child, spouse or parent suffering from a serious health condition.
3. Medical leave for an employee to care for their own serious health condition.
4. Leave for a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty in the Armed Forces in support of a contingency operation.

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In addition, a recent amendment to the federal law allows up to 26 weeks of leave during a single 12-month period for employees who are the spouse, son, daughter, parent or next of kin of a covered servicemember, to provide care for the servicemember.

- (b) Time Allowed: Time allowed under County policies and agreements and also under federal and state statutes is to be used concurrently and not consecutively. For example, County sick leave used for the birth of a child also qualifies as birth or placement leave under the state and federal laws and, therefore, is also deducted from an employee's leave entitlement under the state and federal laws.
- (c) Definitions:
  - 1. "Serious health condition" is defined as a disabling physical or mental illness, injury, impairment, or condition involving any of the following:
    - a. Inpatient care in a hospital, nursing home, hospice, or residential medical facility.
    - b. Outpatient care that requires continuing treatment or supervision by a health care provider.
  - 2. "Week" means five eight hour work days of leave for purposes of calculating intermittent or partial leave.
  - 3. For each work day or work week in which an employee works fewer than the regularly scheduled hours by using intermittent or partial leave, the specific amount taken will be deducted for purposes of computing leave taken and leave remaining.
  - 4. "In loco parentis" means having day-to-day responsibilities to care for and financially support a child with whom one has no biological or legal relationship.
  - 5. Calendar year refers to the months of January through December.
  - 6. "Active duty" means duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
  - 7. "Contingency operation" has the same meaning given such term in section 101(a)(13) of title 10, United States Code.
  - 8. "Covered servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

9. "Next of kin" used with respect to an individual, means the nearest blood relative of that individual.
10. "Outpatient status", with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to—
  - (A) a military medical treatment facility as an outpatient; or
  - (B) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
11. "Serious injury or illness" in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

**(2) BIRTH OR PLACEMENT LEAVE.**

- (a) Unpaid birth or placement leave may be used within 16 weeks before, or within 12 months following the birth of the employee's natural child, the placement of a child with the employee for adoption, or the placement of a child with the employee for 24-hour foster care that is made by, or with agreement of a licensed child welfare agency or County Social Service/Human Services Department.
- (b) No employee may take more than 12 weeks of birth or placement leave in a 12-month period. In addition, no more than 12 weeks leave can be taken for the birth of any one child. If both the mother and father of a child are employed by the County, they are entitled only to a combined total leave of 12 weeks.
- (c) An employee may substitute a maximum of six weeks accrued paid sick leave or other accrued leave for the first six of the otherwise unpaid 12 week period, provided the first six weeks occur within a period of 16 weeks before to 16 weeks after the birth or placement. After the first six weeks, county policy requires that any paid leave time be used prior to unpaid leave for part or all of the remaining leave period. No substitution of accrued paid sick leave is permitted for foster care placement.
- (d) An employee must submit a written request for birth or placement leave not less than 30 days before the leave is to commence and must schedule the leave after reasonably considering the County's needs. If the date of the birth, adoption or foster care placement requires leave to begin sooner, the employee shall provide notice as soon as possible. The employee shall identify if and what type of paid accrued leave the employee intends to substitute as provided under the law. All of the notification requirements are included on the Medical Certification form available from the Personnel Department.

- (e) For the first six weeks, an employee may take birth or placement leave as an intermittent or partial absence in employment in increments of no less than one-half hour, or as allowed by union agreement. An employee who does so shall schedule the intermittent or partial absence so it does not unduly disrupt the County's operations. To comply with this requirement, an employee must provide the County, in writing, with the proposed schedule of intermittent or partial absences no less than two weeks before the schedule of absences is to begin. The schedule must be sufficiently explicit so that the County is able to schedule replacement employees, if necessary, to cover the absences.

Intermittent or partial leave must conclude within sixteen weeks following the birth, adoption or foster placement of a child. The remaining period of up to six weeks must be taken in a single block, but exceptions may be granted.

- (f) The employee must provide medical certification as required in (5) below.

**(3) FAMILY ILLNESS LEAVE.**

- (a) Unpaid family illness leave may be used to care for an individual, who has a serious health condition and is the employee's:
  - 1. Spouse
  - 2. Biological, adopted or foster child
  - 3. Child for which the employee stands "in loco parentis"
  - 4. Biological parent or parent who stood "in loco parentis" to employee
  - 5. Spouse's parent
- (b) In a calendar year, no employee may take more than 12 weeks of family illness leave for the employee's spouse, child or parents. A maximum of two weeks of family illness leave may be taken for a spouse's parent.
- (c) An employee may substitute a maximum of two weeks accrued paid sick leave or other accrued leave for the first two weeks of the otherwise unpaid 12 week leave period. After the first two weeks, county policy requires that any paid vacation, floating holiday or compensatory leave time be used prior to unpaid for part or all of the remaining leave period.
- (d) An employee must consider the needs of the County when scheduling family illness leave. If an employee intends to use family illness leave for planned medical, treatment or supervision of a family member, as defined above, the employee must do the following:

1. Give the County two weeks advance written notice of the intent to take such leave, the reason for the leave, and the planned dates of the leave. This requirement may be waived in emergency situations. The employee shall also identify if and what type of paid accrued time the employee intends to substitute as provided under the law.
  2. Schedule medical treatment or supervision so that it does not unduly disrupt the County's operations. Provide the County with a proposed schedule for the leave with reasonable promptness after the employee learns of the probable necessity of the leave. The schedule must be sufficiently explicit so that the County can schedule replacement employees, if necessary.
  3. Provide the required medical certification as required in, (5) below.
- (e) When medically necessary, an employee may take family illness leave as an intermittent or partial absence from employment in increments of no less than one-half hour, or as allowed by union agreement. An employee who does so shall schedule the intermittent or partial absence so it does not unduly disrupt the County's operations. To comply with this requirement, an employee must provide the County, in writing, with the proposed schedule of absences with reasonable promptness after the employee learns of the probable necessity of such leave.

**(4) EMPLOYEE MEDICAL LEAVE.**

- (a) Unpaid medical leave may be used by an employee who has a serious health condition which makes the employee unable to perform his or her job duties. An employee may choose that any paid accrued leave be substituted for part or all of the otherwise unpaid 12 week leave. After the first two weeks, the County requires that any paid vacation, floating holiday or compensatory time be used prior to unpaid leave for part or all of the remaining unpaid leave. No employee may take more than 12 weeks of unpaid medical leave in a calendar year.
- (b) An employee may schedule medical leave as medically necessary. If an employee intends to use the medical leave for a planned medical treatment or supervision, the employee must:
1. Give the County two weeks written advance notice of the intent to take a leave, the reason for the leave, and the planned dates of leave. This requirement may be waived in emergency situations. The employee shall also identify if and what type of paid accrued leave the employee intends to substitute as provided under the law.
  2. Schedule the medical treatment or supervision so that it does not unduly disrupt the County's operations. Provide the County with a proposed schedule for the leave with reasonable promptness after the employee learns of the probable necessity of the leave. The schedule must be

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sufficiently explicit so that the County can schedule replacement employees, if necessary.

3. Provide the required medical certification as required in (5) below.

- (c) When medically necessary, an employee may take employee medical leave as intermittent or partial absences from employment in increments of no less than one-half hour, or as allowed by union agreement. An employee who does so shall schedule the intermittent or partial absence so that it does not unduly disrupt the County's operations. To comply with this requirement, an employee must provide the County, in writing, with the employee's proposed schedule of intermittent or partial absences with reasonable promptness after the employee learns of the probable necessity of such leave.

### **(5) SERVICE LEAVE.**

- (a) Unpaid leave of up to 26 weeks during any 12 month period may be used to permit a spouse, son, daughter, parent, or next of kin to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- (b) Regular FMLA leave, of up to 12 weeks in any 12-month period may be used for any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
- (c) In any case where leave is necessary due to active duty of a son, daughter, parent or spouse and such leave is foreseeable, the employee shall provide notice to the County as soon as is reasonable and practicable.

### **(6) MEDICAL CERTIFICATION.**

- (a) If an employee requests leave under this policy, the employee must obtain a Medical Certification form from the Personnel Department. This form must be completed by the employee and the health care provider treating the family member or employee. In the case of placement for adoption or foster care, a copy of the legal documentation attached to the Medical Certification form will substitute for the health care provider's certification.
- (b) Employees on servicemember family leave will be required to submit a certification issued by the health care provider of the servicemember being care for by the employee, in the case of an employee who is unable to return to work due to the servicemember's condition.

- (c) If requirements for certification are not completed, the County may deny the leave. The County may request a second health care provider's opinion and/or periodic recertification at the County's expense.

**(7) ACTIVE DUTY CERTIFICATION.**

- (a) Employees on leave due to the active duty of a son, daughter, parent or spouse will be required to submit a certification of active duty in a timely manner.

**(8) INSURANCE AND BENEFITS.**

- (a) While an employee is on approved paid leave, benefits continue as if the employee remained at work. While an employee is on approved unpaid leave, the County will maintain group health insurance under the conditions that applied before the leave and the employee will make arrangements to pay the employee's portion of the health insurance premium and the full premium for all other benefit plans during the term of the unpaid leave. The County's obligation to maintain health insurance benefits will terminate if and when an employee informs the County of an intent not to return to work at the end of the leave period, if the employee fails to return to work. When leave entitlement is depleted, or if the employee fails to make any required payments while on leave.
- (b) If the employee does not return to work after the leave entitlement has been exhausted, the County has the right to recover the health insurance premiums paid on behalf of the employee during a period of unpaid leave. An employee must return to work for at least thirty calendar days in order to be considered to have "returned" to work.

**(9) RETURN FROM LEAVE.**

- (a) An employee returning from employee medical leave is required to obtain medical certification from the health care provider that the employee is able to resume work.
- (b) An employee returning from leave as provided under this policy can return to his or her prior position if vacant at the time the employee returns to work. If the position is no longer vacant the employee shall be offered an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
- (c) An employee may return to work prior to the scheduled end of the leave. The employee shall be returned to his or her prior position or an equivalent position within a reasonable time after the request to return to work early is made.

**(10) INTERPRETATION.** Any questions regarding Family and Medical Leave use and/or interpretation should be directed to the Human Resources Department for clarification.

# Family Medical Leave Act

State of Wisconsin  
Department of Workforce Development  
Equal Rights Division

## Physician or Practitioner Certification For Family or Medical Leave

Personal information you provide may be used for secondary purposes. See Sec. 15.04 (1) (m), Wis. Stats., for details.

### Dear Physician or Practitioner:

To assist in establishing leave entitlements under the Wisconsin Family and Medical Leave Act (Section 103.10, Wisconsin Statutes) please answer the questions checked below and return this certification form to the employer listed below.

### Employer Information

Employer Name			
Street Address	City	State	Zip Code

### Employee/Patient Name

Employee Name	Patient Name (if not employee)
---------------	--------------------------------

**Information Requested** (Employer, please check the appropriate box (es) below identifying the information you need from the physician or practitioner.)

<input type="checkbox"/> Does _____ have a serious health condition? <input type="checkbox"/> Yes <input type="checkbox"/> No (patient name)
<b>Note:</b> The Wisconsin Family and Medical Leave Act (Section 103.10, Wisconsin Statutes) defines a <b>serious health condition</b> as a disabling physical or mental illness, injury, impairment or condition involving either inpatient care in a hospital, or outpatient care that requires continuing treatment or supervision by a health care provider.
<input type="checkbox"/> What date did the condition begin?
<input type="checkbox"/> What is the probable duration of the condition?
<input type="checkbox"/> Briefly describe the serious health condition (an exact diagnosis is not required). _____ _____ _____ _____
<input type="checkbox"/> Please indicate the extent to which the employee is unable to perform his or her employment duties. _____ _____

### Physician/Practitioner Information

Physician/Practitioner Name (Please Print)	
Signature of Physician/Practitioner	Date Signed

**Note to Employer: this information should be retained in a confidential medical file.**

ERD-10111 (R. 01/2013)

(This suggested form may be reproduced by employers.)

# Family Medical Leave Act

State of Wisconsin  
Department of Workforce Development  
Equal Rights Division

## Medical Release Authorization

ERD Case Number: CR \_\_\_\_\_

**Sections 111.35 & 101.22 Wisconsin Statutes allow the Equal Rights Division to secure medical information to investigate a complaint. Completion of this authorization is voluntary.**

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wisconsin Statutes].

Physician or Medical Facility Name	
Physician or Medical Facility Street Address	
Physician or Medical Facility City	
Physician or Medical Facility State	Physician or Medical Facility Zip Code

I give permission to the above named physician or medical facility to release information regarding my physical and/or mental condition from (date) \_\_\_\_\_ to (date) \_\_\_\_\_ to Equal Rights Officer \_\_\_\_\_. The Equal Rights Officer will use this information to assist in the investigation of my complaint that I filed with the Equal Rights Division of the Department of Workforce Development.

I authorize the physician or medical facility to pre-bill me for the information released to the Equal Rights Division. I have been informed that I may revoke this authorization in writing at any time.

This authorization will be valid for six (6) months from the date signed below.

Name of Patient	Patient Date of Birth
Authorizing Signature	Date Signed
Patient Street Address	
Patient City	
Patient State	Patient Zip Code

Please mail completed authorization form to the Equal Rights Division address checked below.

<input type="checkbox"/> PO Box 8928 Madison, WI 53708	<input type="checkbox"/> 819 N. 6th St., #723 Milwaukee, WI 53203
<input type="checkbox"/> 221 W Madison St Ste 218 Eau Claire, WI 54703	<input type="checkbox"/> 1802 Appleton Road Menasha, WI 54952

ERD-4972 (R. 12/2012)

# Family Medical Leave Act

State of Wisconsin  
Department of Workforce Development  
Equal Rights Division

## Family and Medical Leave Request

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wisconsin Statutes].

Employee Name

### Reason and Amount of Leave Requested

Birth, adoption or as a pre-condition to adoption of employee's child for:

Number of Weeks

Number of Days

Number of Hours

Serious illnesses of employee's child, spouse, parent domestic partner, as defined in § 40.02(1) or 770.01(1) or a parent of a domestic partner:

Number of Weeks

Number of Days

Number of Hours

For my own serious illness:

Number of Weeks

Number of Days

Number of Hours

Date leave will begin

Date employee will return

### Notes:

1. If you are unable to return on the date noted, you must notify the employer prior to that date.
2. If your leave schedule is not yet known or other arrangements are necessary, please explain on the reverse side what must be done before your schedule can be confirmed.
3. If you are requesting intermittent leave, please attach a schedule. (Leave may be taken in the smallest increment allowed by the employer for any other type of leave.)

Employee Signature

Date Signed

(This suggested form may be reproduced by employers)

ERD-10110 (R. 01/2010)

**FMLA LEAVE TO CARE FOR COVERED SERVICEMEMBER  
LEAVE REQUEST FORM**

To be completed by employee needing FMLA Leave to Care for a Covered Servicemember and submitted to the agency human resource contact: PLEASE PRINT LEGIBLY.

Employee Name: \_\_\_\_\_

Mailing Address for Notices \_\_\_\_\_

eMail Address for \_\_\_\_\_

Agency \_\_\_\_\_

Class Title \_\_\_\_\_

Facility/Department/Unit/Section \_\_\_\_\_

Date of Hire \_\_\_\_\_

Supervisor \_\_\_\_\_

Documentation required to show employee's status as spouse, child, parent, or next of kin of covered servicemember who has a serious injury or illness. Employer is entitled to thirty (30) days' notice of foreseeable absences and documentation should be submitted prior to the start of the leave. Failure to submit such notice may result in leave being delayed. In emergency situations, request and documentation should be submitted within fifteen (15) days from beginning of leave for an unforeseen absence.

**TYPE OF LEAVE REQUESTED:**

Continuous

Date anticipate leave to start: \_\_\_\_\_

Date anticipate return to work: \_\_\_\_\_

Intermittent

Provide description/details of medical necessity for and the estimated frequency and duration of absences for which Employee is requesting leave: (examples: "1-2 days per month for medical appointments" OR "condition usually flares up 3-4 times per month for 1-2 days each and servicemember is incapacitated at these times").

\_\_\_\_\_  
\_\_\_\_\_

**Family Medical Leave Act**

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Reduced Hours

Identify proposed work schedule: (examples: "Tuesday/Wednesday/Thursday" OR "four (4) hours morning", etc.) and medical necessity for such schedule.

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**REASON FOR LEAVE**

Serious illness or injury of employee's:

- SPOUSE, who is a covered servicemember
- CHILD, who is a covered servicemember
- PARENT, who is a covered servicemember
- NEXT OF KIN, who is a covered servicemember

Does covered servicemember reside with Employee?       YES     NO

\*If FMLA is approved, all available sick leave will be charged concurrently with each FMLA absence for serious injury or illness of spouse, child, parent, or next of kin who resides with and is dependent upon the employee for care and support.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

Received by:

\_\_\_\_\_  
HR Representative

\_\_\_\_\_  
Date

## **APPENDIX 5 SUBSTANCE ABUSE POLICY**

### **1. PURPOSE OF POLICY**

- A. Menominee County (the "County") recognizes that the use of drugs and alcohol in its workplace creates health, safety, security and production problems for its employees, customers, visitors, and business.' This Substance Abuse Policy (the "Policy") is designed to (a) provide a safe, healthy, productive, and drug-free workplace for all employees, (b) protect our County and its customers from losses arising out of or associated with alcohol and controlled substance, (c) provide an effective tool for deterrence of substance abuse, (d) provide an effective tool for detection of violators, (e) ensure efficient operations, and (f) maintain a favorable County image.
- B. The County has adopted this Policy for all employees of the County in response to those concerns. The Policy replaces and supersedes all prior alcohol or substance abuse policies.
- C. The Policy does not alter the at-will employment relationship between the County and its employees. It is not meant to create a contract or expectation of future employment between the County and its employees, and is merely one condition of continued employment. The terms of the Policy may change in the future at the County's discretion or to comply with changes in federal or state law. Employees are advised to contact County representatives with any questions concerning the Policy.
- D. Compliance with this Policy is not optional. The failure to comply with any of the provisions of the Policy may subject an employee to discipline up to and including termination.

### **2. PROHIBITIONS.** All employees are subject to the following prohibitions and restrictions:

#### **A. Alcohol**

- 1. Employees are prohibited from appearing for work or performing duties while intoxicated or impaired by the use of alcohol. No alcoholic beverages are to be possessed or stored at the workplace.
- 2. Employees are warned that off-duty use of alcohol may result in continued impairment during on-duty hours, which will then constitute a violation of this Policy. The County has informational materials which may be useful in determining whether off-duty alcohol use is likely to result in on-duty impairment. It is the employee's responsibility to understand the consequences of off-duty use, and take steps to avoid the possibility of on- duty impairment. (NOTE: In the case where employee is called in for an emergency or unplanned work, and they have been drinking alcoholic beverages immediately prior to such a call, such employee should decline to report until the effects of the alcohol have left their system. Such refusal to report will not be viewed as improper and disciplinary action will not arise specifically from such refusal.)

**B. Controlled Substances (Drugs).** Employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of any Controlled Substances in the workplace. "Controlled Substance" means marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. The term "Controlled Substance" also includes legal substances (such as prescription medication) used in an unauthorized or unlawful manner.

**C. Use of Legal Substances That May Affect Safety or Performance.** Employees who are taking or are under the influence of any legal substances during working hours (such as prescription medication) which may affect the Employee's job performance or safety have the following obligations:

1. The Employee must notify the employee's immediate supervisor or a member of human resources about the use of the substance and possible work-related effects prior to commencing work.
2. Upon request, the Employee may be required to obtain a written statement of any work restrictions or impact on performance or safety relating to the legal substances from or her physician or pharmacist.
3. If the substance is prescription medication, then the following shall apply:
  - a. The prescribed medication must be in its original container that identifies the substance, dosage, date of prescription, and authorizing physician, and the container must indicate that the prescribed medication is in the employee's name.
  - b. Each original container must contain only one type of medication, that being the medication specified on its label, and the Employee shall not possess such medication in excess of the amounts designated by the prescription, or consume more than the therapeutically prescribed dosages.
4. It may be necessary for the County to consult with the employee's personal physician, the County's physician, or a medical review officer to determine if the medication might impact the employee's ability to perform his/her job, or pose a hazard to other employees or to the general public.
5. The employee may be reassigned to other work until such time as the use of the prescribed medication has ended.

**D. Refusals or Interference with Testing.** Employees are prohibited from refusing any test required under this Policy, or from interfering with the validity of the collection and testing processes described in this Policy.

### 3. TESTING FOR ALCOHOL OR CONTROLLED SUBSTANCES

**A. Pre-Employment.** All job applicants who have been conditionally offered employment will be subject to a pre-employment drug test. A positive test result or a refusal will disqualify the applicant from employment with the County.

**B. Reasonable Suspicion**

1. Any employee who is suspected of violating the drug and alcohol prohibitions listed above may be required to undergo a drug and/or alcohol test. The County shall have discretion in determining the factors that qualify as "reasonable suspicion" leading to such testing. The County also reserves the right to perform searches of county property, including County owned vehicles or and County worksite for the purpose of determining if employees are in compliance with this policy.
2. An employee who undergoes testing based upon reasonable suspicion shall be placed on Leave Without Pay pending the results of the test. In the event that the result of the test is negative, the employee shall be reinstated with back pay.

**C. Routine Physical Exams.** If the County requires its employees to undergo periodic physical examinations, it may include a drug and/or alcohol test as part of those exams.

**D. On the Job Injury or Accident.** In the event of any work-related accident or injury, any employee associated with the accident or injury may be subject to a drug and alcohol test.

**E. Random Testing and Searches.** All non-represented employees will be subject to random testing for both drugs and alcohol. The random tests will not be announced in advance, and will be conducted at randomly selected intervals throughout the calendar year. Every employee will have an equal chance of being selected for a test each time a selection is conducted. The County reserves the right to conduct random physical searches of County property, including county owned vehicles for the purpose of determining if employees are in compliance with this Policy. The timing and number of random searches conducted each year will be determined by the County.

**4. TESTING PROCEDURES**

**A. Alcohol Testing Procedures.** Alcohol tests will be administered using certified breathalyzer machines, operated by trained technicians. In the unusual event where a breathalyzer is unavailable, or upon request of the Employee, blood tests may also be used. (If the blood test is taken pursuant to the Employee's request, the Employee is responsible for any difference in cost between the breathalyzer and blood analysis).

**B. Controlled Substance Testing Procedures**

1. Testing for controlled substances (drugs) will be conducted through urine samples. The urine sample will be collected at a designated collection site, by technicians who are trained in the collection and appropriate safeguards of urine samples. The Employee will be provided information on the specific collection procedures asked at the collection site.
2. Steps will be taken during the collection process to ensure that no adulteration or other interference with the test result will occur.
3. The urine samples will be sent to a NIDA-certified laboratory for analysis. The results of a laboratory test will be forwarded to a "Medical Review Officer," who will

determine whether the test results reflect a violation of this policy. The Medical Review Officer is a licensed physician. Prior to contacting the County concerning the test result, the Medical Review Officer may contact the Employee to determine whether there is an alternate explanation for any positive test result. Once the Medical Review Officer is satisfied with the test result, including any explanation provided by the Employee, the Medical Review Officer will notify the County of the test result.

4. As an added safeguard against any possibility for erroneous test results, urine samples will be split into two separate containers upon collection. One of the containers will be preserved until after the initial testing results are concluded and the results communicated to the Employee. The Employee shall have the right, at Employee's own cost, to arrange for testing of the "split sample" at a NIDA - certified laboratory of Employee's choice.

**C. Cost of Testing.** The County shall bear the cost of all testing, except for split sample testing as provided above.

**D. Transportation to and from Test Sites**

1. With the exception of reasonable suspicion testing, Employees may be responsible for transportation to and from the collection sites. Employees (other than job applicants) will be compensated for the time associated with the performance of the tests.
2. Where a breathalyzer reflects a positive test, or where reasonable suspicion of Employee's violation of this policy exists, the County will arrange for transportation to and from the collection sites. Employees may be asked to contact a family member to arrange for transportation home, or public transportation may be arranged.

**E. Interference/Refusal with Tests.** Technicians performing the breathalyzer and urine sample procedures will scrutinize the procedures to ensure that no interference with the test results have occurred. Any interference with the test results, or any refusal to submit to the test, will result in the test being considered a "positive" result.

**F. Testing Facilities and Laboratories.** The County has contracted with highly qualified organizations for the purpose of administering the testing procedures in this policy, and has also contracted with facilities which will be used for collecting the urine samples and performing the breathalyzers. As indicated above, all urine samples will be analyzed at nationally certified laboratories to avoid any potential for erroneous test results. All of these arrangements have been made at the County's cost, for the benefit of its employees and customers.

**5. CONSEQUENCES OF TEST RESULTS.** Severe consequences may result from any violation of this Policy. The County retains sole discretion as to the type of discipline that will be imposed as a result from violations. The following are the general guidelines:

**A. Positive Pre-Employment Test.** Any job applicant who tests positive will be denied employment with the County.

**B. Positive Drug or Alcohol Test or Violation of Other Portions of the Policy**

1. Any employee who tests positive for any drug and/or alcohol test will be subject to immediate discipline, up to and including discharge.
2. The County expects that the safeguards described above, including the use of qualified collection and testing facilities, will be sufficient to prevent any "false positive" tests, and the County intends to rely on all positive tests, (subject to the exhaustion of the employee's option for a second test as described above).
3. Violations of all other portions of this Policy, including but not limited to, the possession, sale, or manufacture of drugs or alcohol in the workplace will result in immediate discipline, up to and including discharge.
4. The employee will be given the opportunity to enroll in the Employee Assistance Policy (EAP). In the event such employee declines to participate in the EAP, he/she shall be deemed terminated.

**C. Other Potential Consequences.** The violation of this Policy may result in consequences to the employee beyond any discipline or corrective action that may be taken. Other potential consequences include the following:

1. Disqualification for Unemployment Benefits: Employees who are terminated as a result of a violation of this Policy may be ineligible for unemployment benefits.
2. Denial of COBRA Insurance Continuation Benefits: Employees who are terminated as a result of this Policy may, in certain circumstances, be ineligible to continue health insurance benefits for themselves. or their dependents under the federal COBRA statutes.
3. Reduction of Workers Compensation Benefits: Employees who suffer a work-related injury while engaged in a violation of this policy may have any workers compensation benefits they receive reduced.
4. Criminal Penalties: Employees whose conduct violates state or federal criminal laws may be referred to the appropriate authorities for criminal prosecution.
5. Liability for Accidents: Employees whose conduct in violation of this Policy causes an accident may be held personally responsible for losses associated with the accident, and may be required to pay for those losses.

**6. COUNSELING AND TREATMENT.** The County urges any employee who believes that he or she may have a problem with alcohol and/or drug use and abuse to immediately seek counseling and treatment. All counseling and treatment is at the employee's expense. The counseling and treatment providers shall be selected at the employee's sole discretion. Examples of treatment facilities are included in the attached list.

**7. CONFIDENTIALITY.** Information concerning test will be kept confidential and will not be released except to the County; applicant or employee. The County, collection agents and laboratories utilized by the County, and any other persons who receive or have access to information about drug test results, have adopted measures to keep such information

## **Substance Abuse Policy**

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confidential. Release of such information under any other circumstance will only occur pursuant to a written consent form signed voluntarily by the person tested, except where such release is compelled by a court of competent jurisdiction in connection with the following:

- A. All action brought under state or federal law where release of such information is required by state or federal law; or
- B. Any grievance procedure, administrative hearing or civil action relating to the imposition of the drug and alcohol test or use of the test results.
- C. Any action to enforce the actions taken by the County to enforce the Policy under Section 5, above.

**APPENDIX 6  
MENOMINEE COUNTY  
EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY**

Menominee County realizes that individuals sometimes develop personal and family problems that may affect job performance. We also realize that individuals can usually resolve these problems before they seriously affect either their job performance or health. However, in some cases individuals will need to utilize additional professional resources in order to work through their problems.

ThedaCare At Work Employee Assistance Program is a service for all Menominee County Employees upon hire. The Employee Assistance Program (EAP) provides free confidential assessment, counseling, and referral services. Menominee County believes that most employees will seek help when they need it, and the Employee Assistance Program is designed to assist with this process.

In the event that an individual who has access to Menominee County's EAP benefit is convicted of a drug/alcohol-related offense, and is referred to an education/treatment program, this benefit cannot be used in lieu of paying for services when the court intends fee payment to be a consequence for the offense. Following completion of the court ordered education/treatment, the EAP benefit may be utilized to compensate further recommended treatment.

**SELF-REFERRAL**

- Any employee or any member of an employee's immediate family experiencing a personal, family, or work related problem is encouraged to seek help by contacting the Employee Assistance Program. Employees or their dependents may call ThedaCare At Work EAP directly at 920-749-2390 or 1-800-236-3666.
- Employees using the Employee Assistance Program will not risk affecting their job security. However, involvement in the Employee Assistance Program does not exempt an employee from performance evaluation standards or from disciplinary procedures. Involvement in the Employee Assistance Program will not jeopardize an employee's promotional opportunities or raises based on performance.
- Individual rights to confidentiality and privacy are strictly guarded. Information and personal records created in this program will be reserved so that only the Employee Assistance Program will have access to them. Access by anyone else will be permitted only when permission is given by the employee or dependent involved. The names of persons participating in the program will not be given to anyone at Menominee County, but will be kept confidential by the program.
- Accumulated leave (sick, vacation, or compensatory) may be utilized for EAP appointments that are scheduled during regular working hours. Evening hours are available.

### **SERVICES**

- The **INITIAL ASSESSMENT** includes screening, evaluation, and referral services that will be conducted by the Employee Assistance Program Counselor.
- **Consultation/Counseling** services are also available. Up to a total of six sessions per issue per year are paid for by Menominee County and are available to the employee or their dependents.
- The **PROCEDURE** for using this service is to contact the Employee Assistance Program, which will schedule time to meet with the employee, in order to make an initial assessment of the problem. The nature of the problem will be determined, a plan for resolving the problem will be developed and, if necessary, a referral to any appropriate treatment service will be made.

### **SUPERVISORY REFERRAL**

The Company realizes that in some cases an employee's problems will progress to the point that job performance is affected to the degree that some intervention becomes necessary. At this point it becomes the responsibility of the employee's supervisor to take appropriate action. Supervisors considering referring an employee are encouraged to consult with the Employee Assistance Program Coordinator before initiating the referral by calling 920-749-2390.

- Supervisors will be responsible for the identification and referral of employees whose problems are interfering with their job performance to the Employee Assistance Program.
- It is the Supervisor's responsibility to intervene only when the employee's problem adversely affects job performance.
- During or after the completion of the Employee Assistance Program sessions, information reported back to the supervisor by the EAP Counselor will be limited to the employee's attendance and whether or not the employee is compliant with the counselor's recommendations. Such information can only be given to the referring supervisor. For such disclosure, permission to release information signed by the employee is required.
- It is the responsibility of the employee to cooperate with the referral to the program and to follow recommendations made by the program in order to change the behaviors that necessitated the referral. Failure to resolve the problems will result in disciplinary procedures. However, an employee's refusal to use the Employee Assistance Program is not in itself a cause for disciplinary action.

**EAP Policy Statement**

The company recognizes that family, marital, alcohol, drug, financial and emotional problems often can be resolved through professional, confidential assistance. It is therefore in the best interest of the employee and the company that these problems be recognized and addressed before job performance is affected.

A. Eligibility

The Company is providing these EAP services nationwide to all regular employees and their immediate dependents.

B. Policy Elements

- a. All personal information shared in the EAP process remains confidential and protected in the same manner as medical records. There are certain circumstances when information will be disclosed. These are:
  - i. If the client gives written consent to release information.
  - ii. If the employee threatens imminent harm to self, others, and/or child/elder abuse or neglect.
  - iii. If, due to job performance problem, the employee has been formally referred into the EAP by a supervisor. In this case, the employee will be asked to sign a release to give permission to the EAP counselor to let the referring supervisor know if the employee has contacted the EAP or not. Any further information is not disclosed without the employee's written consent. In such circumstance, the employee or family member is made aware of what information will be disclosed, to whom, and why.
- b. The company realizes that an employee's performance also may be affected when a family member is experiencing personal problems. For this reason, assistance is extended to members of an employee's immediate family.
- c. Utilization of the EAP is voluntary. However, employees will be encouraged to seek assistance if personal problems are thought to be contributing to unsatisfactory job performance.
- d. Standard personnel practices applicable to job performance will not be compromised by the employee's use of, or failure to use, the EAP.

**APPENDIX 7**  
**MANAGEMENT INFORMATION SERVICES AND EQUIPMENT USE**

**1.) PURPOSE**

Employees are required to become knowledgeable about and adhere to these policies and procedures.

Equipment is provided to employees to accomplish job objectives and to enhance productivity. Employees should understand that there is no expectation of privacy regarding use of County owned property.

As more individuals use electronic communications it becomes vital to have procedures and rules set in place to keep usage safe for using this network of information services.

It is important to understand that use of these powerful tools is a privilege and not a right. It can provide many avenues for research and information and to accomplish job objectives more effectively, but just like any privilege it can be taken away for violating the rules.

Violation of any of these rules will be cause to deny access to the use of these electronic communications and will subject employees to disciplinary action.

**2.) EQUIPMENT**

Equipment can include, but is not limited to: desks, filing cabinets, disks, files, lamps, vehicles, machinery, bookshelves, tables, chairs, computers network servers, typewriters, copiers, scanners, fax machines, shredders, phones, cell phones and any other device, instrument paid for and/or provided to an employee.

**3.) ELECTRONIC COMMUNICATION DEVICES, SYSTEMS, AND RESOURCES**

In the course an employee's job, the employee may use Menominee County's Communication Systems and Resources to communicate internally with co-workers or externally with vendors and other business contacts and to accomplish job objectives. Menominee County provides some or all of the Communications Systems to facilitate business communication and to enhance productivity.

A.) Electronic Communication Systems and Resources shall be defined as the equipment, systems, services, technology, and software that are licensed, owned, developed, stored or provided by Menominee County including but limited to:

- Computer networks
- Document scanners
- Voice mail systems, Telephone lines for modem communication and Modems
- CD ROM players and disks
- Facsimile (fax) machines
- Intranet and Internet access
- Office, portable, cellular and/or digital telephones and electronic pagers

## **Management Information Services and Equipment Use**

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- Desktop and laptop computers and peripheral equipment
  - Computer software and technology provided to access the Internet
  - Electronic files and storage media such as floppy disks, drives, back-up tapes and removable storage media
  - Any information created or contained on or accessible through any of the above (Collectively referred to as "Communication Systems").
- B.) All Communication Systems are the property of Menominee County and are provided to support the operations of each County Department. All usage of the Communication Systems must comply with all international, federal and state laws. Penalties for violations may include discipline, termination and/or civil or criminal prosecution.
- C.) Department Head for respective County Departments and/or designated Management staff will perform initial orientation training of any County equipment, and communication systems.
- D.) Department Head must authorize any moving of equipment to another location other than originally authorized.

### **4.) PRIVACY**

All equipment provided to an employee is the property of the County; an employee should have no expectation of personal privacy when using such equipment.

- A.) Users of the Communication Systems do not have a right of personal privacy regarding communications conducted on County owned systems. Each Menominee County Department retains the right to monitor and view any communications and activity without notice to, or permission from, the user and to remove any inappropriate material.

Please note, although passwords and user IDs may be used to access computers, voice mail and e-mail systems, these access codes are intended to protect Menominee County's confidential information from unauthorized use and not for employee's personal files and messages.

- B.) Each Department may require various password protections depending on the accesses allowed per employee. For example: Some employees may have access to the State system, the AS400 system, certain fiscal areas, etc., each of which may require a different password access. Department Head and Management staff will determine and instruct an employee on assigned accesses.
- C.) Employee is responsible for their password and should be guarded.

Passwords may need to be given to the Department Head, Management/Supervisory Staff and Computer consultants/technicians, for the County in order to have access to install, prepare and to monitor communication systems.

Passwords will be required to be changed periodically. Employees will be informed when a change is to occur. Note: Certain accesses to the State system and their programs may require changing passwords that may be separate (a different time frame) from the main server password access changes.

- D.) Employee should not allow other non-departmental employees access to their computer.
- E.) Employees should seek approval with their immediate supervisor and/or Department Head for other coworkers, departmental employees, to have access to their computer system.

### **5.) WORKPLACE MONITORING**

Workplace monitoring may be conducted on all workplace technology by each County Department to ensure quality control, employee safety, security, and customer satisfaction. Every effort will be made to the guarantee that the workplace monitoring is done in an ethical and respectful manner.

- A.) Communication systems are intended for Menominee County business use, and all computer information, voice mail and e-mail messages are presumptively considered Menominee County records.
- B.) Menominee County and/or County Department reserves the right to retrieve and read any data composed, sent or received through online connections and stored in computer systems.
- C.) Monitoring may be conducted for the following reasons, but not limited to:
  - To record the number of inbound and outbound calls (i.e. to track productivity, review capacity of equipment).
  - Monitoring to ensure employees are using equipment for business purposes.
  - As a tool for improving job performance. By identifying issues through monitoring, the Department can target training to correct specific problems, allowing for revised procedures to make them more effective.
  - By improving employees' skills, the Department can enhance customers' image of the Department as well as the satisfaction with service (i.e. listening to calls between employees and customers). Incoming callers should be notified that the conversation is being monitored or recorded.
  - To monitor work flow.
  - To monitor messages (sent and received) and records/files for inappropriate content.
  - To retrieve information when an employee is absent. To investigate thefts or espionage.
  - To monitor internet websites visited by employees, monitor Internet traffic.
  - To prevent harassment; and
  - To search for missing data or illegal software.

- D.) Video Surveillance may be used in Department and/or on County premises in non-private workplace areas for such reasons as, but not limited to:
- To identify safety concerns and to maintain quality control.
  - To discourage or prevent acts of harassment and violence.
  - To detect theft and misconduct.

**6.) EXPECTED BEHAVIOR/ETIQUETTE/CARE OF EQUIPMENT**

Equipment essential in accomplishing job duties is expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

- A.) An employee should notify their immediate Supervisor if any equipment, machines, devices, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.
- B.) The use of foul, obscene, sexually explicit, or harassing language or images in connection with voice mail, e-mail, or the Internet (as with other Menominee County resources, communication systems) is prohibited.

All personnel are expected to act professionally when using the Communication Systems and should not send messages that harass, are offensive to others, harmful to morale, or annoy other personnel or third parties. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others or otherwise creating a hostile work environment.

- C.) Menominee County does not tolerate harassment or discrimination and, accordingly, personnel committing such an offense will be subject to discipline. Under no circumstances may any posting, voice mail, or e-mail be in violation of the letter or the spirit of Menominee County's Equal Employment Opportunity or Harassment policies.
- D.) E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.
- E.) Users are responsible for any damage caused to Menominee County's Communication Systems through willful reckless or negligent conduct. A particular concern is when users fail to insure the integrity of electronic data by introducing a "virus" into Menominee County's Communication Systems. All external program and data files received by Menominee County, including those received electronically, must be scanned for computer viruses before use on any Menominee County computer. If a virus is found, viruses must be eliminated and reported to the Department Head.

- F.) Voice mail, e-mail, electronic files and Internet messages should be treated with the same concern for Menominee County and client/patient/customer security and confidentiality as written documents or oral statements. Accordingly, confidential documents that are to be e-mailed or sent by fax transmission, subject to appropriate consent should be as protected as if receipt by a third party would result in a breach of confidentiality. Similarly, voice mail messages that contain confidential information should be forwarded only to personnel with a "need to know."

Some information should not be committed to e-mail, voice mail, and fax or computer systems if there is any risk of the loss of confidentiality.

- G.) To ensure effective telephone communications, employees should use an appropriate greeting for their respective County Department and speak in a courteous and professional manner. Information received from a caller should be confirmed.
- H.) The word "netiquette" (etiquette for the Net) is used to define the rules for manners and social conversations when communicating on the Internet.

Appropriate Internet manners - good netiquette (this list is not conclusive):

- Assume that any e-mail sent can be seen by anyone.
- Use the subject line to inform recipients about the message. If no response is required, write "FYI." If your message is time-sensitive, write "Urgent."
- Be aware that every e-mail message sent contains the date and time.
- Include a copy of the message (if it is short) or an edited version when responding. Insert your responses in the pertinent places.
- Be clear and concise. Be aware of the tone of the message sent. Check e-mail every day and be timely in responses.
- Sign your messages and include your position title, address, and phone and fax numbers, when necessary.
- Get rid of unnecessary information in a .message if you are forwarding it (such as the forwarding history and extraneous system messages).

Inappropriate Internet manners - bad netiquette (list is not conclusive):

- Long "cc" lists with copies of messages to too many people. Include only those who need to know, those you would have called, or those to whom you would have sent a letter.
- Changing the topic when posting a message to a news group or public bulletin board.
- Losing your composure in email or discussion groups. Resist the temptation to respond to messages that are sent to inflame, or say things via e-mail that you never say in person or by a signed letter.
- Criticizing competitors, their products, or practices when visiting other websites.
- Using sarcasm, irony, subtle humor that could easily be misinterpreted. mail lacks the visual and oral clues of a face-to-face meeting.

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- Sending junk e-mail. Remember that all messages you send reflect back to you.
  - Sending hasty and poorly composed e-mail messages. Check e-mail for spelling and grammar with the same care you would a memo or letter.
  - Using "Urgent," "Emergency," and "Top Priority" in your subject line when it really is not time-sensitive.
  - Writing e-mail messages using all capital letters, or excessive quotation marks and parenthetical remarks. Capital letters looks like you are shouting at your reader. Too many quotation marks and parentheses clutter text.
  - Sending unsolicited advertising by e-mail.
  - Badgering or harassing anyone with repeated e-mail messages. Forwarding personal e-mail to listservs or online forums without the originator's permission.
- I.) Employees should notify their immediate supervisor, or any member of management upon learning of violations of this policy, including the improper, careless, negligent, destructive, or unsafe use or operation of equipment. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### **7.) INTERNET USAGE**

Internet access to global electronic information resources on the World Wide Web is provided by Menominee County to assist employees in obtaining work-related data and technology. The Internet connection is for business purposes. This includes the interaction with other businesses' public areas on the Internet, replies to clients/patients/customers, and using the Internet as a research tool to accomplish your job objections or other similar business activities. Internet use is, by its very name, non- confidential. Employees should understand that they are employees and representative of the Department/County while online.

- A.) Menominee County Departments reserve the right to filter or otherwise block certain sites from being accessed by personnel.
- B.) All Internet data that is composed, transmitted, or received via County computer communication systems is considered to be part of the official records of the County and, as such is subject to disclosure to law enforcement or other third parties. Website operators and other third parties may have the ability to monitor traffic on various websites and the source of that traffic. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.
- C.) Any data composed, sent or received through online connections or stored in computer systems can be retrieved and read by Menominee County/County Department.

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- D.) Menominee County retains the right to change this policy and its practices with regard to the retention and election of e-mail and voice mail messages at any time with or without notice.
- E.) Date that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.
- F.) The unauthorized use, installation, copying or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create the material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet.
- G.) Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression. When possible, users should determine the size of any file to be downloaded and download larger files during non-peak business hours.
- H.) Registering for business-related sites all shall be done using the Department's e-mail address assigned to an employee. Registering for non-business sites using a Department's e-mail address is prohibited.
- I.) Abuse of the Internet access provided by Menominee County in violation of law or policies will result in disciplinary action, up to and including termination of employment. Employees may be held personally liable for any violations of this policy.
- J.) The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action (the list is not conclusive):
- Sending or posting discriminatory, harassing, or threatening messages or images.
  - Using the Department's time and resources for personal gain or entertainment.
  - Stealing, using, or disclosing someone else's code or password without authorization.
  - Copying, pirating, or downloading software and electronic files without permission.
  - Sending or posting confidential material, or proprietary information outside of the Department/County.
  - Failing to observe licensing agreements.
  - Engaging in transactions that may incur a cost to the Department/County or initiate unwanted Internet services and transmissions.
  - Sending or posting messages or material that could damage the Department or the County's image or reputation.
  - Participating in the viewing or exchange of pornography or obscene materials.
  - Sending or posting messages that defame or slander other individuals.

- Attempting to break into the computer system of another Department or person.
- Refusing to cooperate with a security investigation.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities or authorized.
- Using the Internet for political causes or activities, religious activities, or any sort of gambling.
- Jeopardizing the security of the County's electronic communication systems.
- Passing off personal views as representing those of the Department.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.

### **8.) SOFTWARE**

Menominee County or a County Department purchases and licenses the use of various computer software for business purposes and may-not own the copyright to this software or its related documentation. Unless authorized, the duplication of software and its related documentation is prohibited.

Employees may only use software on local area networks or on multiple machines according to a software license agreement.

Some employees may want to bring in and use their personal software at work. This may be software the employees purchased, designed and developed themselves, or it may even be illegally copied. All of these situations may present potential problems. Installing software onto a local area network or PC could disrupt the workstation configuration. Viruses could be passed on to other software or the network. Using illegally copied software at work would put the organization at risk. For these reasons, all software must be approved and authorized for installation by the Network Administrator or Department Head in consultation with the County or Department's computer consultant/technician.

### **9.) PERSONAL USE**

The Department recognizes that occasional personal use of some equipment may occur, however, such personal use is subject to the terms of this policy and use is limited to only authorized equipment as dictated by each department and/or County. Department related uses have priority at all times.

- A.) Personal use of any communication system may be permitted on a limited basis so long as it does not interfere with performance of an employee's job, consume significant resources or interfere with the activities of other personnel or in violation with any content of this policy.
- B.) When making use of these Communication Systems for personal use, always remember that an employee should not assume that these uses or messages are private and confidential. This policy is intended to assist and protect Menominee

## **Management Information Services and Equipment Use**

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County, its personnel and its patients/customers in the course of conducting work. All personnel are required to comply with this policy.

- C.) Personal use of the telephone or cell phone for long distance and toll calls is not encouraged. Employees are to practice discretion when making local personal calls. Employees shall be required to reimburse the respective Department for any charges resulting from their personal use of the telephone or cell phone for long-distance and toll calls. The immediate supervisor must approve acceptance of collect calls unless an emergency exists.
- D.) The use of paid postage for personal correspondence is not permitted.
- E.) The use of the fax machine and copier is subject to charges for personal use and should be paid prior to being used.
- F.) All personnel should refrain from using any Communication Systems to solicit or conduct non-county business. Personnel should not encourage family members, friends or non-county business persons to send non-county business messages or information to personnel by means of Menominee County's electronic information Communication Systems.

Personnel are prohibited from using any Communication Systems to solicit or conduct commercial ventures, or for political or religious purposes.

### **10.) ELECTRONIC COMMUNICATIONS CONCERNING PATIENT ORDERS**

It is Menominee County's policy not to accept orders concerning patient care services via e-mail alone. If a licensed practitioner chooses to e-mail orders concerning patient care services, before any such order shall be acted upon by any Menominee County employee, Menominee County employee shall confirm via telephone or in person with the licensed practitioner that the e-mail order was in fact sent by said licensed practitioner, and shall further confirm by independent means (for example, review of the patient's medical record or admission slip), that the licensed practitioner has authority to care for the patient involved.

#### **A.) Procedures**

All e-mail order shall be placed in the patient's record with a notation indicating that the order was verbally confirmed via telephone with the ordering practitioner. The ordering practitioner shall then countersign all e-mail orders within three (3) days of submission of the e-mail. Failure to provide such countersignature(s) in a timely manner may subject practitioner to discipline or termination of contract under Menominee County.

### **11.) POLICY CHANGES**

Menominee County retains the right to change this policy and its practices at any time with or without notice.

## **APPENDIX 8 VEHICLE USE POLICY**

Vehicles are essential in accomplishing job duties, are expensive, and may be difficult to replace. When using County vehicles for County business, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines. All county vehicles shall be permanently marked as county vehicles unless otherwise provided for by the board.

Employees shall notify the supervisor if any vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

Accidents shall be reported immediately to the immediate supervisor, department head and Office of the Administrative Coordinator for insurance purposes. Operator may be subject to an alcohol and drug test.

The improper, careless, negligent, destructive or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, will result in disciplinary action, up to and including discharge.

In certain circumstances, a County-owned vehicle may be provided for certain employees in order to carry out their assigned duties. These vehicles should be housed on County-owned property during non-working hours and used by employees only to carry out their job duties as needed. The County requires that no personal items other than incidentals be stored in the vehicle. The vehicle is to be locked each night with work articles stored either in the lock box or trunk during times when the vehicle is not in use. There will be no personal use of county owned vehicles unless otherwise noted.

In instances where a County-owned vehicle is provided to an employee on a 24-hour basis, it is the policy of the County that the only personal use allowed would be commuting between an employee's home and his/her work. Under IRS regulations, this commuting is considered personal use and is required to be reported as compensation subject to Federal and State taxes and FICA withholding. Individuals driving County vehicles may have occasions where an incidental stop is necessary between business stops. Such use shall not be considered to be in violation of this policy. All personal use of County-owned vehicles shall be valued in accordance with IRS regulations and will be included on the employee's W-2.

All personnel utilizing county owned vehicles or utilizing their personal vehicle for county business shall file a copy of valid State of Wisconsin Drivers License and certificate of liability insurance with the Office of the Administrative Coordinator. It shall be the responsibility of the employee to immediately notify the county of any changes in insurance and or driving status. Failure to abide can result in loss of driving privileges and or mileage reimbursement.

The Motor Vehicle Record (MVR) will be used to determine if an employee will be allowed to use county vehicles and or operate personal vehicles on county time. Motor Vehicle Records (MVR) must be obtained on all new drivers prior to employment. Existing drivers shall have an MVR updated every year, or more frequently if the supervisor deems necessary.

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A lead person shall be designated to introduce new drivers to county vehicles. This shall include, but not be limited to: Pre-start inspection, i.e. horn, lights, directional, mirrors, tires, vital fluids, etc.

State law requires everyone to wear a safety belt when in a vehicle.

No drinking of alcoholic beverages while in possession of a county vehicle

Cell phone calls will not be made and or allowed to be answered while operating a vehicle, you must stop and park to use cell phones; hands free sets are allowed to be answered in emergency situations.

Tobacco use in County vehicles is strictly prohibited to include smokeless products.

No eating or drinking in County vehicles while operating-unless liquid is in closed top or sealed container. All trash must be removed from vehicle upon return.

It is also recommended that vehicle operations be limited to employees over 21 years of age.

Failure to abide by this policy shall result in disciplinary action up to and including discharge.

## **APPENDIX 9 DISCRIMINATION, HARASSMENT AND RETALIATION POLICY**

Federal and State laws prohibit employment discrimination on the basis of race, color, religion or political beliefs, creed, sex, age, disability, national origin or sexual preference. Among these prohibitions is the harassment of fellow employees. Menominee County is committed to maintaining a place of employment and work environment that is free from discrimination and any form of harassment whatsoever.

Harassment is unlawful and is conduct that exposes both Menominee County and individuals engaging in harassment to significant liability under the law. Employees at all times should treat other employees respectfully, with dignity and in a manner so as not to offend the sensibilities of a co-worker. Accordingly, Menominee County is committed to vigorously enforcing this Harassment, Discrimination and Retaliation Policy at all levels within the County.

No employees should be subjected to behavior that is personally offensive, which lowers morale or interferes with productivity in the workplace. Each employee has a duty to help maintain a workplace free of harassment. This duty involves refraining from any insulting, degrading, demeaning or exploitative behavior toward other employees, including sexual harassment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical acts of sexual nature where (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment; (2) an employment decision is based on an individual's acceptance or rejection of such conduct; or (3) such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has expressed any concern about any form of harassment or discrimination against the individual raising the concern or against another individual.

Examples of conduct that would be considered harassment or regarded as retaliation are set forth in the Statement of Prohibited Conduct below. These examples are provided to illustrate the kind of conduct prohibited by this Policy, but this list is not exhaustive.

Menominee County has an affirmative duty to investigate and eradicate all forms of harassment, discrimination and complaints about conduct in violation of this Policy. All employees should be advised that Menominee County will impose strict penalties of all confirmed violations of this Policy.

### **Statement of Prohibited Conduct**

Menominee County considers the following conduct to represent the kind of acts that violate this Harassment Policy:

- A. Physical Contact of a Degrading, Demeaning or Sexual Nature. This includes:

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1. Any punching, hitting, slapping, rape, battery, molestation or attempts to commit any such assaults; and
  2. Intentional physical conduct that is offensive or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- B. Unwanted Sexual Advances, Propositions, or Other Sexual Comments. This includes:
1. Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her present is unwelcome;
  2. Preferential treatment or promises of preferential treatment to any employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
  3. Subjecting or threatening to subject an employee to unwelcome sexual attention or conduct, or intentionally making performance of the employee's job more difficult because of that employee's sex.
  4. Continuing to ask for dates with an employee who has refused such a request.
- C. Sexual, Discriminatory or Otherwise Offensive Displays or Publications Anywhere in Workplace by Employees. This includes:
1. Displaying pictures images, posters, calendars, graffiti, objects, promotional materials, e-mails, reading materials, or other materials that are offensive to other employees, including sexually suggestive, demeaning, or pornographic materials, or bringing into the work environment or possessing any such material to read, display or view at work.  
  
Materials will be presumed to be offensive to other employees if such materials depict persons, symbols, situations, objects, caricatures, language or any other thing known to be generally offensive to certain classes of persons, or known to be offensive to a particular employee.  
  
Materials will be presumed to be sexually suggestive if such materials depict through words, symbols, situations or in any other way a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the County and who is posed for the obvious purpose of displaying or drawing attention to the private portions of his or her body.
  2. Reading or otherwise publicizing in the workplace or during work related activities materials that are in any way offensive or other employees, sexually suggestive, demeaning or pornographic; and

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3. Displaying signs or other materials purporting to segregate an employee by sex, race, creed, color, age disability or sexual preference in any area of the workplace.
- D. Retaliation for Harassment Complaints. This includes:
1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation; and
  2. Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct, such as that described in any item above.
- E. Other Acts.
1. The above lists do not contain all acts prohibited under this Policy.
  2. Any language or gesture depicting hostility toward any employee because of that employee's race, color creed, sex, age, disability or sexual preference.

### **Schedule of Penalties for Misconduct**

Harassment is unlawful and hurts other employees. Every incident of harassment creates a negative work environment in which all employees suffer the consequences. Harassment and sexually based conduct has no legitimate business purpose; accordingly, any employee who engages in such conduct should be and will be made to bear the full responsibility for such unlawful conduct. An employee that feels that he or she has been the subject of harassment shall request that the harassment immediately stop.

A written record of each action taken pursuant to the Policy will be placed in the offending employee's personnel file. The record will reflect the conduct (or alleged conduct) and the discipline imposed.

- A. Assault/Battery. Any employee's first proven offense of assault battery of a sexual nature, will result in dismissal.
- B. Other acts of Harassment by Co-workers. A written warning, suspension, or discharge will be imposed for the first proven offense, depending upon the nature or severity of the misconduct. Suspension or discharge will be imposed for the second proven offense, depending on the nature or severity of the misconduct.
- C. Retaliation. Any forms of proven retaliation will result in suspension or discharge upon the first proven offense.
- D. Supervisors. Any supervisor who commits any act of harassment (other than assault or battery) with respect to any other employee under that person's supervision will result in

suspension or dismissal for that first proven offense, depending upon the nature and severity of the misconduct, and discharge for any subsequent offense.

**Procedures for Making, Investigating, and Resolving Harassment and Discrimination Complaints**

A. Complaints

Menominee County will provide its employees with a convenient, confidential mechanism for reporting incidents of sexual harassment and retaliation. Accordingly, Menominee County designates the Administrative Coordinator and Director of the Department of Health and Human Services to investigate harassment complaints.

Management investigators may appoint a neutral third party to assist them in handling harassment complaints. The purpose of having several persons to whom complaints may be made is to avoid situations where employees are faced with complaining to a person, or a close associate of a person, who might be the subject of a complaint.

Complaints of harassment or retaliation that are in violation of this Harassment, Discrimination and Retaliation Policy will be accepted in writing or orally. All complaints, including anonymous complaints, will be taken seriously and investigated thoroughly. Anyone who has observed sexual harassment or retaliation should report it to designated personnel immediately. A complainant need not be the person who was the target of harassment or retaliation. All employees have an affirmative duty to report any harassment, discrimination or retaliation that they know of.

The identity of complainants will be revealed only to those persons who have an immediate need to know. All persons contacted in the course of an investigation will be advised that the parties involved in a charge are entitled to confidentiality and respect and that any breach of such confidentiality and respect or other retaliation or reprisal against the complainant or other individuals involved with the complaint is a separate, actionable violation of this Policy. Such violations will be dealt with in accordance with the Schedule of Penalties above and will be administered consistent with Federal and State laws.

All employees shall have the right to seek outside counsel where appropriate.

B. Investigations. The investigation of alleged acts of harassment under this section shall be conducted according to the following procedure:

- a. Upon the receipt of a complaint, whether formal or informal, the responsible management representative shall immediately commence an investigation. Under normal circumstances, an investigation should be completed within forty-eight (48) hours. Where this time limit cannot be met the management representative shall document why an investigation cannot be completed within forty-eight (48) hours, this report shall contain a proposed time scheduled and recommend interim protective measures, if necessary.

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- b. Confidentiality shall not be promised to the accused, any witness or the accuser. The fact of filing of the complaint, the contents of the complaint and the investigation shall be kept confidential to the extent authorized by law, unless the protection of other employees or proper investigation of the complaint required disclosure. Only those individuals requiring knowledge of the complaint and the investigation shall be informed and even then only to the extent necessary for the proper conduct of the investigation. If an accuser has been assured of confidentiality and confidentiality cannot be maintained, the accuser shall be informed immediately and before release of the information, if possible.
- c. The management representative conducting the investigation shall obtain a complete and clear statement of the alleged acts of harassment from the accuser, names and statements from any witnesses.
- d. The management representative conducting the investigation shall maintain full documentation during the investigation, including the complaint, all statements, documents, notes and other information relevant to the complaint.
- e. After the initial investigation has been completed and interim protective measures have been implemented, if needed, the accused shall be notified that a complaint has been filed. The notice shall include a brief description of the substance of the complaint. Unless the complainant consents, the actual complaint may not be disclosed until the investigation has been concluded and a finding of responsibility has been made by the management representation. The records custodian of the complaint may restrict or refuse access to the complaint if authorized by the Public Records Law. The accused shall be entitled to be informed of the status during the investigation. At the conclusion, a copy of the written recommendation of management representative shall be provided to the accused and the accused will be provided an opportunity to respond.

Each management employee who is responsible for investigating claims of harassment or discrimination under the policy will receive training regarding harassment and the appropriate method to administer the procedures outlined herein. Such employees will have the responsibility for investigating complaints or having a properly trained, designated investigator do so.

The management employee responsible will investigate all complaints expeditiously. The results of the investigation including any complaint and response thereto, shall be forwarded to the Menominee County Personnel and Finance Committee for further consideration and disposition. The management employee responsible for the investigation may be requested to make recommendations by the Committee.

Menominee County will maintain a file on all harassment charges and the particulars of the investigation. Such files will be available to investigators, to Federal, State, and local agencies charged with equal employment or affirmative action enforcement, whether that formal charge is filed at a Federal, State, or local level. The names of complainants, however, will be deleted, unless compelled by law to be disclosed.

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- C. Cooperation. An effective sexual harassment policy requires the support and example of Menominee County personnel in positions of authority. Menominee County agents or employees who engage in sexual harassment or retaliation or who fail to cooperate with Menominee County-sponsored investigations of harassment or retaliation may be severely sanctioned by suspension or dismissal. By the same token, officials who refuse to implement remedial measures, obstruct the remedial efforts of other Menominee County employees, and/or retaliate against sexual harassment complaints or witnesses may be immediately discharged or subject to such other actions as maybe deemed appropriate by the Menominee County Board of Supervisors.

Any questions regarding this policy should be directed to the Administrative Coordinator or Corporation Counsel.

## **APPENDIX 10 DRESS CODE**

It is important that employees present themselves as professionals. It is therefore important that employees present themselves with appropriate dress and hygiene. All employees are expected to come to work looking neat and dressed in appropriate clothing, especially those involved in public contact. Cleanliness must be maintained at all times in order to promote a professional work atmosphere.

Personal appearance appropriate in the courtroom is substantially different from that required from maintaining boiler or a parking lot service. The County shall periodically review with department employees the nature of the position involved, the appropriateness of dress and the continuing need to present a positive image.

Unacceptable clothing includes, clothing that is not suitable for a professional environment, to include but not limited to: Ripped, torn, cutoffs, dirty or stained articles of clothing; tight fitting, halters, spaghetti strap tops and sheered tops need to be worn under a coverup. Footwear must provide adequate coverage or protection for the foot. Slippers, flip flops/thongs and sandals that do not adhere to the foot should not be worn due to safety and protection. Aerobic exercise and workout type clothing such as athlete/sports sweat pants or shirts, lycra, spandex pants are not appropriate. T-shirts, sweatshirts and shirts with inappropriate slogans, and names, alcohol/drugs or derogatory sayings or advertisements are prohibited. Skirts, sundresses, skorts, culottes and dress shorts should be an appropriate length (two inches above the knee while standing). No torn, faded, stained clothing or shirts, no low-cut blouses showing cleavage are allowed, no midriff or belly exposure. It is understood that there may be situations where more casual clothing may be appropriate under the circumstances due to activities of the weather. Employees or departments that do not have regular contact with the public may be permitted to wear more casual or comfortable attire. Such attire must remain clean, neat, and appropriate for a professional work environment. Department heads or supervisors are responsible for establishing and enforcing dress expectations within their respective areas to ensure consistency and professionalism are maintained.

Menominee County encourages a comfortable and casual work environment while maintaining professionalism with respect to its public contacts. All employees are expected to use their best judgment in choosing attire appropriate for their work environment. Staff is encouraged to seek administrative guidance when in doubt about appropriate attire for work setting. If you think a colleague is in violation of the dress code, please discuss this with the individual's immediate supervisor.

Failure to follow this dress code could result in disciplinary action.

**APPENDIX 11**  
**CHAPTER 1 - GRIEVANCE PROCEDURE**

**1.01 PURPOSE**

This Grievance Procedure is established pursuant to Wis. Stat. §66.0509(1m). Eligible employees shall use the procedure to resolve disputes with Menominee County (County) regarding covered employee termination, employee discipline or workplace safety issues. This Grievance Procedure may be modified or eliminated by the County at any time, with or without prior notice. This policy is not a guarantee of employment, a guarantee of any rights or benefits, does not create or grant covered employees with a property interest in their employment or tenure rights of any kind and does not constitute a contract of employment, express or implied. Unless specifically required by another statute or code, the County's employment relationship with employees eligible to use this procedure is at will and employment may be terminated at any time for any reason, with or without cause and with or without notice, at the option of the County or the employee.

**1.02 DEFINITIONS**

The following definitions shall apply to this grievance procedure:

1. **"Employee"** for purposes of a grievance of Discipline and Termination (as defined in this Grievance Procedure) means a regular full time employee who has completed at least (6) continuous months of employment with the County or a regular part time employee who has worked over 1200 hours in the twelve (12) months prior to the event giving rise to the grievance and who has completed at least six (6) continuous months of employment with the County. "Employee" does not include, without limitation, any of the following: elected officials, part-time employees, temporary employees, contract employees, seasonal employees, limited term employees, contractors or their respective employees, employees covered by a collective bargaining agreement containing a grievance procedure for employee discipline and termination or any employees and officials or officers that serve at the pleasure of an appointing authority as provided by Wisconsin statute.

**"Employee"** for purposes of a grievance of Workplace Safety (as defined in this grievance procedure) means any employee of the County.

2. **"Discipline"** is defined as any of the following adverse employment actions: disciplinary suspension of employment for a period of greater than one (1) day; or a disciplinary reduction in base pay. "Discipline" does not include, without limitation, any of the following actions: layoffs or workforce reduction activities; suspensions for a period of one (1) day or less, non-disciplinary wage, benefit or salary adjustments or reductions; non-disciplinary reductions in rank or demotions; plans of correction or performance improvement; performance evaluations or reviews; documentation of employee acts or omissions in an employment file; oral or written reprimands; administrative suspensions pending investigation of misconduct or nonperformance; or change in assignment or assignment location.
3. **"Termination"** is defined as an involuntary separation of employment initiated by the County that is not a layoff, furlough or workforce reduction or an involuntary separation of employment due to disability or failure to maintain proper certification or qualifications for a position within the County.

4. **"Working day"** means a day when the Menominee County Courthouse is open for business.
5. **"Workplace Safety"** means any standard established or adopted under Wis. Admin. Code Chapter Comm 32.
6. **"Workplace Safety violation"** means the violation of any standard established or adopted under Wis. Admin. Code Chapter Comm 32.

### 1.03 GRIEVANCE PROCEDURE FOR DISCIPLINE AND TERMINATION.

#### A. Filing Procedure.

1. **Who May File A Grievance For Discipline Or Termination.** A grievance may only be filed by the "Employee" who is the subject of the Discipline or Termination.
2. **Initiating A Grievance; Impact of An Untimely Or Incomplete Grievance.** An Employee may initiate a grievance relating to Discipline or Termination by presenting a written grievance on the form attached to this policy as Appendix A to the Office of the County Administrative Coordinator within five (5) working days of the event giving rise to the grievance or the date upon which the Employee should have reasonably known the facts giving rise to the grievance. The grievance must be full and complete and the Employee must sign and date the grievance. The Administrative Coordinator shall determine, in his or her sole discretion, whether a timely filed grievance is full and complete. The decision of the Administrative Coordinator shall be final and binding and not subject to appeal.
3. **Untimely Or Incomplete Grievance.** If an Employee fails to timely file a grievance or the Administrative Coordinator finds that that the grievance is incomplete, the grievance shall be dismissed and the Employee shall have been deemed to have waived his or her right to use the grievance procedure and abandoned the grievance.
4. **Grievance Verification.** By signing the grievance, the Employee is certifying, under penalty of law, that the information in the grievance is true and correct. Any Employee who files a grievance that is false or misleading or for the purposes of intimidation, annoyance or harassment or who otherwise files a grievance in bad faith is subject to disciplinary action.

#### B. Hearing Procedure.

1. **Selection of an Impartial Hearing Officer.** As soon as reasonably possible following the receipt of a timely, full and complete grievance, the County shall appoint an Impartial Hearing Officer to hear the grievance and provide the Employee with the name of the individual appointed. The County shall pay any cost associated with the service of the Impartial Hearing Officer.
2. **Hearing Date.** Upon notification of his or her selection, the Impartial Hearing Officer shall schedule a hearing within a period of not less than ten (10) working days nor greater than thirty (30) working days. Within three (3) working days of the appointment of the Impartial Hearing Officer, the Impartial Hearing Officer shall

confer with the Employee and the County Administrative Coordinator to select a date for the hearing on the grievance. Once a hearing date is scheduled, it may be adjourned only upon written request by the Employee or the County to the Impartial Hearing Officer and a finding by the Impartial Hearing Officer that there is "good cause" for an adjournment. The decision of the Impartial Hearing Officer regarding a request for adjournment shall be final, binding and not subject to appeal.

- 3. Discovery; witnesses and documents; pre-hearing statement; no mediation.** There shall be no formal pre-hearing discovery. The Employee and the County shall exchange a list of witnesses they intend to call at the hearing and any documents and exhibits they intend to introduce at the hearing no less than five (5) working days before the hearing. The parties shall provide a copy of the witness list, documents and exhibits to the Impartial Hearing Officer. No witness, exhibit or document which was not identified or exchanged by a party may be introduced at the hearing without a written finding by the Impartial Hearing Officer that there was good cause for the failure of the party to identify a witness or exhibit or produce a document prior to the deadline. Each party may file a pre-hearing statement with the Impartial Hearing Officer of no more than two (2) type written single space pages outlining the party's position related to the grievance. Any prehearing statement shall be submitted to the Impartial Hearing Officer no less than five (5) working days prior to the hearing. The Impartial Hearing Officer may not serve as a mediator nor make any attempt to mediate the dispute.
- 4. Hearing.**

  - a. Recording; Closed Hearing.** The hearing before the Impartial Hearing Officer will be digitally recorded and a copy of the recording shall be provided at no cost to the Employee, the County and the Impartial Hearing Officer. The digital recording of the hearing shall be maintained by the County for the period required by law. The hearing shall be closed.
  - b. Representation.** The Employee and the County may be represented by an attorney of their choice or by an individual who is registered and is in good standing with the Menominee County tribal courts. Neither party shall be responsible for the attorneys' fees, representative fees, witness fees or costs of the other.
  - c. Order Of Case; Cross-Examination; Exclusion of evidence.** The Employee shall call witnesses and present testimony and exhibits that are relevant to the grievance. At the close of the Employee's case, the County shall call its witnesses and present testimony and exhibits that are relevant to the grievance. The parties may cross-examine witnesses presented by the other party. Cross-examination shall be limited to ten (10) minutes per witness unless extended by the Impartial Hearing Officer. The Impartial Hearing Officer may allow for opening or closing statements at the discretion of the Impartial Hearing Officer, such statements not to exceed ten (10) minutes in length.
  - d. Rules of Evidence.** The Impartial Hearing Officer is not bound by the rules of evidence and has the discretion to admit all evidence that the Impartial Hearing Officer determines is relevant and shall exclude immaterial,

irrelevant or unduly repetitious testimony or evidence. Notwithstanding the foregoing, the Impartial Hearing Officer may not base any factual finding or conclusion solely on hearsay evidence.

- e. **Right of Impartial Hearing Officer to Question.** During the hearing, the Impartial Hearing Officer may ask questions as the Impartial Hearing Officer deems necessary or helpful.
- f. **Close of the Record; No Briefs.** After the Employee and the County have finished introducing evidence and completed closing arguments, if any, the Impartial Hearing Officer shall close the record. The parties shall have no right to file briefs or position statements following the close of the record.

### C. **Burden Of Proof; Impartial Hearing Officer's Decision; Remedies**

- 1. **Burden Of Proof; Standard Of Review.** Unless specifically required by another statute or code, the Employee bears the burden of proof to persuade the Impartial Hearing Officer by clear and convincing and satisfactory evidence that the County's decision to Discipline/Terminate the Employee did not have a rational basis. If the Employee does not meet his or her burden of proof, the Impartial Hearing Officer shall deny the grievance.

In determining whether an Employee has proved by clear, convincing and satisfactory evidence that the County's decision to Discipline/Terminate did not have a rational basis, the Impartial Hearing Officer may only consider the evidence introduced at the hearing and the weight of that evidence. The Impartial Hearing Officer may not overturn the County's decision to Discipline/Terminate based upon his or her own personal judgment or opinion regarding the matter. Moreover, the Impartial Hearing Officer may not determine a decision to Discipline/Terminate did not have a rational basis based on the County's failure to implement or follow concepts of progressive discipline or just cause, in whole or in part, in making the decision to Discipline/Terminate the Employee. Finally, the Impartial Hearing Officer must recognize all County policies, rules, procedures and regulations and may not modify or disregard the same in determining whether the County's decision to Discipline/Terminate has a rational basis.

- 2. **Decision.** The Impartial Hearing Officer shall issue a written decision within five (5) working days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of issues, standard of review, findings and, if the grievance is sustained, a remedy for the Employee.
- 3. **Remedies.** If the grievance is sustained, the Impartial Hearing Officer may award the Employee one (1) or more of the following remedies: (a) reinstatement; (c) back pay; and (d) in the event of a reinstatement following termination, reimbursement of the County's applicable percentage of any payments made by the Employee for continuation of health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

**1.04 GRIEVANCE PROCEDURE – WORKPLACE SAFETY**

**A. Preconditions To Filing.**

- 1. Report of an Unsafe Condition.** An Employee may not file a grievance relating to a condition that the Employee believes constitutes a Workplace Safety violation unless the Employee has first reported the condition to the Office of the Administrative Coordinator in writing on the attached Unsafe Condition or Hazard Report, Appendix B.
- 2. County Response.** Upon receiving an Unsafe Condition or Hazard Report from an Employee, the County shall have ten (10) working days in which to investigate the condition and advise the employee in writing that the County: (a) has determined that the condition does not constitute a Workplace Safety violation and will not be taking corrective action; or (b) will be taking corrective action in accordance with law to address the condition.
- 3. Grievance Filing Limitation.** If the County advises the Employee in writing within ten (10) working days that it is taking corrective action in accordance with law and has commenced corrective action within this period, an Employee may not initiate a Workplace Safety grievance.
- 4. Dissatisfaction With The County’s Corrective Action.** If, at completion of the County’s corrective action, the Employee believes that a Workplace Safety violation continues to exist, the Employee must resubmit a new Unsafe Condition or Hazard Report and follow the procedures in this paragraph prior to proceeding with a Workplace Safety grievance.

**B. Filing Procedure.**

- 1. Who May File A Workplace Safety Grievance; What may be grieved.** A grievance may only be filed by an “Employee.” The Employee need not be personally impacted by a condition alleged to constitute a Workplace Safety violation in order to file a grievance. An Employee may only grieve a Workplace Safety violation as defined in this Grievance Procedure.
- 2. Initiating A Grievance.** An Employee may initiate a grievance relating to an alleged Workplace Safety violation by presenting a written grievance on the form attached to this policy as Appendix C to the Office of the County Administrative Coordinator within five (5) working days of: (a) the Employee’s receipt of written notice from the County that the County will not be taking corrective action with respect to an alleged Workplace Safety violation; (b) the County’s failure to begin corrective action within ten (10) working days of the Employee’s report of the Workplace Safety violation as provided in section 1.04(A) above; (c) the failure of the County to respond to a report of a Workplace Safety violation within ten (10) working days. The Employee must sign and date the grievance. A grievance will not be considered filed until the Employee signs the grievance and the grievance is received by the Office of the County Administrative Coordinator.
- 3. Extensions of Time; Impact of Untimely Filing.** The Administrative Coordinator may, in his or her sole and absolute discretion, agree to extend the time for filing a

grievance based upon a written request for an extension received from the Employee prior to the expiration of the five (5) working day deadline to file the grievance. Any written request for an extension of time must explain the reasons why the Employee cannot meet the grievance filing deadline. The decision of the Administrative Coordinator regarding a request for extension of time shall be final and binding and not subject to appeal. Failure to timely file a grievance with the Office of the County Administrative Coordinator within five (5) working days or any period of extension granted by the Administrative Coordinator shall constitute a waiver of the Employee's right to use the Grievance Procedure and an abandonment of the grievance.

#### **4. Incomplete Grievance; Impact of Failure to Provide Complete Information.**

If a timely filed grievance is missing information or is incomplete, the Administrative Coordinator shall issue a written request to the Employee identifying the information needed to complete the grievance form and proceed with the grievance procedure. The Employee shall have five (5) working days from receipt of the written request to provide the Office of the Administrative Coordinator with the missing information.

If the Employee timely responds, the Administrative Coordinator shall determine whether the response is sufficient and the grievance may move forward. The decision of the Administrative Coordinator as to the sufficiency of the grievance and whether the grievance may move forward or be dismissed shall be final, binding and not subject to appeal. The failure of an Employee to timely provide the requested information or a finding by the Administrative Coordinator that the Employee has failed to provide sufficient information to allow the grievance to move forward in the Grievance Procedure shall constitute a waiver of the Employee's right to use this Grievance Procedure and an abandonment of the grievance.

#### **5. Grievance Verification.**

By signing the grievance, the Employee is declaring, under penalty of law, that the information in the grievance is true and correct. Any Employee who files a grievance that is false or misleading or for the purposes of intimidation, annoyance or harassment or who otherwise files a grievance in bad faith is subject to disciplinary action.

#### **C. Hearing Procedure.**

The selection of an Impartial Hearing Officer and hearing on a Workplace Safety violation shall be conducted in accordance with the Hearing Procedure in section 1.03(B) above.

#### **D. Burden Of Proof; Impartial Hearing Officer's Decision; Remedies**

**1. Burden Of Proof; Standard Of Review.** The County bears the burden of proof to persuade the Impartial Hearing Officer by a preponderance of the evidence that the condition identified by the Employee does not constitute a Workplace Safety violation and that no corrective action is required. If the County does not meet its burden of proof, the Impartial Hearing Officer shall grant the grievance.

**2. Decision.** The Impartial Hearing Officer shall issue a written decision within five (5) working days of the close of evidence. The decision of the Impartial Hearing Officer

shall, at a minimum, contain a statement of: (a) the standard of review; (b) the particular provisions of Wis. Admin. Code Chap. Comm 32 that are implicated by the Workplace Safety grievance; (c) the Impartial Hearing Officer's findings as to whether a Workplace Safety violation exists; and (d) a remedy, if any.

- 3. Remedies.** If the grievance is sustained, the impartial hearing officer may order the County take corrective action to address the Workplace Safety violation. The Impartial Hearing Officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation.

### **1.05 COUNTY BOARD APPEAL OF DISCIPLINE, TERMINATION AND WORKPLACE SAFETY MATTERS**

- A. Who May File an Appeal.** An appeal of the Impartial Hearing Officer's decision may be filed by the Employee or the County.
- B. Requesting an Appeal.** An appeal may be initiated to the County Board by filing an appeal with the Administrative Coordinator on the form attached as Appendix D within ten (10) working days of the date of the Impartial Hearing Officer's decision. Failure to file a written appeal by the filing deadline will result in the waiver of the right to an appeal and the outcome of the proceedings before the Impartial Hearing Officer shall be final.
- C. County Board Appeal.** When the Administrative Coordinator receives a timely request for appeal, the Administrative Coordinator shall forward the appeal to the Chair of the County Board along with a copy of hearing record inclusive of the digitally recorded hearing and any exhibits introduced at the grievance hearing. The Chair shall schedule a meeting of the County Board to review the hearing record and the Impartial Hearing Officer's decision. The Board may listen to any portion of the audio recording of the hearing before the Impartial Hearing Officer. The County Board shall not take testimony, accept additional evidence, accept briefing, accept oral argument or otherwise conduct a hearing of any sort in relation to an appeal.
- D. Standard Of Review.** The Board may not overturn or otherwise modify the Impartial Hearing Officer's decision unless the decision of the Impartial Hearing Officer is found to be clearly erroneous.
- E. Decision.** The County Board shall deliver a written decision to the Employee and the County no later than ten (10) working days from the date of the County Board meeting. The written decision shall contain: (1) a statement of the issues; (2) findings along with an explanation as to why any findings differ from the Impartial Hearing Officer; and (3) a remedy, if applicable, along with an explanation as to why any remedy differs from the remedy granted by the hearing examiner.
- F. Remedies on Appeal; Discipline and Termination.** The County Board may award one or more of the following remedies to the Employee on appeal in a matter involving Discipline or Termination: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension, reduction in the length of a suspension, written reprimand, documentation of employee acts and/or omissions in an employment file or that no adverse employment action be taken by the County; (c) back pay; and (d) in the event of a reinstatement following termination, reimbursement of the County's applicable percentage of any payments

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made by the Employee for continuation of health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

- G. Remedies on Appeal; Workplace Safety.** If the County Board determines on appeal that a violation of Workplace Safety has occurred, the County Board may order that corrective action be taken by the County according to law.
- H. Final Decision.** The decision of the County Board shall be final. Any judicial review of the County Board's decision shall be only as provided by law.

**MENOMINEE COUNTY DISCIPLINE/TERMINATION GRIEVANCE FORM**

Please fill out this form completely. If you need more space, use a separate sheet of paper.

<b>Name of Grievant:</b>	<b>Work Phone:</b>
<b>Job Title:</b>	<b>Home Phone:</b>
<b>Home Mailing Address:</b>	<b>DATE AND TIME RECEIVED</b> (for County Use Only)
<b>1. Discipline/Termination Being Grieved.</b> Provide a description of the discipline/termination being grieved.	
<b>2. Basis for Grievance.</b> Provide a detailed description of the reason or reasons why you believe that the County's decision to discipline or terminate you was incorrect and should be overturned and detailed description of any facts or information which support your belief.	
<b>3. Witnesses.</b> Identify by name, telephone number and address of all witnesses that you believe will support your claim that the County's decision to discipline or terminate you was incorrect and should be overturned. Provide a summary of the facts and/or information known by each witness.	
<b>4. Documents.</b> Attach any documents which support your claim that the County's decision to discipline or terminate you was incorrect. If you do not have a document, provide a description of the document which includes date of the document, the source of the document and the content of the document.	
<b>5. Remedy Requested.</b> Describe in detail how you believe the County's disciplinary action or termination should be modified.	
<b>6. Certification and Signature.</b>  By my signature below, I certify that I have read the above complaint and, under penalty of law, I declare that this complaint is true and correct.  Signature of Grievant: _____ Date: _____	

### INSTRUCTIONS

1. **USE:** This grievance form is for use in connection with the Menominee County Grievance Procedure (Grievance Procedure) in the Menominee County Personnel Policy (Policy). Only "regular full time"; and "regular part-time" employees (defined under the grievance procedure as those part time employees who have worked over 1200 hours in the twelve (12) months prior to the grievance) who have completed at least six (6) continuous months of employment with the County may use the Grievance Procedure. The grievance form may be used only in connection with "discipline" and "termination" as defined by the Grievance Procedure. Please refer to the Grievance Procedure in the Policy for additional rules and restrictions relating to the Grievance Procedure.
2. **FILING DEADLINE:** In accordance with section 1.03A(2) of the Grievance Procedure, this grievance form must be completely filled out, signed and filed with the Menominee County Administrative Coordinator's office within five (5) working days of the event giving rise to the grievance or the date upon which an employee should have reasonably known of the facts giving rise to the grievance. The failure of an Employee to timely file a full and complete grievance with the Office of the County Administrative Coordinator shall constitute a waiver of the Employee's right to use the Grievance Procedure and an abandonment of the grievance. Please refer to the Grievance Procedure for further details regarding the initiation of a grievance.
3. **FILLING OUT THE GRIEVANCE FORM** (If you need more space, use a separate sheet of paper).
  - a. **Event Being Grieved.** This section requires you to describe the disciplinary act or termination that you are grieving. The description should include the reason(s) you understand you were disciplined/terminated and the date on which the discipline/termination occurred. A grievance form may only address one (1) disciplinary event.
  - b. **Basis for Grievance.** This section of the form requires you to provide a detailed description of the reason or reasons why you believe that the County's decision to discipline or terminate you was incorrect. Single word or limited responses to the effect that the discipline/termination was "wrong," "unfair," "unequal," or "mistaken" are insufficient. You must provide a detailed response explaining why you believe the disciplinary action or termination taken by the County was incorrect or unreasonable and a detailed description of any facts, events or other information which support your belief. Note under the Grievance Procedure, you will have the burden of proving by clear, convincing, and satisfactory evidence that the County did not have a rational basis for the disciplinary action/termination.
  - c. **Witnesses.** This section of the form requires you to identify all witnesses who you believe will support your claim that the disciplinary action or termination taken by the County was incorrect. The last known telephone number and address of each witness must be provided. You are also required to provide a detailed description of the facts or information known by each witness that supports your claim that the disciplinary action or termination taken by the County was incorrect and should be overturned. Single word or limited descriptions to the effect that the witness knows the discipline/termination was "wrong," "unfair," "unequal" or "mistaken" are insufficient. Employees must provide a detailed description of the facts or information known by each witness.
  - d. **Documents.** This section of the form requires you to produce all documents you believe support your claim that the disciplinary action or termination taken by the County was

## Grievance Procedure

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incorrect. If you do not have the documents, you are required to provide a description of each document which includes the date of the document, the source of the document and a description of the contents. The source can be, for example, an email from a department head, supervisor, co-worker or other individual; a County policy or communication; a time card; portions of an Employee or County file; or a document that you wrote. The description of the contents should include the subject of the document the information in the document which you believe supports your position on the grievance.

- e. Remedy Requested. This section requires you to describe how you believe that the discipline or termination should be modified or reduced. Remedies that are available are limited to: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension, reduction in the length of a suspension, oral or written reprimand or documentation of employee acts and/or omissions in an employment file; (c) back pay; and (d) in the event of a reinstatement following termination, reimbursement of the County's applicable percentage of any payments made by the Employee for continuation of health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

- 4. **ASSISTANCE:** All information on the grievance form must be provided. If you have any questions regarding the information required by the form, please contact the office of the Menominee County Administrative Coordinator at (715) 799-3012. Employees in the Administrative Coordinator's office may only offer assistance in identifying the information required in the grievance form. Employees in the Administrative Coordinator's office cannot provide you with legal advice in connection with your grievance. Employees are encouraged to consult an attorney of their choice with any legal questions.

**MENOMINEE COUNTY  
Unsafe Condition or Hazard Report**

**Instructions:**

- Use this form to report an unsafe working condition that does not require immediate action.
- This form should NOT be used to initially report immediate and dangerous working conditions. See page 2 of this form for instructions on such conditions.
- This form should be completed, fully and legibly, with as much detail as possible. If additional space is needed, print information on a separate piece of paper and attach. If you need assistance in filling out the form, please contact the Office of the Administrative Coordinator at (715) 799-3012.
- Submit completed forms to the Office of the Administrative Coordinator.

Employee's Name:	DATE AND TIME RECEIVED: (For County use only)
Job Title:	
Date of Report:	

1. Location Of Condition Believed To Be Unsafe Or Hazardous (specify exact location where alleged unsafe or hazardous condition exists, the type of work performed and the approximate number of employees in the location. Use a separate form for each unsafe or hazardous condition):

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2. Detailed Description of Unsafe or hazardous Condition And Its Cause:

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3. Date And Time Unsafe Or Hazardous Condition First Observed By Employee:

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4. Are there any employees or other individuals who you believe have been injured or have become ill from the unsafe or hazardous condition? If so, please identify the employee or individual, the nature or the illness or injury and the date on which the employee or individual was injured or became ill.

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5. To your knowledge, has the unsafe or hazardous condition previously been reported to a person in management? If so, to whom was the condition reported and on what date or dates?

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6. To your knowledge, has the unsafe or hazardous condition previously been inspected? If so, who inspected the condition, when was the inspection and what was the result of the inspection?

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7. What changes would you recommend to correct the unsafe or hazardous condition?

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### 8. Certification.

By my signature below, I certify that I have read the above report and declare that the information in the report is true and correct.

\_\_\_\_\_  
Signature of Employee:

\_\_\_\_\_  
Date

### **Immediate and Dangerous Working Conditions**

1. This form should not be used to initially report immediate and dangerous working conditions. If a dangerous working condition exists that requires immediate corrective action, the Employee must notify his/her Supervisor at once. If the situation involves serious injury and/or the need for rescue, fire, or other emergency response, call 9-1-1 immediately.
2. Upon being advised of an immediate and dangerous working condition, the Supervisor shall evaluate the condition take immediate action to correct or minimize the hazard to a reasonable standard of safety. The Supervisor shall notify the Department Head and the Administrative Coordinator of the Employee's report of an immediate and dangerous working condition and the corrective action taken by the Supervisor.
3. If corrective action is not taken immediately by the Supervisor, or the Employee believes that action taken by the Supervisor does not minimize the hazard to a reasonable standard of safety, the Employee shall immediately report the hazard to the Department Head and fill out and file this Unsafe Condition or Hazard Report with the Office of the Administrative Coordinator.
4. The Department Head will designate the appropriate individual to go to the scene immediately, evaluate the situation, make a judgment, and document and communicate the decision on appropriate action to the Employee, the Supervisor and the Administrative Coordinator.
5. The Administrative Coordinator in conjunction with the Safety Committee will review the information related to the dangerous working condition and determine whether the situation has been satisfactorily resolved or if additional investigation and corrective actions are necessary. The Administrative Coordinator will advise the Employee of the results of the investigation and any corrective action that the County intends to take within ten (10) working days of the date of receipt of this Unsafe Condition or Hazard Report from the Employee.

**Grievance Procedure**

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**MENOMINEE COUNTY WORKPLACE SAFETY GRIEVANCE FORM**

Please fill out this form completely. If you need more space, use a separate sheet of paper.

<b>Name of Grievant:</b>	<b>Work Phone:</b>
<b>Job Title:</b>	<b>Home Phone:</b>
<b>Home Mailing Address:</b>	<b>DATE AND TIME RECEIVED</b> (for County Use Only)
<b>1. Identification of Condition Being Grieved.</b> Provide a description of the Workplace Safety condition being grieved.	
<b>2. Basis for Grievance.</b> Provide a detailed description of the standard under Wis. Admin. Code Chap. Comm 32 that you believe has been violated and a detailed description of any facts or information which support your belief.	
<b>3. Witnesses.</b> Identify by name, telephone number and address of all witnesses that you believe will support your claim that the County has violated a standard established under Wis. Admin. Code Chap. Comm 32. Provide a summary of the facts and/or information known by each witness.	
<b>4. Documents.</b> Attach any documents which support your claim. If you do not have a document, provide a description of the document which includes date of the document, the source of the document and the content of the document.	
<b>5. Remedy Requested.</b> Describe in detail the remedy you request.	
<b>6. Certification and Signature.</b>  By my signature below, I certify that I have read the above complaint and, under penalty of law, I declare that this complaint is true and correct.  Signature of Grievant: _____ Date: _____	

### INSTRUCTIONS

1. **USE:** This Workplace Safety grievance form is for use in connection with the Menominee County Grievance Procedure (Grievance Procedure) in the Menominee County Personnel Policies and Procedures (Policies). Any Employee of Menominee County may use the Grievance Procedure provided that the hazard or condition which is the subject of the grievance constitutes a "Workplace Safety" violation as defined in the Grievance Procedure and Employee has complied with the conditions for filing a Workplace Safety grievance outlined in the Grievance Procedure. An Employee does not have to be personally impacted by a claimed hazard or condition in order to file a Workplace Safety grievance. Please refer to the Grievance Procedure in the Policies for additional rules and restrictions.
  
2. **FILING DEADLINE:** In accordance with section 1.04(B)(2) of the Grievance Procedure, this grievance form must be completely filled out, signed and filed by an Employee with the Office of the Administrative Coordinator within five (5) working days of: (a) the Employee's receipt of written notice from the County that the County will not be taking corrective action with respect to an alleged Workplace Safety violation previously reported by the Employee; (b) the County's failure to begin to take corrective action of a Workplace Safety violation as outlined in a Written report by the Administrative Coordinator to the Employee within ten (10) working days of the Employee's report of a Workplace Safety violation; or (c) the County's failure to respond to a report of a Workplace Safety violation within ten (10) working days of receipt of a reported Workplace Safety violation by an Employee. An Employee may obtain an extension of time to file a grievance for a Workplace Safety violation. Please refer to the grievance Procedure for the rules governing extensions. The failure of an Employee to timely file a full and complete grievance with the Office of the County Administrative Coordinator as required by the Grievance Procedure shall constitute a waiver of the Employee's right to use the Grievance Procedure and an abandonment of the grievance. Please refer to the Grievance Procedure for further rules and restrictions regarding the initiation of a Workplace Safety grievance.
  
3. **FILLING OUT THE GRIEVANCE FORM.**
  - a. Condition Being Grieved. This section requires you to describe the Workplace Safety hazard or condition that you are grieving. A grievance form may only address one Workplace Safety hazard or condition.
  - b. Basis for Grievance. This section of the form requires you to provide a detailed description of the standard or standards under Wis. Admin. Code Chap. Comm (Chapter Comm 32) that you believe the hazard or condition violates. The description must include an explanation as to how the hazard or condition constitutes a violation of Comm 32. Single word or limited responses simply indicating that the hazard or condition violates Comm 32 or a standard in Comm 32 are insufficient. A copy of Chapter Comm 32 and the regulations referenced in Comm 32 is available from the Office of the Administrative Coordinator.
  - c. Witnesses. This section of the form requires you to identify all witnesses who you believe will support your claim. The last known telephone number and address of each witness must be provided. You are also required to provide a detailed description of the facts or information known by each witness that supports your claim. You must provide a detailed description of the facts or information known by each witness.
  - d. Documents. This section of the form requires you to produce all documents you believe support your claim. If you do not have the documents, you are required to provide a description of each document which includes the date of the document, the source of the

## Grievance Procedure

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document and a description of the contents. The source can be, for example, an e-mail from a department head, supervisor, co-worker or other individual; a County policy or communication; a time card; portions of an Employee or County file; or a document that you wrote. The description of the contents should include the subject of the document and the information in the document which you believe supports your position on the grievance.

- e. Remedy Requested. This section requires you to describe your opinion on the appropriate remedy.

- 4. **ASSISTANCE:** All information on the grievance form must be provided. If you have any questions regarding the information required by the form, please contact the Office of the Menominee County Administrative Coordinator at (715) 799-3012. Employees in the Administrative Coordinator's office may only offer assistance in identifying the information required in the grievance form. Employees in the Administrative Coordinator's office cannot provide you with legal advice in connection with your grievance. Employees are encouraged to consult an attorney of their choice with any legal questions.

**APPENDIX 12**  
**MENOMINEE COUNTY/TOWN**  
**FOOD, BEVERAGE, AND HEALTHIER WORK ENVIRONMENT POLICY**  
Rev. 10 SEP 2020

**A. Introduction**

Menominee County is the least healthy county in Wisconsin according to the County Health Rankings and Roadmaps and has been designated so since 2010. There are a number of health outcomes and factors that contribute to this ranking and the following is a representation of some of the data collected for Menominee County:

- Poor or fair health. In Menominee County, 32% of the adult population reported fair or poor health compared to 15% for the entire state.
- Adult smoking. In Menominee County, 33% of the adult population are current smokers compared to 17% for the entire state.
- Primary care physicians. In Menominee County, the ratio of the population to primary care physicians is 2,270:1 compared to 1,250:1 for the entire state.

The rankings have motivated local service providers to develop programs and activities focused on community health and wellness.

The recent Menominee County Employee Health Risk Assessment summary report dated December 5, 2019, shared statistics similar to those in the County Health Rankings and Roadmaps. Of the sixty-five employees with health insurance at Menominee County, 57.4% participated in the health risk assessments, meaning the results are generally representative of the entire Menominee County workforce. Overall, employee high risk areas included weight, where 48.6% of participants did not have a healthy weight; nicotine use, where 48.6% of participants tested positive for tobacco/cotinine—a byproduct of nicotine; and HDL cholesterol, where only 28.6% of participants have low HDL cholesterol (the good cholesterol). On a positive note, participants stated they were interested in fitness and nutrition.

The Menominee County government has been working to improve the health and well-being of our employees. Some early efforts included creating an on-site workout room and partnering with our insurance provider to assess organizational health. We are committed to doing more by making the healthy choice the easy choice. While these changes are a positive start, there is more that we can do.

Through policy and environmental changes, Menominee County strives to be a model of health not only within Menominee County but throughout the state of Wisconsin. By adapting portions of the Food Service Guidelines for Federal Facilities and integrating community values, Menominee County will implement responsive and meaningful policy. We are dedicated to implementing changes in the work environment, providing more healthful options in our vending machines and other points of purchase, and promoting sustainability. Through policy, we aim to promote better health and help reduce risks for chronic diseases for our workforce.

## **B. Beverages**

According to the Center for Disease Control, sugary drinks are leading sources of sugars in the American diet. Further, consumption of sugary beverages is associated with weight gain/obesity, type 2 diabetes, heart disease, and tooth decay among many other health issues. The CDC also reports that Americans drink 52% of sugary beverage calories at home and 48% of sugary beverage calories away from home<sup>1</sup>. To help reduce sugary beverage consumption at Menominee County, the following will be implemented:

1. Provide free access to chilled, potable water for employees and the public at all County buildings.
2. Require vending machines and other points of food purchase to provide healthy alternatives.

### Actions:

- Conduct a vending machine assessment using "A Blueprint for Healthier Vending"<sup>2</sup>
- Assess employee satisfaction with current vending use and selections available
- Purchase healthier beverages for vending machines and other points of purchase based on employee preferences. At least 25% of beverages offered will meet one of the following standards:
  - 100% juice cans with no added sugars
  - contains ≤50 calories/8ounces
- Consider updating current vending machine contracts through a competitive search with preference to vendors who can meet county standards
- Implement a pricing strategy to promote the purchase of healthier beverages
- Create educational signage and other print resources that encourage healthy choices

## **C. Packaged Snacks**

The Center for Disease Control's Food Service Guidelines for Federal Facilities identifies packaged snacks as foods with a relatively long shelf-life. Often, vending machine options are high in fat and sugar with little nutrition. Packaged snack items include granola bars, crackers, raisins, and less healthful items like chips, candy bars, and cakes. To promote health and wellness for our employees and the public, the following will be implemented. At least 25% of all packaged snacks will meet at least one of the following nutrition requirements:

1. First ingredient on the label is a fruit, a vegetable, a dairy product, or a whole grain
2. Packaged snack contains less than 200mg sodium/package
3. Packaged snack has 0 grams of trans fat
4. Packaged snack's saturated fat limit is less than 10% of calories (reduced fat cheese exempted)
5. Packaged snack has fewer than 200 calories per serving

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<sup>1</sup> Get the Facts: Sugar-Sweetened Beverages and Consumption. (n.d). Retrieved from <https://www.cdc.gov/nutrition/data-statistics/sugar-sweetened-beverages-intake.html>

<sup>2</sup> A Blueprint for Healthier Vending. (n.d.) Retrieved from <https://www.chicago.gov/content/dam/city/depts/cdph/CDPH/BlueprintHealthierVending2013.pdf>

**Menominee County/Town  
Food, Beverage and Healthier Work Environment Policy**

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6. Packaged snack's sugar limit is less than 35% of weight from total sugars (dried/dehydrated fruits exempt)

Actions:

- Conduct a vending machine assessment using "A Blueprint for Healthier Vending"
- Assess employee satisfaction with current vending use and selections available
- Purchase healthier packaged snacks for vending machines and other points of purchase based on employee preferences
- Consider updating current vending machine contracts through a competitive search with preference to vendors who can meet county standards
- Consider a pricing strategy to promote consumption of healthier snacks
- Create educational signage and other print resources that encourage healthy choices

**D. Healthy Meeting Guidelines**

Throughout the course of the workweek, Menominee County employees are participating in multiple meetings. This could mean hours of sitting a week with little physical activity. Meetings are an opportunity to promote health and wellness and physical activity. Meetings are also an opportunity to practice sustainability. Where feasible, Menominee County is committed to changing the environmental settings at meetings by implementing the following:

1. Require healthy food options at meetings that align with the beverage and packaged snacks policies.

Actions:

- Make water the default beverage at meetings
- Consider eliminating all sugary beverages from meeting spaces
- When ordering meals for meetings, purchase fresh fruits and/or vegetables
- Providing healthier condiments

2. Require all Menominee County meetings to be environmentally sustainable.

Actions:

- Eliminate bottled water and encourage re-usable water bottles
- Transition to re-usable serving ware
- Use electronic communication for announcements, registrations, resource materials when possible
- Use chalk boards, dry-erase, electronic projects instead of paper and flip charts
- Purchase bio-degradable/compostable products (coffee cups, paper...)

3. Promote physical activity and movement at meetings.

Actions:

- Begin meetings with mindful meditation
- Encouraging standing meetings
- Plan physical activity breaks for longer meetings
- Designate County staff to create physical activity breaks resource guide

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- Encourage walking meetings where feasible
4. Employee potlucks and other gatherings.
- Require fruits and/or vegetable dish at potlucks
  - Require water and/or 100% fruit juice as an option
  - Encourage healthier dishes (whole grains, low-fat dairy...)
  - Encourage employees to bring their own dishes and serving ware (dish bag)

**E. Environmental Changes**

Menominee County and the Menominee Indian Reservation is a pristine environment known for its forests, clean lakes and rivers, and abundant wildlife. Further, the community is recognized world-wide for sustainable forestry practices and commitment to protecting water. The County is supportive of these efforts and has identified a number of goals in the Menominee Town/County Comprehensive Plan to support these practices. Menominee County is committed to building on this work through the creation of policy in the workplace that reduces our environmental impact, increases our energy efficiency, and improves facility management of natural resources<sup>3</sup>. With this in mind, Menominee County will implement the following:

1. Decrease the use of single use items in the workplace (i.e. plastic ware, plastic cups, foam ware, bottled water, and other single use items) and replace with compostable products or products that are more environmentally friendly.

Actions:

- Encourage use of re-usable beverage containers
- Encourage the use of re-usable serve ware and flat ware at meetings where food is served
- Discourage purchase of bottled water for meetings
- Encourage employees to bring their own dishes, cups, and serving ware
- Increase the use dry-erase boards, electronic meeting packets, and projectors and reduce paper use

2. When purchasing products, give preference to products in recyclable, compostable, or bio-based packaging; this could include office supplies and other day-to-day goods purchased by County departments.

Actions:

- Give preference to vendors who practice sustainable business practices
- Develop a Green Vendor Resource List for departments
  - Office suppliers that specialize in recycled paper and office supplies with recycled plastic
  - Office suppliers that recycle printer cartridges and related supplies

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<sup>3</sup> Food Service Guidelines for Federal Facilities. (n.d.) Retrieved from [https://www.cdc.gov/obesity/downloads/guidelines\\_for\\_federal\\_concessions\\_and\\_vending\\_operations.pdf](https://www.cdc.gov/obesity/downloads/guidelines_for_federal_concessions_and_vending_operations.pdf)

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3. Reduce employee and public waste through recycling.

Actions:

- Transition all soda vending machines from bottled soda to canned soda—recycle cans and generate revenue

4. Move to more energy efficient equipment and lighting.

Actions:

- From said date, all equipment purchased will be Energy Star equipment
- Transition all vending machines to Energy Star vending machines with LED lighting
- Transition from incandescent and fluorescent lighting to LED lighting in all buildings including offices

5. Embrace “green” cleaning products and integrated pest management systems that are permissible under List N: Disinfectants for Use Against SARS-CoV-2 (COVID-19).

6. Designate smoking areas for employees and the public.

Actions:

- Consider establishing designated areas that are out of public view
- Establish entrances as “smoke free zones”

**F. Adoption**

This policy was reviewed and approved by the Department Heads on September 1, 2020. It was reviewed and approved by the Personnel and Finance Committee on September 10, 2020, and authorized to be incorporated into the Personnel Policies and Procedures Manual as an appendix thereto.

# Menominee County Applicant Screening Checklist

## I. APPLICATION INFORMATION

Position:	Department:	Supervisor:
Name of Applicant:	Date Application Received:	Application was Received by Deadline: <input type="checkbox"/> Yes <input type="checkbox"/> No

## II. MINIMUM QUALIFICATIONS FOR THE POSITION

List the "Minimum Qualifications" posted on the job description in this section.

No.	Qualification	Meets	Does Not Meet	Unsure
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

## III. CERTIFICATION

We, the undersigned, having reviewed the application and attachments for the above-named job posting, have determined that the applicant named above--

- Meets the minimum qualifications and should receive an interview
- May meet the minimum qualifications but we are willing to grant an interview to find out for certain
- Does not meet the minimum qualifications and should not receive an interview
- Did not make the deadline and should not receive an interview

**Two reviewer's recommended; four reviewer's are not required**

Reviewer Name:	Date	Reviewer Name:	Date
Signature:		Signature:	
X		X	
Reviewer Name:	Date	Reviewer Name:	Date
Signature:		Signature:	
X		X	

**APPENDIX 14 – Menominee County Water/Boat Patrol Incentive Pay**

<b>Department</b> Menominee County Sheriff	<b><u>SUBJECT</u></b> Stipend System	<b><u>POLICY</u></b> <b><u>NUMBER</u></b> 1	<b><u>DIVISION</u></b> Water Patrol	
<b><u>POLICY</u></b>  <b><u>AND</u></b>  <b><u>PROCEDURE</u></b>	<b><u>ORIGINAL ISSUE</u></b> <b><u>DATE</u></b> 06/10/24	<b><u>EFFECTIVE DATE</u></b>  06/10/24	<b><u>REVISION</u></b> <b><u>DATE</u></b> 09/22/25	<b><u>PAGES</u></b>  3

**General Policy**

It is the policy of Menominee County to recognize Department Members for certain boat patrol related activities conducted throughout the year. Each year the Legend Lake Protection & Rehabilitation District sets aside funds for distribution to Department Members of the Menominee County Sheriff's Office based on the following "Tiered Stipend System". This policy remains in effect as long as the Legend Lake Protection & Rehabilitation District provides funding, should future funding amounts change, the stipend amounts will be modified proportionally. This payment shall be made to Menominee County who shall have the primary responsibility of allocating funds at the end of each year consistent with the Boat Patrol Hours Cards submitted.

**Terms**

**Department Member:** A Deputy of the Menominee County Sheriff's Office in good standing.

**Budgeted Amount:** Money allocated to cover expenses associated with stipend payments to Department Members.

**Hours:** The number of boat patrol hours worked outside a Department Members normal work shift.

**Year:** Year (May 1<sup>st</sup> through September 30th).

**Year End:** On or shortly after September 30 of each year.

**Stipend:** Monetary amount Department Members receive at Year End.

**Boat Patrol Coordinator:** A Deputy of the Menominee County Sheriff's Office who oversees the daily activities of the boat patrol program. They maintain daily logs, equipment, submit entries to the DNR and attend meetings and trainings as necessary. The boat patrol coordinator does not require you to be a supervisor.

## General Procedures

- Each "Department Member" requesting "hours" shall submit to the Boat Patrol Coordinator a "Boat Patrol Hours Card" (Attachment 2).
- The Boat Patrol Coordinator shall record the number of hours earned by each Department Member throughout the "Year".
- At "Year End" the Boat Patrol Coordinator shall calculate the number of "hours" each Department Member accumulated.
- At "Year End" the Boat Patrol Coordinator shall submit to the Lake Protection & Rehabilitation District Clerk for payment, the number of "hours" for each Department Member.
- Once Menominee County receives payment from the Lake Protection & Rehabilitation District the payment will be disbursed to each "Department Member" through the following payroll. \*A copy of check, Department Members and hours or payout needs be submitted to payroll.

## Tiered Stipend System

10-14 hrs.	\$150
15-19 hrs.	\$300
20-24 hrs.	\$500
25-29 hrs.	\$750
30-34 hrs.	\$1050
35-39 hrs.	\$1225
40 + hrs.	\$1400

**Boat Patrol Hours Card**

Menominee County Sheriff's Office

Hours Card

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

Date of Work: \_\_\_\_\_ Number of Hours Requested: \_\_\_\_\_

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ Total Time: \_\_\_\_\_

*Description of Activity:*

Department Member Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Boat Patrol Coordinator or Sheriff: \_\_\_\_\_ (initials) Date: \_\_\_\_\_

# Menominee County Exit Interview Questionnaire

## Appendix 15

Employee Name: \_\_\_\_\_

Position/Department: \_\_\_\_\_

Last Day of Employment: \_\_\_\_\_

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

You may use an additional sheet of paper if more space is needed.

### 1. Reason for Leaving

- What is your primary reason for leaving?
  - New job opportunity
  - Career change
  - Personal reasons
  - Work environment
  - Compensation/benefits
  - Management/supervision
  - Other: \_\_\_\_\_
- Can you share more details about your decision to leave?

### 2. Job Responsibilities

- Were your job duties and expectations clear?
  - Yes
  - No
  - Comments: \_\_\_\_\_
- Did you feel your skills were well-utilized?
  - Yes
  - No
  - Comments: \_\_\_\_\_

### 3. Work Environment & Culture

- How would you describe the work environment?
  
- Did you feel supported by your supervisor and coworkers?
  - Yes
  - No
  - Comments: \_\_\_\_\_
  
- Any concerns related to workplace culture, communication, or teamwork?

### 4. Compensation & Benefits

- Were you satisfied with your pay and benefits?
  - Yes
  - No
  - Comments: \_\_\_\_\_
  
- Any suggestions for improvement?

### 5. Training & Development

- Did you receive the training needed to do your job effectively?
  - Yes, if so what training did you receive?
  - No
  - Comments: \_\_\_\_\_
  
- Were there opportunities for growth and advancement?
  - Yes
  - No
  - Comments: \_\_\_\_\_

### 6. Management Feedback

- How would you describe your relationship with your supervisor?

- What could management have done differently to improve your experience?

## 7. Overall Experience

- What did you like most about your job?
  
- What did you like least?

## 8. Final Comments

- Do you have any additional feedback or suggestions?
  
- Would you consider returning to the organization in the future?
  - Yes
  - No
  - Comments: \_\_\_\_\_

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

# Employee Separation Checklist- Appendix 16

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_

Position: \_\_\_\_\_

Supervisor/Responsible Official: \_\_\_\_\_

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

## Access & Security (Email: DTP@co.menominee.wi.us)

Notify IT to disable employee access

Technology Services has been notified to immediately disable the employee's access to all County/Town systems, including computers, networks, servers, email, voicemail, and peripheral devices.

Notify Maintenance to disable key card / building access

Maintenance has been notified to deactivate key card access and any other building or secured-area access.

## Data & Records

Access designation provided (if applicable)

Supervisor or responsible official has designated who may access the employee's electronic files, email, voicemail, and other electronic data.

Read-only access

Read-and-write access

No access authorized

Data archived by IT (if applicable)

If no designation was provided, Technology Services has archived all electronic data as deemed necessary and appropriate.

## County Property Collection

Office keys

Key card/fob

Laptop

Docking station

Cell phone

Credit card / purchasing card

Other: \_\_\_\_\_

All County/Town property collected, inventoried, and inspected for condition

Damage, loss, or theft reported (if applicable)

Any damage, loss, or theft of County/Town property has been reported to the Administrative Coordinator's Office.