

EMPLOYEE HANDBOOK

THE VILLAGE



OF COLFAX

Effective: September 1, 2014

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INTRODUCTION

The general purpose of this Employee Handbook is to familiarize employees with the Village of Colfax policies to help address the social, economic, and program needs of the Village. This Handbook provides general information on the recruitment, selection, development, and maintenance of an effective and responsive work force.

These policies are issued with the goal of advancing understanding between the Village, its employees, and the public. Nothing contained in this Handbook should be construed by any employee as establishing, creating or constituting a written, oral or implied contract of employment. Furthermore, Handbook provisions should not be construed as a guarantee of continued employment or as a guarantee of any benefits or conditions of employment.

The provisions set forth in this Handbook supersede ALL prior personnel policies and procedures, union contracts, whether written or established by past practice. Because this Employee Handbook is based on Village operational policies and procedures, federal and state mandated policies and procedures, and present employee fringe benefit programs which are all to some degree subject to change, this Handbook is also subject to change. The Village reserves the right to revise, add, subtract, correct, delete or update any part of the material in this Handbook.

Any changes made in this Handbook will be brought to the attention of all employees by: employee meetings, posting of the change on the employee bulletin board, or corrections in the Employee Handbook itself.

EMPLOYER RIGHTS AND RESPONSIBILITIES

EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY STATEMENT

It is the policy of the Village of Colfax to give equal opportunity to all qualified persons without regard to any protected class status.

All employment practices are to provide that all qualified individuals be recruited, hired, assigned, advanced, compensated, and retained on the basis of their qualifications, without regard to any protected class status, including: age, race, creed, color, genetic testing, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, membership in the national guard, state defense force or any other reserve component of military forces of the United States or this state, or any other legally protected class status.

It shall be considered the responsibility of each and every employee to promote a workplace environment that is free of unlawful discrimination and to report any perceived impermissible conduct as soon as reasonably possible.

Responsibility for overseeing the EEO and Americans with Disabilities Act/Wisconsin Fair Employment Act policies has been assigned to the Administrator-Clerk-Treasurer. The Administrator-Clerk-Treasurer shall work with each Department Head/Supervisor in furthering a workplace environment based on equal opportunity for qualified individuals that is free from unlawful discrimination.

AMERICANS WITH DISABILITIES ACT AS AMENDED

The Village of Colfax is committed to non-discrimination in employment for qualified individuals with disabilities through the implementation of the provisions of the American with Disabilities Act, as amended (ADAAA).

Qualified individuals having a physical or mental impairment that substantially limits one or more of the major life activities, having a record of such an impairment, or being regarded as having an impairment will not be discriminated against in regard to employment application procedures, hiring, advancement, compensation, termination, training or other terms, conditions and privileges of employment. The Village will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job.

All employees are required to comply with safety standards. Applicants, who pose a direct threat to the health and safety of other individuals in the workplace, when such threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of other individuals in the workplace will be placed on appropriate leave until an

organizational decision has been made with regard to the employee's employment situation. Employees should immediately raise any disability/accommodation issues with their immediate supervisor for prompt investigation. Employees may also contact the Equal Rights Division of the Wisconsin Department of Industry, Labor and Human Relations (DILHR) in Madison or the U.S. Equal Employment Opportunity Commission (EEOC) within 300 days of the incident.

NEPOTISM

To establish policy for the employment of immediate family members in order to assure the reality and appearance of fairness in the best interest of the Village, it is the Village's policy that immediate family members will not be employed in a position where:

1. One relative would have authority to supervise, discipline or evaluate the performance of the other.
2. One relative would be responsible for auditing the work of the other.
3. Other circumstances (e.g. immediate family members working within the same department) exist which would place the relatives in the situation of actual or reasonably foreseeable conflict between the Village's interest and their own.

"Immediate Family" includes employee's spouse, legal domestic partner, child, parent, brother, sister, grandparents, aunts, uncles, nieces, nephew, cousins, grandchildren and step and in-law counterparts to same.

GIFTS AND GRATUITIES

No Village employee or official may solicit or accept from any person, directly or indirectly, any gift, gratuity or anything of value if it would reasonably be expected to influence the employee's or official's vote, actions or judgment, or could reasonably be considered as a reward for any action or inaction on the part of the employee or official.

POLICY DEVELOPMENT AND ADMINISTRATION

The Village Board assumes final responsibility for adopting personnel policies and policy revisions. In fulfilling this responsibility, the Village Board may initiate action or may accept or reject recommendations from Administration. The Village President and Administrator-Clerk-Treasurer implement the policies and procedures approved by the Village Board.

PUBLIC CONTACT

Every employee of the Village is to be courteous and polite when dealing with citizens and customers. If a problem arises, contact your supervisor so that the issue can be resolved.

OUTSIDE EMPLOYMENT

Employees are expected to devote their work efforts to their primary job. Therefore, employees are required to refrain from engaging in other employment that could be inconsistent with or adversely affect the interests of the Village; could, by reason of association, have a derogatory effect on the Village, could create conflict of interest between the employee and the Village, or could adversely affect work efficiency at the Village. Village employees contemplating outside employment are expected to request approval on the form provided by their immediate Department Head/Supervisor and the Village Administrator-Clerk-Treasurer before accepting an offer for additional employment. The Village will not pay medical benefits for injuries or sickness resulting from or related to employment outside of Village employment.

CONFLICTS OF INTEREST

Employees are expected to represent the Village in a positive and ethical manner and have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisors. Please refer to Wisconsin Statutes 19.59 Codes of ethics for local government officials, employees and candidates.

HARASSMENT AND OTHER FORMS OF DISCRIMINATION POLICY

Under federal and state fair employment laws, members of a protected class in employment cannot be subjected to workplace harassment or other unlawful discrimination by co-workers, supervisors, managers or others. Harassment of any Village employees is not acceptable conduct and will not be tolerated by the Village. It is the responsibility of each and every employee to immediately report to management any and all harassing conduct which may relate to the work environment, whether it occurs on or off the job. Such conduct includes harassment discriminatory conduct by employees toward other employees, by employees toward members of the public engaged in Village business, and by members of the public toward Village employees which relates to their work.

Harassment and acts of discrimination to be reported include, but are not limited to:

1. Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of his/her protected status. "Protected Status" includes age, race, color, national origin, religion, sex, sexual orientation, disability, genetic testing, and membership in military, arrest

and conviction record, or any other legally protected class status.

2. Any attempt to punish or penalize a person because of his/her protected status.
3. Creating an offensive and hostile working environment for a person because of his/her protected status including sexual harassment.

Sexual harassment, one form of harassment, is defined as unwelcome sexual advances; requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Examples of prohibited conduct include, but are not limited to, loud or sexually suggestive comments; sexual flirtations, advances or propositions; off-color language or jokes of a sexual nature; slurs and other unwelcome verbal, graphic, or physical conduct relating to an individual's gender; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos, or cartoons.

Reports and allegations of harassment or other forms of discriminatory conduct will be subject to investigation by management as soon as reasonably possible. If an employee is found to be responsible for harassment or other forms of discriminatory conduct then appropriate disciplinary action may be taken, up to and including a termination from employment. An employee who has a harassment or discrimination complaint should immediately report it to his/her supervisor, or, if the complaint involves the employee's immediate supervisor, to the Village Administrator-Clerk-Treasurer or Village President. Retaliatory acts taken against employees for making a report in good faith of workplace harassment or discrimination will not be tolerated and will be subject to disciplinary actions, up to and including a termination from employment.

GRIEVANCE PROCEDURE FOR MATTERS CONCERNING WORKPLACE SAFETY, DISCIPLINE AND TERMINATION

STATUTORY REQUIREMENT

This Employee Grievance Policy has been adopted to comply with Wisconsin State Statute 66.0509 and provide a grievance procedure for timely and orderly review of matters concerning workplace safety, discipline and termination.

Disciplinary procedures may result when:

1. An employee's actions or conduct do not conform with generally accepted standards of good behavior;
2. An employee violates a policy, procedure and/or rule;
3. An employee's conduct is detrimental to the interests of the Village; and/or
4. An employee's performance is not acceptable.

Disciplinary action may result in any of the following steps being taken:

1. Verbal warning or reprimand
2. Written warning or reprimand
3. Suspension without pay
4. Termination of employment

Based upon the facts involved, there may be circumstances when one or more of the disciplinary steps are bypassed. Certain types of employee problems or infractions may be of such a serious nature to justify either a suspension or termination of employment without proceeding through progressive discipline steps. The Village reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

APPLICABILITY

This policy shall be applicable to all Village employees covered under Wisconsin State Statutes 66.0509, other than police and fire employees subject to Wisconsin State Statutes 66.13(5). Specifically, but not limited to, this policy applies to union and non-union employees, limited term employees, full and part-time employees, and at-will employees. A Village employee may appeal any level of employee discipline action under this grievance policy.

This policy excludes employees within their orientation period, casual and seasonal employees, elected officials and any employee, official or officer that serves at the pleasure of the Village as provided by Wisconsin State Statutes.

DEFINITIONS

Days will refer to calendar days, excluding legal holidays as defined in Wisconsin State Statutes 995.20. If the last day on which an event is to occur is a legal holiday, any time limit under this policy is extended to the next day which is not a legal holiday.

Employee Discipline, for the purpose of utilizing the Grievance Procedure, will refer to any employment action that results in a:

1. Disciplinary suspension without pay
2. Disciplinary reduction in pay or other benefits
3. Disciplinary demotion
4. Termination

The term "discipline," for the purpose of utilizing the Grievance Procedure, does not include (however, all action below shall be documented):

1. Verbal notices or reminders
2. Verbal or written warnings or reprimands

3. Performance evaluations
4. Documentation of employee acts and/or omissions in a personnel file
5. Non-disciplinary demotions, transfers or changes in job assignment
6. Non-disciplinary adjustments to compensation and/or benefits
7. Actions taken to address job performance, including use of a job target plan or performance improvement plan
8. Placement of an employee on paid administrative leave pending an internal investigation
9. Counseling (written or verbal) regarding job performance
10. Other personnel actions taken by the employer that are not a form of progressive discipline and are taken for non-disciplinary reasons.

Employee Termination – action(s) taken by the employer to terminate an individual's employment with the Village for misconduct or performance reasons but shall not include the following personnel actions:

- a) Retirement
- b) Death
- c) Voluntary quit
- d) Layoff or failure to be recalled at the expiration of the recall period
- e) Completion of seasonal employment or temporary employment
- f) Completion of contract employment

- g) Job abandonment (no-call, no-show or other failure to report to work)
- h) End of employment due to disability
- i) Job transfer
- j) Reassignment
- k) Any workforce reduction action
- l) Action taken pursuant to an ordinance other than an ordinance specifically addressing employee discharge

Grievance is a dispute between the employer and an employee regarding actions of Village officials with regard to employee discipline, employee termination or workplace safety.

Hearing Officer refers to the impartial hearing officer required pursuant Wisconsin State Statutes 66.0509(1m)(d)2. The hearing officer selected by the Village may be an attorney, a retired judge, a professional mediator/arbitrator, an outside human resources professional from another government entity or other qualified individual currently on the list of arbitrators or mediators from the Wisconsin Employment Relations Commission (WERC), Federal Mediation and Conciliation Service or the American Arbitration Association. The hearing officer shall not be a Village employee or someone with a direct interest in the matter, such as a member of the governing body or the governing body's personnel committee.

Workplace Safety are conditions of employment affecting an employee's physical health or safety, safety of the physical work environment, the safe

operation of workplace equipment and tools, personal protective equipment, workplace violence, and training related to the same. Included within this definition are any alleged violations of any standard established under State law or administrative rule or Federal law or regulation relating to workplace safety.

PROCEDURES

Required contents of all written grievances; general conditions - Any written grievance filed by a Village employee under this policy shall contain all of the following information:

1. The name and position of the filing employee
2. A brief summary statement of the issue involved
3. A detailed explanation of the facts supporting the grievance
4. The date(s) the incident(s) occurred or the date(s) the alleged workplace safety concern was discovered
5. The specific policy, procedure or rule that is being challenged. If applicable, the specific workplace safety rule alleged to have been violated.
6. The steps taken to informally resolve the grievance (either orally or in writing) with the employee's supervisor, the individuals involved in the attempted resolution and the results of such discussion. When necessary, an explanation should be included as to why a grievance was not resolved at a prior step
7. The employee's signature and date.

A grievance or request for an appeal is considered timely if received by the Village Administrator-Clerk-Treasurer during normal business hours or if postmarked by 11:59 p.m. on the due date.

An employee must process his/her grievance outside of normal work hours, unless the employee elects to use accrued paid time (vacation, compensatory time, etc.) in order to be paid for time spent processing his/her grievance through the various steps of the grievance procedure prescribed in this policy.

Steps of the Grievance Process

Step 1 – Preliminary Grievance Steps

1. Prior to filing a formal written grievance under this policy, an employee shall discuss any complaint or problem with his/her immediate supervisor to determine if the grievance can be resolved.
2. Every reasonable effort should be made by employees and supervisors to resolve any questions, misunderstandings or problems that have arisen before an employee files a grievance
3. Such a preliminary meeting is not required in the case of termination.

Step 2 – Written Grievance Filed With Village Administrator-Clerk-Treasurer

1. If the grievance cannot be resolved at Step 1, the employee must file a written grievance with the Village Administrator-Clerk-Treasurer no later than fourteen (14) days from the date the employee first becomes aware of the termination, discipline or workplace safety situation causing the grievance.
2. The Village Administrator-Clerk-Treasurer shall inform the employee's immediate supervisor and the Village President about receipt of the written grievance within ten (10) days.
3. The Village Administrator-Clerk-Treasurer or designee shall investigate the facts given rise to the grievance. The Village Clerk-Treasurer shall respond to the grievance in writing, if possible, within fourteen (14) days of receipt of the written grievance.
4. As part of the grievance investigation, the employee's supervisor may be requested to provide a written response, which must contain:
 - a. A statement of the date(s) the meeting(s) between the employee and supervisor was held.
 - b. A statement as to whether the grievance was sustained or denied, with summary facts.
5. If the grievance involves a decision directly affecting the Village Administrator-Clerk-Treasurer, the process shall begin with a written grievance filed with the Village President, who shall conduct the investigation as Step 2; appeal to the Hearing Officer as Step 3 and appeal to the Village Board as Step 4.

The timelines established for each step shall apply.

Step 3 – Impartial Hearing Officer

1. If the grievance is not resolved at Step 2, the employee may request, in writing, within ten (10) days following receipt of the Village Administrator-Clerk-Treasurer's written response, a request for written review by an impartial Hearing Officer.
2. The Village Administrator-Clerk-Treasurer shall notify the employee's supervisor and the Village President of the filing of the request for an appeal to a Hearing Officer within ten (10) days of receipt of the written request.
3. The Village Board shall select the impartial Hearing Officer pursuant to Subsection II, 5.
4. On appeal, the Village Administrator-Clerk-Treasurer shall transmit all grievance materials, responses and a copy of this policy to the Hearing Officer.
5. Depending on the issue involved, the impartial Hearing Officer will determine whether a hearing is necessary or whether the case may be decided based on a submission of written documents. If the Hearing Officer decides a hearing is necessary, the Hearing Officer shall schedule a date/time for a hearing. The hearing shall be held at a mutually agreeable time in a public building and shall be open to the public unless the Hearing Officer otherwise directs.
6. The Hearing Officer shall determine whether the Village acted in an arbitrary or capricious manner. The Hearing Officer may only overrule a disciplinary action if the action was arbitrary or capricious. In all cases, the grievant shall

have the burden of proof to support the grievance. The Hearing Officer shall either sustain or deny the decision of the Village Administrator-Clerk-Treasurer. The Hearing Office does not have authority to modify or amend the decision made by the Administrator-Clerk-Treasurer. The Hearing Officer does not have authority to grant in whole or in part, a specific request of a grievant to modify a disciplinary determination.

7. The Hearing Officer shall prepare a written decision affirming or reversing the action with the reasons therefore. The Hearing Officer shall submit his/her findings to the Village Administrator-Clerk-Treasurer and employee via U.S. mail within thirty (30) days of the close of the hearing (if a hearing is conducted) or the submission of the parties' written documents, if any, whichever is later, or at a date mutually agreed upon by the parties.

Step 4 – Review by Village Board

1. Either the employee of the Village Administrator-Clerk-Treasurer may file with the Village Board a written notice of appeal of the Hearing Officer's determination within ten (10) days of the postmark date of the Hearing Officer's determination. For Library employees, the appeal shall be filed with the Library Board, which shall follow the procedures herein.
2. Such appeals shall be on the written record, the preparation and associated costs of which shall be the responsibility of and at the expense of the party seeking the appeal. A copy of the written record shall be provided by the appealing party to the other part at no charge. The written record shall be filed with the Village Board within twenty-one (21) days of the notice of appeal.
3. No formal hearing shall be held on the appeal before the Village Board. The Village Board shall only determine whether the Hearing Officer reached an arbitrary or incorrect result based on a review of the record coming before the Hearing Officer. The Village Board shall not take new testimony or evidence on the matter, but the Village Board may request additional written submittals from the parties regarding clarification of matters raised before the Hearing Officer.
4. The appeal normally shall be scheduled and noticed for the Village Board's next regular meeting. The Hearing Officer's determination may be affirmed, modified or reversed by a majority vote of a quorum of the Village Board.
5. The Village Board shall inform the employee in writing of its findings and decision with ten (10) days of the Village Board meeting and shall also file its written decision with the Village Administrator-Clerk-Treasurer. A copy of the written decision of the Village Board shall be mailed to the last known address of the employee or the employee's representative.

Grievance Settlements

A grievance shall be considered waived if not filed or appealed within the grievance timelines designated within this policy. The time limits prescribed in the preceding steps may be extended by mutual written agreement between the parties.

A grievance shall be considered settled and dismissed at the completion of any step in this policy if all parties are mutually satisfied or the grievance has not been timely processed to the next level.

Settlements shall be in writing and signed by the employee and the appropriate Village official(s) involved at the step level that the grievance was settled.

Consolidation of Multiple Grievances

If more than one (1) employee seeks to have a grievance reviewed that involves the same circumstances or issue, a single grievance review application may be used. A group grievance shall be signed by all grieving employees and must state that it is a group grievance at the first step in the grievance procedure.

The Village Administrator-Clerk-Treasurer and/or the Hearing Officer may consolidate grievances where a reasonable basis for consolidation exists.

Selection of a Hearing Officer; Compensation

The Village may contract to engage the services of an impartial Hearing Officer to hear, review, and determine appeals under Step 3. Any such Hearing Officer cannot be a Village employee or be receiving any compensation or benefits from the Village other than those set forth in this Subsection.

The Hearing Officer shall receive compensation at the Hearing Officer's standard rate for conducting the hearing, review of the case, travel time and time spent preparing a written determination. Compensation for the Hearing Officer shall be equally divided and invoiced to both parties.

While not mandatory, the Village Administrator-Clerk-Treasurer may maintain a list of at least three (3) qualified individuals who are willing to serve as a Hearing Officer for purposes of this policy. If such a list is maintained, the Hearing Officer selected to hear a grievance shall be selected by random drawing, with the parties to the grievance present when the drawing takes place, unless otherwise agreed upon. If such a list is not maintained, the Village Board shall select an impartial Hearing Officer.

Hearing Procedures

The Hearing Officer shall be responsible for the orderly and fair conduct of the hearing and the preservation of a record of the record. The Hearing Officer shall have the authority to administer oaths and issue subpoenas at the request of the parties. The party requesting the subpoena from the Hearing Officer is responsible for the fees associated with the subpoena.

This process does not involve a hearing before a court of law; this, the rules of evidence shall not be applicable.

All testimony before the Hearing Officer shall be taken under oath.

If a court reporter is employed, all costs affiliated with the services of the court reporter and preparation of a transcript of the hearing shall be equally divided and invoiced to both parties.

Representation - The employee and the Village may be assisted by a representative of their own choosing at any point during the grievance procedure.

Miscellaneous Costs

The employee and the Village shall be responsible for its own costs for witnesses and all other out-of-pocket expenses not specifically addressed in this policy, including possible attorney fees.

Any expense incurred by an employee in investigating, preparing or presenting a grievance shall be the sole responsibility of the employee.

Policy Revisions - This policy may be revised or repealed by the Village Board at any time.

RECRUITMENT AND EMPLOYMENT

HIRING

When the Village determines that a vacancy or new position shall be filled, the Village shall typically post a notice of such vacancy or new position for a minimum of ten (10) days if reasonable. The posting shall include the date the position is to be filled, title of position, requirements, and benefits. The Village retains the right to determine whether it will fill the position and when to recruit outside applicants.

The Department Head and Administrator-Clerk-Treasurer shall do the screening and interviewing of applicants for Non Department Head/Supervisor positions. The Administrator-Clerk-Treasurer will make a recommendation to the Village Board for final approval.

DEPARTMENT HEAD POSITIONS

Hiring of Department Heads shall be done through the Village Board and Administrator-Clerk-Treasurer.

NOTIFICATION OF THOSE NOT SELECTED

Candidates that were interviewed and not selected will be notified in writing that the position has been filled.

EMPLOYEE ORIENTATION TO PERSONNEL POLICIES

A copy of the Policies and Procedures Handbook will be provided to each new employee who will be expected to read the document and required to sign an Acknowledgement of Receipt of Handbook.

It shall be the responsibility of the Administrator-Clerk-Treasurer to give each new employee a copy of the Handbook at the time of filling out employment papers and sign form verifying receipt of the document. New employees shall discuss within ten (10) days of hiring any questions regarding Village policies and procedures with the Administrator-Clerk-Treasurer.

EMPLOYEE ORIENTATION PERIOD

All employees, unless otherwise exempted by code, regulation, statute, or policy, placed in new regular full-time and part-time positions must serve a period of orientation of one year, unless otherwise defined by labor contract, rule, or regulation. Casual and seasonal employees shall be subject to an orientation period determined at the time of initial hire by the nature of the position as determined by the Department Head, but in no case shall it exceed the orientation period for regular full-time and part-time positions.

The one year orientation period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance.

At the end of the orientation period, the employee is formally evaluated and provided written documentation of progress. It is expected that informal evaluations will be conducted during the course of the orientation period to assess performance and to advise employees of expectations regarding performance. Significant job deficiency(ies) shall be documented in the employee's personnel file.

Under unusual circumstances, the orientation period may be extended. This is only after an evaluation of the situation, the employee's abilities and demonstrated potential. Orientation extension is done only upon recommendation of the Department Head.

If a transferred or promoted employee fails to achieve satisfactory performance in the new position, he/she may be given priority for the first position opening similar to the one previously held if the employee's performance in the previous position was satisfactory. If an employee had not performed satisfactorily in the

previous position, termination from Village employment will be considered.

If an emergency arises during an employee's orientation period which requires a leave of absence, such time off, if granted, will not be considered as time worked and the orientation period shall be extended.

During his/her orientation period, an employee may be terminated at any time by the Village Board by simple majority vote and without the right of appeal. Notification of dismissal in writing shall be provided to the employee and a copy filed in his/her personnel file.

The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file with a copy given to the employee.

POSITION DESCRIPTION

The general duties, responsibilities, and authority of every position shall be set forth in writing with a copy given to each employee for his/her position of employment. Every new employee shall review his/her job description and indicate to his/her supervisor that he/she understands and is aware of the responsibilities and performance expected of him/her.

MAINTENANCE AND REVIEW

Position descriptions and duties may be amended or created. The Department Head/Supervisor shall report recommendations on position descriptions and duties to the Administrator-Clerk-Treasurer. The Administrator-Clerk-Treasurer shall investigate and report their findings to the Village Board for approval. The Village Board may recommend changes in position description's/duties for consideration and approval. The Department Head/Supervisor will periodically review all position descriptions for the revising and updating and based on his/her findings the Village Board may approve recommended changes.

PERSONNEL RECORDS

A personnel file will be maintained by the Administrator-Clerk-Treasurer's office for every employee and will contain records relevant to the employee's position with the Village. State laws govern what records are open to an employee and available for public inspection and will be adhered to by the Village.

RESIDENCY REQUIREMENT

If residency is required, employee shall establish and maintain primary residency within 15 miles of the jurisdictional limits of the Village of Colfax in accordance with statute 66.0502(4)(b). Employee shall have one (1) year to comply with residency requirement.

EMPLOYMENT CATEGORIES

FULL TIME EMPLOYEES

Employees who are expected to accrue a combination of work and paid leave (e.g. sick, vacation, holiday, and personal time) totaling 2,080 hours per year. Such employees receive all benefits listed in this policy.

PART TIME EMPLOYEES

Employees who, on average, work more than 20, but less than 40 hours weekly. Such employees receive no benefits, except as required by law or noted herein.

Employees who are considered part time, working at least 30 hours per week, will receive 3 days of sick/vacation time per year and retirement benefits through the Wisconsin Retirement System.

SEASONAL EMPLOYEES

Employees who work for a specific time period on a year-to-year basis. Such employees receive no benefits, except as required by law or noted.

EXEMPT OR NONEXEMPT STATUS

In addition to the categories outlined above, each position is designated either “non-exempt” or “exempt” from the Federal Fair Labor Standards Act and State wage and hour laws. Employees in “non-exempt” jobs are entitled to overtime pay for hours worked in excess of 40 hours per week. Employees in “exempt” positions are excluded from specific provisions of Federal and State wage and hour laws and are not eligible for overtime pay. Employees should contact their supervisor if they are unsure of their position’s designation.

ATTENDANCE AND TIME OFF

WORK WEEK/HOURS OF EMPLOYMENT

The work week for full-time employees shall be 40 hours per week. Variations to an employee’s schedule may occur depending on the department, work load, or job responsibility. Changes to the schedule require the notification/approval of the Department Head/Supervisor. Time and one-half will be paid for all hourly employees’ hours worked over 40 in a week. Paid holidays, paid vacation, paid funeral leave, and paid sick leave will not be treated as hours worked. The work week will be from Sunday through Saturday.

OVERTIME/COMPENSATORY TIME

Department Heads and designated supervisory personnel are expected to accrue a combination of work and paid leave (e.g. sick, vacation, holiday, and personal time) totaling 2,080 hours per year as a performance measurement (unless stipulated otherwise by contract or other rule/regulation).

Such personnel shall not be subject to deductions of pay for absences from the normal working schedule for less than one day. For absences of a full day or more, such employee is expected to use sick time, vacation or other paid leave time, or compensatory time as recorded on the time card. If such employee has exhausted his or her paid leave balance, the employee's pay may be reduced for absences for a full day or more for personal reasons other than sickness or disability. The Village will request that time records of the employee be provided to attest to the 2,080 hour per year expectation is being met in the event that compensatory time off is recorded on one or more time cards.

Non-supervisory Personnel will be paid time and one-half as required by the Fair Labor Standards Act (FLSA) maximum per pay period. At the option of the employee and upon approval of the Department Head, such time may be accrued and used as "compensatory time." Compensatory time may be accumulated to a maximum of forty (40) hours at any one time. Overtime worked in excess of the forty (40) hours will be paid out in the next paycheck. Compensatory time not taken by December 1st will be paid out in the first paycheck in December, except an employee may carry over up to forty (40) hours by notifying the Administrator-Clerk-Treasurer by December 1st of that year.

CALL IN PAY

Any employee who is ordered to report for duty at a time other than his/her regular tour of duty shall be compensated a minimum of two (2) hours at time and one-half (1½) for the performance of that assignment or time and one-half (1½) for all hours worked if the hours exceed the two hour minimum.

WELL MONITORING

Employees required to perform well monitoring on the weekend shall receive twenty-five dollars (\$25.00) per day for that function, in addition to compensation for actual time worked.

NIGHT DIFFERENTIAL

Full time police officers will receive fifty cents (\$.50) per hour premium for all regularly scheduled night hour worked (defined as hours worked 4:00 p.m. to 8:00 a.m.)

COURT PAY

Any employee who reports for court duty during off-duty hours shall be compensated at the rate of one and one-half (1½) times the employee's hourly rate, the minimum of which shall be two (2) hours at time and one-half.

REST PERIOD

Employees may take a fifteen (15) minute paid rest period during each four hour span as designated by the Department Head/Supervisor. Rest periods may not be used to arrive late, leave early, or extend an unpaid lunch period. A thirty (30) minute lunch period (or longer) will not be paid.

ATTENDANCE-PUNCTUALITY

Any employee who finds he/she will be unable to report to work on time or unable to report for a full day must verbally inform his/her immediate supervisor at the earliest opportunity.

Good and sufficient reason must be provided for any tardiness or absence. Absence without proper leave notification and approval may be considered sufficient cause for disciplinary action, up to and including termination of employment.

EMERGENCY CLOSING POLICY

At the discretion of the Administrator-Clerk-Treasurer, the Village may close early or delay opening, or be closed all day due to inclement weather. Notifications of closure will be sent to the Village President, and placed on Village webpage. When possible, signs will be posted on the municipal building door. When such a closing occurs, employees may utilize vacation or compensatory time to minimize or avoid a loss of wages as a result of absence.

JURY DUTY

All employees shall immediately inform their supervisor when a legally served summons or subpoena for jury duty is received. Should an employee be excused from the court during the regular work day, the employee will be expected to report to his/her normal work location.

The pay of an employee appearing in court as a juror or as a witness on behalf of the Village will continue at his/her regular rate. All reimbursements received as a juror shall be turned over to the Village to be credited against regular salary.

Payment by the court to the employee for travel expenses at the prevailing rate may be retained by the employee.

When a part time employee is scheduled for jury duty, his/her work hours will be scheduled by the supervisor for the time on jury duty to accommodate staffing. Part time employees will not be compensated for hours not worked due to jury duty. The time may be made up by working a different schedule if approved by the supervisor.

LEAVES OF ABSENCE

Leaves of Absence shall be granted in accordance with all applicable Federal and State requirements for medical, family and military/military family reasons. In addition, a personal leave of absence without pay or benefits may be granted by the Administrator-Clerk-Treasurer, with final approval by the Village Board, for a maximum of 30 days upon written request normally made at least two weeks prior to requested leave commencement.

A leave of absence for any employee may be “extended” by the Administrator-Clerk-Treasurer with final approval by the Village Board.

MILITARY LEAVE

A military leave of absence will be granted to any employee who volunteers or is called to active duty in any branch of the armed forces. The employee’s re-employment rights will be governed by the Federal and State law. Under Federal law, leave also may be granted to eligible employees with qualifying relationships to military service members.

HOLIDAYS

Full time employees shall have the following paid holidays:

- New Year’s Day
- Friday before Easter-afternoon ½ day
- Memorial Day
- Independence Day
- Labor Day
- Veteran’s Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve Day
- Christmas Day

Hourly employees will be paid time and one-half for all hours worked on the holidays. All holiday time worked must be pre-approved by a Supervisor. If Supervisor is not available during this time, permission must be granted by Administrator-Clerk-Treasurer.

If a paid holiday falls on Saturday, the preceding Friday shall be the recognized holiday. If a holiday falls on a Sunday, the following Monday shall be the recognized holiday. If a holiday occurs during a vacation, the holiday will not be counted as part of the vacation allowance.

VACATION

Permission to take vacation shall be in writing on leave forms signed by the Department Head and received by the Administrator-Clerk-Treasurer prior to vacation being used.

Vacation time is earned from the time employment begins, but is not available for use until the employee's anniversary date.

Full Time Employees

After 1 year, two weeks (10 days)
After 7 years, three weeks (15 days)
After 18 years, four weeks (20 days)

After 20 years employees will receive one extra day per year through 25 years of service, 1 day per year to a maximum of 5 days (five weeks) at the 25th year.

Part Time Employees

Receive an allotment of 24 hours of vacation per year, renewing upon hire date.

Carry-Over

Employees may not accrue vacation time indefinitely. They will be allowed to carry over only one week (5) days of vacation to the next year. Any vacation time over 40 hours not used within 1 year will be paid to employee at a rate reduced by ½ of employee's current wages.

Seasonal Employees

Receive no benefits other than those required by law.

SICK LEAVE

Sick leave with pay is allowed to all full-time employees.

Sick leave benefits cannot be used during the first 60 calendar days of employment and no sick leave may be taken in advance of being earned. A leave slip signed by the employee must be submitted as soon as the employee returns to work.

Sick leave shall be accrued at the rate of 4 hours per calendar month of employment to a total of 480 hours.

Employees who have accumulated the maximum of 480 hours shall receive an incentive payout for any sick leave earned in a year but not used above the maximum as follows. Employees will be paid in cash (with appropriate withholdings and deductions).

Number of years of Service Completed	% Payout Incentive
1-10	25
11-19	30
20 and above	35

The first day an employee or a Department Head is out for an illness, he/she must call and so inform the Village Administrator-Clerk-Treasurer regarding the severity and anticipated length of illness if possible. Failure to report to work without notice may result in a written warning. Any employee or Department Head is found to have abused their sick leave privileges, is subject to discipline up to and including termination of employment.

The Village retains the right to require verification of employee illness at any time. If an illness extends beyond three work days, a doctor's excuse must be provided upon return to work or sick leave will not be paid for days of absence. Any portion of three consecutively scheduled work days is considered a day for this rule.

Sick leave maybe taken for an employee's immediate family for medical or dental appointments and the day of surgery. Absences due to illness or injury in the employee's family other than stated above will be charged to vacation time unless the absence qualifies as Wisconsin FMLA (see below). The Village retains the right to request verification of the family illness. Employees should make every effort to avoid scheduling medical and dental appointments during working hours.

FAMILY AND MEDICAL LEAVE

The Village follows the regulations for Wisconsin and Federal Family and Medical leave as outlined by the United States Department of Labor and the State of Wisconsin Department of Workforce Development and is subject to statutory modification and to judicial and agency interpretation.

Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Law (§103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act. When applicable, the leaves shall run concurrently. Employee rights posters for both laws are in the workplace for reference by all employees. An explanation of employee rights and responsibilities are set forth below.

I. **Basic Leave Entitlement**

A. Federal

Federal FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

B. State

State FMLA requires covered employers to provide, on a calendar year basis, the following unpaid, job-protected leave to eligible employees for the following reasons:

1. Family Leave

- Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than 16 weeks before estimated birth or placement and no later than 16 weeks after birth date or placement of the child.
- Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, domestic partner, parent or parent-in-law, or parent of a domestic partner who has a serious health condition.

Total maximum time for #1 and #2 is eight (8) weeks per twelve (12) month period.

2. Medical Leave

- A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

II. **Military Family Leave Entitlements**

Exigency Leave. Under the Federal FMLA, a qualifying exigency may arise when an eligible employee with a spouse, son, daughter, or parent in the Armed Forces (including National Guard and Reserves) is on covered

active duty or has been notified of impending call or order to covered active duty in support of a contingency operation with deployment in a foreign country. Eligible employees may take up to 12-workweeks of unpaid leave. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. In addition, parental care leave is an exigency leave category when a military member's parent is incapable of self-care and certain activities, such as arranging for alternative care, arise from the military member's covered active duty.

Caregiver Leave. Federal FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember, during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, or a covered veteran, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. In addition, a serious injury or illness includes injuries or illnesses that existed before the servicemember's active duty and that were aggravated by service in the line of duty on active duty. "Covered Veterans" must meet one of four definitions of "serious injury or illness."

III. Benefits and Protections

During Federal and State FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

IV. Eligibility Requirements

A. Federal

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

B. State

Employees are eligible if they have worked for a covered employer for more than 52 consecutive weeks, for a minimum of 1,000 paid hours, and if at least 50 employees are employed by the employer on a permanent basis.

V. Definition of Serious Health Condition

A. Federal

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

B. State

"Serious health condition" means a disabling physical or mental illness, injury, impairment, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.

VI. Use of Leave

Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer for any other type of leave.

- Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees.
- State family leave for birth/placement or care of a child, spouse, domestic partner, parent or parent-in-law, or parent of a domestic partner with a serious health condition may be taken as partial absences from employment if scheduled so not to unduly disrupt the employer's operations.
- Federal leave based on a serious health condition of an employee, employee's child, spouse or parent (including covered service members) may only be taken intermittently or on a reduced-leave schedule when medically necessary, unless the employer agrees otherwise.

- State medical leave for self may be taken in non-continuous increments as medically necessary.
- No leaves will be granted in daily or hourly increments of less than those specified in policies or labor agreements.
- Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the employer with reasonable advance notice.
- Leave due to qualifying exigencies may also be taken on an intermittent basis.

VII. Substitution of Paid Leave for Unpaid Leave

A. Federal

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

B. State

An employee may substitute, for portions of family leave or medical leave, any type of paid leave provided by the employer or choose to take unpaid leave.

VIII. Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

IX. Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

X. Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

XI. Enforcement

A. Federal

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

B. State

An Employee who believes his or her rights have been violated may, within 30 days after the violation occurs, or the employee should reasonably have known that the violation occurred, file a complaint with the Department of Workforce Development, Equal Rights Division.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FUNERAL LEAVE

A full-time employee shall be granted paid time off to a maximum of: Three (3) consecutive days to make arrangements for or attend the funeral of the employee's spouse or child, mother, father, brother, sister, mother-in-law, father-in-law, son or daughter-in-law, grandchildren, including equivalents by marriage (i.e. Step-) or any member of employee's household.

One (1) day to make arrangements for or attend the funeral of employee's brother-in-law, sister-in-law, or grandparent of employee or employee's spouse, aunt, uncle, niece or nephew.

EMPLOYEE BENEFITS

HEALTH INSURANCE

The Village offers to all its regular full time employees and part-time employees working an average of 30 hours or more per week and their eligible dependents, group health coverage through the carrier selected by the Village. A full time employee will pay 10% of the total premium, with the Village paying the remaining 90%. This percentage is subject to change on a yearly basis consistent with the coverage period of the policy. No reimbursement or higher wage will be paid to the employee if coverage is denied.

POST EMPLOYMENT HEALTHCARE PLAN

A post-employment healthcare plan will be offered to full time employees retiring through the Village sponsored plan. This plan will be offered only to those whose benefits are approved by the Administrator of the plan and with the permission of the Board.

LIFE INSURANCE

Life Insurance for full time employees will be paid in full by the Village. Current premiums for full-time employees are paid up to \$15,000.00 in coverage.

DENTAL INSURANCE

The Village offers to all its regular full time employees and their eligible dependents, group dental coverage through the carrier selected and paid for by the Village.

RETIREMENT PLAN

Effective on the date of hire or qualifying event, all qualifying employees will be enrolled in the Wisconsin Retirement System Plan. The Village shall pay 50% of the employees' portion and the employee shall pay the remaining 50% of the Wisconsin Retirement System contribution. Police officers, who qualify, will be required to contribute the amount equal to the general employees' portion of the Wisconsin Retirement System contribution.

DEFERRED COMPENSATION PLAN

The Village provides an option to any full time or part time employee to invest a portion of the employee's present earnings in a deferred compensation plan. This is an arrangement where a certain dollar amount can be designated by the employee to be withheld from the employee's paycheck and invested for payment at a later date, usually at retirement. Under this arrangement, neither the deferred amount nor earnings on the investments are subject to current Federal income taxes until such time as the employee receives payment from the plan.

Contributions to the program are financed 100% by the employee through payroll deductions. Benefits received through this program are in addition to any Social Security or public employee's retirement program benefits for which the participating employee would be eligible.

COMPENSATION

PAYROLL PERIOD

The work week is Sunday through Saturday. Every employee must fill out a time sheet approved by their immediate supervisor for submittal to the Village Administrator-Clerk-Treasurer. The pay date for each pay period shall be bi-weekly on the Thursday following completion of the pay period.

DIRECT DEPOSIT

Village payroll is distributed by direct deposit.

PAYROLL DEDUCTIONS

Mandatory deductions from pay checks will include federal, state and social security (FICA) taxes.

Voluntary deductions will be made upon written request of the employee if they can be done with administrative ease. Examples of voluntary deductions include: AFLAC, HSA and Deferred Compensation and Association Fees.

The Village is committed to investigating and resolving all wage and hour complaints as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed and the Village will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

GARNISHMENTS

Any notice of garnishment will be received and signed for by the Administrator-Clerk-Treasurer. A garnishment is defined as a legal stoppage of a specified amount from wages to a creditor. If a garnishment is received by another Department, it will be immediately forwarded to the Administrator-Clerk-Treasurer.

The Administrator-Clerk-Treasurer's office will make the necessary deductions from the employee's wages, including a service fee set at maximum amount allowed by State statute, unless court orders direct a lesser amount. The Administrator-Clerk-Treasurer's office will notify the employee, in writing, that the garnishment has been processed.

SEPARATION

REDUCTION IN FORCE/LAY OFF

The Village retains the right to lay off employees, in whole or part, and retain and recall those employees who are most qualified to perform the available work, regardless of their previous length of employment.

Employees who are laid off because of a reduction in force will normally be given at least two weeks written notice.

RESIGNATION

If an employee decides to leave the Village of Colfax employment, it is hoped that it will be under pleasant circumstances. The reasons for leaving should be discussed with the Administrator-Clerk-Treasurer/Village President.

A written resignation notice of one month is requested for supervisory positions. Two week notice is required of hourly employees. Failure to provide required notice may result in loss of accumulated vacation benefits.

DISCIPLINARY ACTIONS

POLICY

It is the policy of the Village of Colfax to administer a fair and consistent method of documenting and addressing problems with attendance, conduct and performance. Wherever possible and appropriate, the Village will use non-punitive forms of discipline that strive to correct the problem and not merely punish the employee. The level of discipline imposed will take into consideration the seriousness of the infraction as well as the employee's performance record.

PROCEDURES

Step 1 - Oral Warning/Reprimand – This type of infraction should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. The Administrator-Clerk-Treasurer or Department Head should inform the employee that an oral warning is being issued so that the employee is given an opportunity to correct the condition. If the condition is not corrected, the next step shall be taken. A notation in the employee's personnel file should be made; the employee should also be informed that this action was taken.

Step 2 – Written Warning/Reprimand – This notice will be issued in the event the employee continues to disregard an oral warning or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. A written warning/reprimand normally will be issued within ten (10) days after the occurrence of the violation is brought to the attention of the Administrator-Clerk-Treasurer or Department Head. The written warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline as outlined in Steps 3 and 4.

Step 3 – Suspension Without Pay – This form of discipline is administered as a result of a severe infraction of policies or for repeated violation. For minor infractions, a suspension may be given after the employee has received a written warning.

An employee may be suspended when the offense is of a nature serious enough for discharge but when circumstances related to an employee's overall performance mitigate against immediate discharge. Suspension without pay may be administered by the Department Head, in consultation with the Administrator-Clerk-Treasurer. The Administrator-Clerk-Treasurer has the authority to suspend a Department Head. If the employee elects to appeal a suspension without pay, it will be held in abeyance pending the outcome of the appeal through the grievance procedure.

Administrative Leave With Pay – Upon the concurrence of the Village Administrator-Clerk-Treasurer, an employee of the Village may be relieved of duties with pay and benefits pending investigation of allegations of misconduct when the nature of the allegation compromises the ability of the employee to perform his/her duties, and/or when a substantial period of time will be required to complete an investigation or legal action. Immediate removal of an employee from the job site pending review for discharge also may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job. Such administrative leave is not a disciplinary action and may not be appealed. If the charges are substantiated, disciplinary action will be taken in accordance with the nature of the offense. If the charges are

unfounded, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

Step 4 – Discharge – An employee may be discharged in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the Village Board following a hearing. An employee may also be discharged after repeated offenses of a less serious nature if the behavioral changes have not resulted from previous progressive disciplinary action. A discharge of the employee may only be made by a 2/3 vote of the Village Board.

During an employee's orientation period, an employee may be terminated at any time by the Village Board without the right of appeal through the grievance procedure. Notification of dismissal in writing shall be provided to the employee and a copy filed in his/her personnel file. The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file with a copy given to the employee.

Terminations that are subject to review under the grievance procedure shall commence at Step 3.

APPEALS

Appeals of the employee disciplinary action and employee terminations shall be processed through the applicable grievance procedure. See grievance procedure.

PERSONAL APPEARANCE

Employees are expected to dress in a manner that is normally acceptable in similar government entities, to practice good personal hygiene, and to avoid the use of fragrances that may interfere with the ability of co-workers to perform their job. The wearing of suggestive attire, advertising attire and similar items are not permitted as they do not present a business-like appearance. Displaying of tattoos or body piercings which are not appropriate for the workplace are prohibited. Enforcement of this policy must be nondiscriminatory with regard to sex, race, religion, or other legally protected class.

The personal appearance of employees who do not regularly meet the public is governed by the requirements of safety and comfort, but should still be as neat and business-like as working conditions permit. Employees who are engaged in hazardous duty may be required to wear protective clothing as designated by the employer.

At its discretion, the Village may allow employees to dress in a more casual fashion than is normally required. On such occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing or other similarly inappropriate clothing.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Violations of this policy may result in disciplinary action.

DRUGS, NARCOTICS AND ALCOHOL

Employees are prohibited from the use, sale, dispensing, distribution, possession or manufacture of illegal drug and narcotics or alcoholic beverages on Village premises or work sites. This is to ensure a work place that is free from the effects of drug and alcohol abuse.

By virtue of the specific nature of the jobs individuals perform, affected employees should also realize that most of them are additionally subject to one of two very comprehensive and rigorous drug and alcohol testing policies duly adopted by the Village in order to comply with the law. Nothing in this policy should be construed to modify, supersede, or otherwise negate any provision of any job-specific drug and alcohol policy in the event that anything in this general, village-wide policy might be regarded as inconsistent with any such provision. Consequently, those job-specific drug and alcohol policies are deemed by the Village to be controlling in all cases where conflicts may exist.

Unless random testing is required by law, employees may be required to take a test to determine the presence of drugs, narcotics, or alcohol only if there is reasonable suspicion of improper use of such substances or if an incident such as a traffic accident or near accident with machinery warrant the use of such tests. Testing positive for illegal drugs or alcohol is a violation of this policy.

Department Heads and supervisors shall report as soon as is practicable to the Village Administrator-Clerk-Treasurer, any action by an employee who demonstrates an unusual behavior pattern which could be attributable to drugs/alcohol. The Department Head shall determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics or alcohol will be required to leave the work site. Safe transit shall be arranged.

Employees who are experiencing work-related or personal problems resulting from drug, narcotic or alcohol abuse or dependency may request, or be requested to seek, counseling help. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all employment decisions.

The Village will, to the extent feasible, provide continuing awareness programs

for the work force about the harmful effects of drug and alcohol abuse.

Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Such violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees, their possessions, and Village-issued equipment and containers under their control are subject to search and surveillance when there is a reasonable basis for such search and/or when the right to privacy cannot be reasonably expected while on Village premises or while conducting Village business.

EMPLOYEE TRAVEL/TRAINING

ATTENDANCE

Attendance of employees or Department Head/Supervisors at schools, seminars, meetings, etc., or other travel for work related activities within budget guidelines shall be recommended by Department Head/Supervisors. All required training time in and out of the Village shall be included in the total hours worked in a given work period. An employee may be permitted to attend training sessions which are not required by the Village on the employee's own time and expense on a case-by-case basis.

EXPENSE REIMBURSEMENT

The Village will reimburse employees for reasonable and necessary expenditures made by employees while on official Village business. All expenses must be itemized and shall be accompanied by invoices and/or receipts showing proof of payment of such claims, except the daily meal allowance as provided hereafter. Reimbursement requests for training opportunities shall include a copy of the training session agenda. If an employee reimbursement is necessary, the reimbursement shall be handled by the Village Administrator-Clerk-Treasurer.

Overnight Travel

Hotel and motel expenses will be a reasonable class of accommodation at the single rate where choice is available. Overnight travel will not be granted if the location of the conference is less than 100 miles from the Village. Based upon a special request, the Village Administrator-Clerk-Treasurer may grant permission due to unusual circumstances.

Meals

Meal allowance reimbursements, including tip, for all overnight and day trips shall be itemized accompanied by the receipt. Current IRS standard meal allowances will apply.

These allowances will be reimbursed when employees are on city business during the following times:

Breakfast - Before 7:45 a.m.
Lunch - Between 11:30 a.m. - 1:30 p.m.
Dinner - After 5:00 p.m.

If the meal is included or a required part of conference, training session or Village business meeting, the meal will be reimbursed. It is recognized that on certain occasions it will be necessary to deviate from this policy and such shall be subject to approval by the Administrator-Clerk-Treasurer. If, due to unusual circumstances, the allowance amount is insufficient to cover the cost, the full amount may be reimbursed upon documented receipts. It is recognized that on certain occasions it will be necessary to exceed the above allowances and such shall be subject to approval by the Administrator-Clerk-Treasurer.

Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the Village for a specific purpose, or where the employee's attendance will directly benefit the Village. No reimbursement will be allowed for meetings which are of a social nature.

Parking fees will be reimbursed by actual cost upon receipts presented by the employee to the Village Administrator-Clerk-Treasurer.

When two or more employees are attending the same seminar, conference, or meeting, car-pooling shall be practiced whenever possible.

VEHICLE POLICY

The Village may/may not retain a vehicle used by the Police Department as a squad car. This vehicle will serve as a back-up squad car for the Police Department and will be used for transportation to conferences, training, etc., and to run errands outside the Village.

Full-time employees, permanent part-time employees and Village Board members are eligible (and may be required) to use the Village vehicle for Village-related travel. Except in emergencies or in carrying out normal day-to-day work-related activities, travel is subject to prior Board approval or, when time does not permit prior Board authorization, approval by the Chair of the appropriate Village committee.

A copy of that policy is attached hereto. Exceptions to the guidelines set forth in that policy will only be allowed when authorized by the Village Board or its representative.

This vehicle will be used by employees or Board members for any and all Village-related travel outside the Village limits that does not require use of a truck or pick-up for transporting cargo. Should any individual opt to use his or her privately-owned vehicle (POV), reimbursement will be limited to actual gasoline expenses for only that mileage necessary to carry out the Village-related activity, as documented by receipts. Exceptions to this may be granted by the Village Board. No mileage will be paid for commuting from an employee's personal residence to a work station.

The Chief of Police will be in charge of assigning the vehicle. If more than one request is received for travel at the same time, the individual traveling the farthest will be assigned the vehicle. In this situation, any employee or Board member engaging in approved Village-related travel in a POV will be reimbursed at the rate set by the U.S. General Services Agency (GSA) in effect at the time of travel.

Use of any police-related equipment installed in the vehicle is restricted to employees of the Police Department when using the vehicle as a squad car. Any employee or Board member found to have used the police equipment in this vehicle for any purpose other than police-related matters will be subject to disciplinary action.

The Chief of Police will supervise the maintenance of the Police Department vehicles.

ELECTRONIC MEDIA AND SOCIAL MEDIA POLICY

ELECTRONIC COMMUNICATIONS/INTERNET POLICY

Computers, computer files, the e-mail system, and software furnished to employees are Village property intended for business use. All data communications and information, including information transmitted or stored on the electronic systems of the Village, are the property of the Village and are subject to inspection and monitoring at any time.

The Village strives to maintain a workplace free of harassment, and therefore prohibits the use of computers, internet and the e-mail system in ways that are disruptive, offensive to others, or harmful to moral. E-mail that is considered offensive include any messages which contain sexual implications, racial slurs, gender-specific comments or other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability.

The e-mail system may not be used to send (upload) or receive (download) copyrighted materials without prior authorization from the Village Board.

Computers, the e-mail system, and the internet may be used for incidental personal purposes, subject to the constraints and conditions contained in the Village's Electronic Communications Policy, provided that: 1) such use does not directly or indirectly interfere with the Village operation of computing facilities or e-mail services; 2) such use does not burden the Village with noticeable incremental cost; 3) such use does not interfere with the user's employment including performance or other obligations to the Village; 4) such use is not for other personal employment and personal gain; and 5) such use (with the exception of assigned laptops) is from the employee's workplace. Such personal use shall be strictly at the risk of the person engaging in the personal use.

Any abuse of this policy could lead to disciplinary actions to include termination.

SOCIAL MEDIA

Only on Your Own Time. Unless you have received advance permission from your supervisor or unless such activity is directly related to the performance of your job, you may not engage in social media activity on work time and in work areas (you may engage in social media activities during break times and pre/post work time.)

Post as Yourself. Make clear that you are expressing your personal views alone, not those of your employer.

Be Respectful and Nice. Do not post communications or material that is disparaging of services, or employees); obscene, profane, vulgar, bullying, threatening, or maliciously false. This guideline is not intended to prevent employees from discussing with others their wages or other terms and conditions of employment.

Use Good Judgment. Because what you say online is accessible to the public, use good judgment in your communications.

Obey the Law. Do not post any material that violates the law, such as material that is obscene, profane, defamatory, threatening, harassing, or that violates the privacy rights of someone else. The posting of such material may subject you to criminal and civil liability.

Don't Expect Privacy. Because your social media communications are publicly available, you should not expect that your communications are private in any way. Once you post something online, it is completely out of your control and generally available to anyone in the world.

Comply with Harassment and Other Policies. Employees may not use social media technology to engage in or post communications or material that would violate any other Handbook policy, including, but not limited to, the Workplace Safety, Discrimination, Harassment, and Retaliation policies. This guideline is not intended to prevent employees from discussing with others their wages or other terms and conditions of employment.

Keep Secrets. You must not disclose “confidential information” which does not include discussions with third parties about your wages, hours and/or conditions of employment.

All employees are encouraged to report any discovered or suspected unauthorized or improper usage of electronic media or social media with impact on the workplace. The Employer prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy and/or for cooperating in an investigation will be subject to disciplinary action, up to and including discharge from employment.

Employees who violate this policy may be subject to discipline, up to and including immediate termination of employment.

OTHER WORK POLICIES AND RULES

PERSONAL USE OF VILLAGE PHONE LINES

Personal use of Village phone lines for long-distance calls at the Village’s expense is not permitted. Please practice discretion when making calls of a personal nature or related to outside employment. Personal and other outside employment cell phone usage is not allowed during regular scheduled work times. The use of the Village-assigned cell phone for any personal or outside employment use is prohibited, except as set forth below.

While it is understood that making calls of a personal nature is occasionally necessary, employees are expected to practice extreme discretion when doing so, remembering that the time spent on those calls is work time owed to the Village. Village phone lines, land or cell, may be used for personal calls only in emergency situations and so long as no expense to the Village results. Excessive use of personal cell phones during work hours will be subject to disciplinary action including termination.

When conducting Village business on the phone line or cell phone, always use the approved greeting (Good Morning, Village of Colfax Streets Department. This is “your name”) and speak in a professional manner. Please remember that

you are representing the Village of Colfax, and our goal is to provide everyone with courteous, efficient service.

Cell phone use is not permitted while driving. Police officers are exempt from this requirement.

The use of Village-paid postage for personal correspondence is not permitted, except to submit health insurance deductible claims.

Any abuse of this policy could lead to disciplinary actions including termination.

DISBURSEMENT OF KEYS

Keys will be disbursed to Village employees and Village Trustees when Village business is to be conducted in an area that is kept secured. This includes, but is not limited to, conducting Board and committee meetings, performance of maintenance activities, and trustee-employee meetings. If there is any question about whether the purpose proposed is Village business, the Village President shall be consulted to make that determination. If the disputed request is made by the Village President, the Chair of the Public Property Committee will make that determination. In the event that access is needed outside regular business hours or under circumstances when the Village has closed operations, the employee with responsibility for the key and the employee or Trustee requesting the key will coordinate with each other to determine when and how a key will be disbursed.

Upon adoption of this policy, an inventory of keys and who has control of them will be made. This will be reviewed by the Public Property Committee to determine if keys are being held by appropriate employees, trustees and/or members of the public, with requests to turn keys in to be communicated if necessary. The Clerk's Office will prepare and submit an updated report for review and possible action by the Public Property Committee during January of each year.

A sign-out system will be maintained for all key disbursements. The borrower will list his/her name, organization represented, the reason for needing access, key(s) received, time and date the key is borrowed, time and date that the key is expected to be returned, and time and date of the return of the key. A Village employee will also initial any entries to this sign-up sheet.

Members of the public may borrow keys to Village property in the following situations:

- 1) If they have an approved rental agreement with the Village for use of the subject property.

- 2) If the Board has approved an activity that an individual or group is proposing that will require access to areas, buildings or other property that is kept secured.

By a majority vote, the Board may approve a conditional loan of a key in other situations. The individual or representative of an organization approved for possession of a key will submit a written request to include the reason for the request, the duration of the need for the key and the name and contact information of the person responsible for the key for consideration at a Village Board meeting. If approved, the individual or representative will complete the sign-out process detailed above. The need for continued possession of that key will be reviewed as part of the Public Property's annual review mentioned above.

Only the key(s) for the property to which access is required will be disbursed. Use of the property will be for the purposes stated in the request; any use other than that will result in censure to be determined by the Village Board. Village employees may, at their discretion, secure information and equipment as they see fit.

The Village will maintain a complete set of keys. Lost keys will necessitate all affected locks to be replaced at the expense of the party responsible for the missing key(s). Replacement could range in cost from \$1 to hundreds of dollars depending on the type and location of the lock. For example, losing the entrance key to a building would necessitate the changing of all locks inside the building, as well as the entrance lock.

Receipt for Employee Handbook

I acknowledge that I have received a copy of the Employee Handbook which outlines the policies and procedures of the Village of Colfax in effect at the date of publication. I have read and understand the information in it and agree to abide by the policies during my employment.

I understand that this handbook does not constitute a contract of employment between the Village of Colfax and its employees of any kind. No oral statements by supervisors or management can alter this disclaimer or create a contract. Only the Village of Colfax has the authority to create an employment contract, and such contract must be in writing and signed by the employee and the Village Board to be valid.

I further understand that my employment with the Village of Colfax is "at-will", not for any definite period of time, and may be terminated by myself or the Village Board at any time for any reason not prohibited by law.

I understand that it is my responsibility to secure information from my supervisor if I have any questions or concerns about any of the information outlined in this handbook.

I understand that these policies and procedures are continually evaluated and may be amended, modified, or terminated at any time and at the sole discretion of the Village, with or without notice.

I understand this this Employee Handbook supersedes all previous manuals, handbooks, personnel policies, and union contracts that I have received or have been advised of. I also understand that any subsequent revisions to the provisions of this Handbook after I commence my employment will supersede those contained herein.

Print Name

Signature of Employee

Date

Administrator-Clerk-Treasurer

Date

Village of Colfax
613 Main Street
Colfax, WI 54730