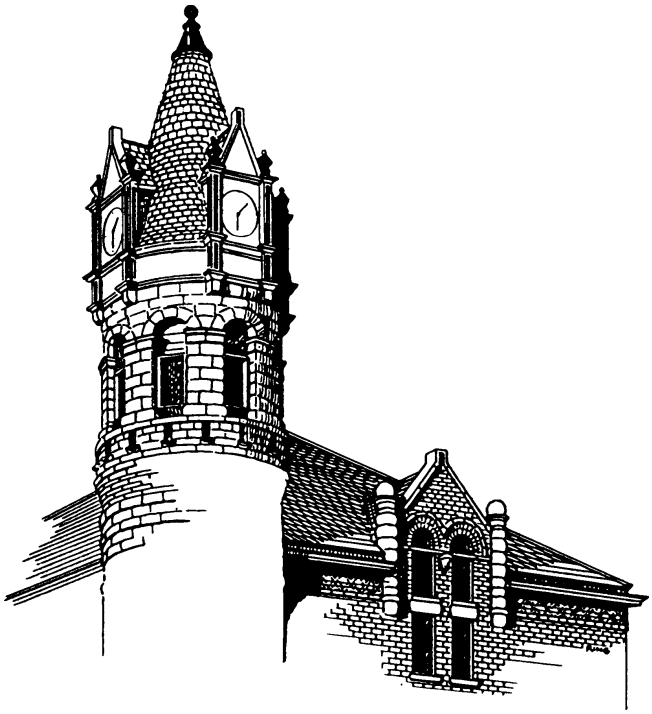

CITY OF STOUGHTON

WORK RULES

The City of Stoughton Mission Statement:
"The City of Stoughton is dedicated to providing quality services in a fiscally responsible manner necessary to maintain a comfortable, safe and healthy community. We will be friendly, open-minded and professional."

Mission Statement developed at the City of Stoughton Strategic Planning Session 10-29-1998. Adopted by the Common Council 11-17-1998.

As approved by the Common Council ~~11-8-2005~~ ~~2-13-2007~~ (~~amended 11-13-07~~)(~~as amended through 12-31-09)~~ as amended by Council action [date]
Replaces rules adopted ~~11-9-04;11-8-05;2-10-09~~

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WORK RULES

I. INTRODUCTION

These Work Rules apply to all non-represented employees and, to the extent not contrary to or inconsistent with the terms of the applicable collective bargaining agreement(s), to all represented employees as well.

II. EMPLOYMENT

At-Will Employment

Except as provided by an applicable collective bargaining agreement, or by state statute of specific application (positions covered by State Statute and/or City Ordinance are City Clerk, Treasurer, Utilities Director, Utilities Operations Superintendent, Chief of Police, Police Lieutenant, Fire Chief, and Librarian), all employment with the City of Stoughton ("City") is intended to be at-will. An at-will employee is defined as: Status of employment wherein the person appointed may be terminated from City employment at any time, with or without cause. An employee in an at-will status has no property right nor a right to continued employment with the City.

These Work Rules are for your information and guidance and do not create a contract of employment, either expressed or implied, nor a property right in continued employment.

It is the City's intention to attract and retain the most qualified individuals, consistent with its commitment to equal employment opportunity. Each employee's employment is subject to the City's operational requirements and its determination as to satisfactory individual performance.

Equal Employment Opportunity

Consistent with applicable state and federal law, it is the policy of the City to provide equal employment opportunities for all persons, regardless of race, creed, color, sex, national origin, religion, age, arrest or conviction record, sexual orientation, disability, marital status, veteran status or membership in a guard, reserve, or other military unit, ancestry, use or non use of lawful products off the employer's premises during non working hours, pregnancy or childbirth, honesty testing or genetic testing, or other protected category under applicable state or federal law. This policy applies to all employment practices, including but not limited to: recruitment, placement, transfer, promotion, training, compensation, layoff and termination.

Americans with Disabilities Policy Statement

The City of Stoughton is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA") as well as applicable state disability

discrimination laws. It is the City's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job or is otherwise able to adequately perform the responsibilities of his/her position. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA and applicable state law, who has made the City aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the City. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Personnel Director.

Trial Period

All newly hired employees must serve an initial 12-month trial period. The Department Head, with approval of the Mayor, may elect to extend the trial period in circumstances where more time is needed to evaluate the employee's job performance. The Employer may extend the trial period to cover any absence of thirty (30) calendar days or more. Upon completion of the trial period, the employee will be considered a regular employee.

An additional trial period will be served when an employee is promoted to a position in a higher classification. (Please see Promotion Section below.)

Satisfactory completion of the trial period does not alter the employee's status as an at-will employee.

If an employee's performance does not meet acceptable standards during the trial period, he/she will be terminated without further review.

Emergency Response Requirements

Response time is defined as the time it takes an employee to arrive at his/her place of work. Response time requirements are as follows:

> **Police Department Non-Represented Employees** (except Chief): 30 minutes.
> **Police Chief**: Establish residency within twelve (12) months of appointment.
>
> **Streets and Parks Department Employees**: 20 mile radius of the City limits of Stoughton
>
> **Stoughton Municipal Utilities Non-Represented and Represented Employees** (Employees serving on, and being compensated for, standby service): 15 minutes
>
> **Stoughton Fire Department Volunteers**: Reside within the fire protection area served by the City of Stoughton Fire Department; including the City of Stoughton,

the Town of Dunkirk, and parts of the Towns of Dunn, Rutland and Pleasant Springs.

Stoughton Area EMS Volunteers: On-Call and response time criteria are covered by SAEMS Bylaws which say that a person must be within 5 minutes of the ambulance garage while on call.

Promotion

Promotion is the movement of an employee from one classification to another classification having a higher wage scale. When an employee is promoted to a position in a higher classification he/she will serve a twelve-month trial period. Effective upon appointment to a higher rated position, the employee will be compensated at the pay rate of his/her new position, depending on the new position's wage scale, at the next higher pay rate.

If an employee's performance does not meet acceptable standards during this trial period, he/she will be removed from the position without right of appeal. The City Council, or its designated representative, may return the employee, if it deems it appropriate, to his/her former position, or an alternate available position, if vacant, and the employee meets the job requirements for that alternate position.

Demotion

A demotion is defined as any movement of an employee from one classification to another classification having a lower wage scale. When an employee is moved to a position in a lower classification, his/her pay rate will be reduced to the pay scale for the lower classification at the same year level of their previous classification.

Lateral Transfer

A lateral transfer is a movement of an employee from one classification to another classification having the same wage scale, remaining at the same scale and year. If an employee is doing a lateral transfer from a non-represented position to a represented position at the same classification, the employee will be placed at the pay rate of that wage scale. A lateral transfer employee shall serve a 6-month trial period.

Job Posting

Whenever there is a permanent job opening within the City, either as a result of a termination, promotion or creation of a new position, the City shall post an internal notice on bulletin boards and other places as the City decides to notify employees already working for the City of Stoughton. Such notice shall remain posted for five (5) working days. The notice shall include the minimum qualifications and description of the position as determined by the City. Such determination may not be arbitrary. The City may decide to delay filling or not to fill a vacancy at all. If no qualified employee

applies for the opening, the City may fill the vacancy using what other means it determines to use.

Termination

Voluntary termination is defined as an employee who for reasons of their own choosing elects not to continue in the employ of the City. Involuntary termination is defined as the City, for its own reasons, informing an employee in writing, that their services are no longer required. An employee who terminates should leave a forwarding address with the City Clerk**/**Personnel Director so W2's can be mailed at the end of the year. Written notice of voluntary termination should be given to the Department Head with as much notice as practicable (2 week's suggested/requested).

Terminated employees must return id cards, keys, and all provided personal protective equipment, training materials, and other provided materials to the City upon termination. Failure to do so will cause the employee to be billed for these items and for costs associated with security and other operational changes. Terminated employees will also be responsible for paying all bills associated with any City-sponsored plans (i.e. cell phone plans, fuel plans, etc.).

Employees, when terminated from City employment, will be compensated at their current pay rate for earned and unused vacation accumulated and any compensation due to their credit on the next regularly scheduled payday.

WAGE MATRIX

WAGE APPEALS PROCESS FOR NON-REPRESENTED EMPLOYEES

A non-represented employee, or his/her Department Head, in any classification whose job duties or responsibilities are significantly changed may appeal his or her current wage scale by filing an appeal with the Personnel Director. All appeals by non-represented employees, or their Department Heads, shall be processed pursuant to the following steps:

A. An appeal, as represented in an updated job description, received by the Personnel Director within 30 days of a significant change in duties or responsibilities shall be submitted by the Personnel Director to the Personnel Committee and/or consultant for a ruling within 30 days of the receipt of the appeal. The Personnel Director shall make the initial determination regarding whether the appeal was received within 30 days of a significant change in duties or responsibilities except in the case of an appeal by the Personnel Director which shall be governed by Section C below.

B. If the Personnel Director determines that the appeal was not received within 30 days of a significant change in duties or responsibilities, the employee, or his Department Head, may, within 30 days of such notification, appeal said decision to the Personnel Committee. The Personnel Committee shall rule within 30 days of receipt of the appeal as to whether the employee's appeal shall be submitted to the Personnel Committee and/or consultant, notwithstanding the decision of the Personnel Director. The Personnel Committee decision may be appealed through Step D (below).

C. The Personnel Director, or their Department Head, may submit an appeal to the Personnel Committee and/or consultant regarding his or her own job description only if the Personnel Committee determines that the appeal was received by the Chair of the Personnel Committee within 30 days of a significant change in duties or responsibilities.

D. If the employee, or their Department Head, disagrees with the ruling received by the Personnel Committee, he or she may within 30 days of such notification appeal the Personnel Committee's ruling to the City Council. The City Council shall rule within 30 days of receipt of appeal. The decision of the City Council is deemed final.

E. Any 30-day time limit described above may be extended by mutual written agreement of the parties.

III. HOURS OF WORK

Full time employees are those whose normally scheduled work week is 40 or more hours.

Permanent part-time employees are those who work 1,040 or more hours but less than 2,080 annually.

Limited permanent part-time employees are those who work 600 or more hours but less than 1,040 annually.

Seasonal and temporary employees are those who work less than 600 hours annually.

The workweek is a recurring period of 168 hours in the form of seven 24-hour periods beginning on Sunday at 12:00 a.m. and ending on Saturday at 11:59 p.m. Work time for full time employees is 40 or more hours in the workweek. Workday starting times and ending times are designated by the Department Head. The workday for full time employees usually consists of 8 hours. Exceptions are created for seasonal and department variations at the Department Head's discretion.

All employees will be at the designated workstation at the designated starting time, and will be able to perform the duties addressed in the appropriate position description. All

employees will remain at the designated workstation until the designated ending time.

An employee scheduled to work 8 hours or more is required to take an unpaid lunch break of not less than one-half hour and not more than one hour, at the discretion of the Department Head. Lunch breaks may be delayed if necessary, but not to the end of the workday, or taken on a subsequent workday or accumulated.

All employees scheduled for an 8-hour day or more may take two 15-minute paid breaks or one 30 minute paid break, at the discretion of the Department Head. The Department Head retains the right to schedule employee breaks to fulfill the operational needs of the work unit. Part-time employees working less than 8 hours in a day, shall be entitled to take a fifteen (15) minute paid break to be scheduled with the approval of the employee's supervisor after working four (4) consecutive hours. Breaks may be delayed if necessary. Breaks are not to be taken at the end of the workday, combined into the lunch break or taken on a subsequent workday. Breaks may not be accumulated.

All overtime will be performed only with the approval of the Department Head. Overtime is paid at 1½ times the hourly rate.

The City of Stoughton Police Department scheduling requirements call for some department employees to work 6 days on and 3 days off. This scheduling requires officers to work up to 48 hours in a 7-day period. Because of this scheduling requirement, the City of Stoughton has declared the following:

1. Work periods for law enforcement personnel having the power of arrest within the Stoughton Police Department consist of 27 consecutive days.

Rest Periods

If an employee works for 4 or more consecutive overtime hours, or a total of 4 or more overtime hours after midnight and is released from work, 6 hours shall elapse, provided that the employee is not required for emergency work, before he/she returns to work without loss of pay for scheduled time.

Earned rest period is that period when an employee rests during his/her scheduled working hours. An employee required to work into this earned rest period shall be paid at 1½ times his/her regular rate until released from work. When an employee is called back to work during that rest period, he/she shall be paid for such regularly scheduled time rest period hours at 1½ times his/her regular rate.

Overtime, Compensatory Time and Flex Time

Eligible non-supervisory employees and non-department head supervisors will be compensated at a rate of 1½ times their current hourly rate for authorized hours worked in excess of the scheduled work week in excess of 40 hours, either in money or time off, as approved by the Department Head.

The Children's Librarian, Public Services Librarian, Police Lieutenant and Deputy Chief/Fire Marshall receive compensatory time at the rate of one hour of compensatory time for each hour actually worked beyond 40 hours in the work week.

Department Heads are expected to work in excess of 40 hours per week due to the nature of their position and official duties. They may take time off or observe more flexible working hours at their discretion. Flexible time off is not intended to replace vacation leave or sick leave.

When compensatory time credits have been earned by an employee, such credits shall be scheduled and used before December 31 of the year in which it is earned. Compensatory time credits are scheduled by the employee and the supervisor with approval of the Department Head. A maximum of 60 hours of compensatory time credits may be earned in any calendar year, except for the Children's Librarian, Public Services Librarian, Police Lieutenant and Deputy Chief/Fire Marshall, who may earn in excess of 60 hours with the prior approval of the Department Head and Mayor.

Department Heads, as listed below, may schedule use of their own flexible time off:

City Clerk/Personnel Director
Finance Director
Utilities Director
Parks & Recreation Director
Library Director
Opera House Managing Director
Manager of Media Services
Director of Planning & Development
Street Superintendent
Senior Center Director
Chief of Police
EMS Director
Fire Chief

Compensatory time is not intended to be accumulated to supplement vacation time. When possible, compensatory time will be taken on the same day it is earned or during the same workweek, as flex time on an hour for hour basis. Example: If an employee is required to attend an evening committee meeting for two hours, that employee may leave two hours early that day or come in two hours late the next day, as long as the time is used within the same week it is earned.

Severe Weather

When employees are sent home because of severe weather they are paid for the lost time at their regular rate of pay. Employees required to remain on duty shall receive in addition to compensation for actual hours worked, an amount of pay or comp time equivalent to the lost time paid to other such employees sent home.

Standby

Standby is defined as that period Friday through Thursday, including any hours after normal workday hours plus Saturday, all day Sunday, and any City recognized holidays that occur during the week. In case of an emergency, an employee on standby status is required to be in close proximity of their pager or paging system throughout the workweek including the scheduled workday, and will remain within the appropriate range of the pager system and must respond without delay. The pager and/or paging equipment shall be returned to the supervisor on Friday and shall be reassigned by the supervisor to the employee to serve on standby by the end of the normal workday on Friday. In the event that Friday or Thursday and Friday are official holidays, the pager shall be returned to the supervisor on the workday preceding the holiday and shall be assigned at the supervisor's discretion. The number of people to be on standby will be determined by the Department Head.

Compensatory time credits may be earned at the request of the employee and at the approval of both the supervisor and the Department Head as follows:

12 hours for standby status during the work week;

8 hours for standby status on the days the named holidays are observed by the City;

Overtime will be paid for actual hours worked, rounded off to the nearest quarter hour, with a 2-hour minimum, union and non-union employees included.

When standby or overtime credits are earned, cash payments or compensatory time may be granted at the request of the employee and at the approval of the Department Head. Compensatory time shall be scheduled and used prior to December 31 of the year in which it is earned. Standby compensation earned from December 12 through December 31 must be taken as overtime and will be paid in the next regularly scheduled payday.

IV. LEAVES OF ABSENCE

Funeral Leave

Each full-time or permanent part-time employee shall be entitled to up to three (3) days off with regular pay when there is a death in his/her family. This time shall not be charged to sick, comp or vacation balances. For purposes of this provision, immediate family means the employee's: spouse, children, mother, father, grandfather, grandmother, stepparent, aunts, uncles, foster parents, stepchildren, grandchildren, foster children, brothers and their spouses and children, and sisters and their spouses and children. Immediate family shall also include the following relatives of the employee's spouse: mother, father, child, grandmother, grandfather, brothers and sisters. Additional time that may be necessary in certain instances may be taken by the

employee and those days charged to his/her sick leave, comp or vacation time if the employee so desires.

Funeral or pall bearer (other than immediate family) – maximum of four (4) hours to attend. This leave must be approved by the Department Head or Mayor for the Department Heads and either charged against accrued sick, comp or vacation leave or taken as leave without pay at the option of the employee.

Jury Duty

Any employee called to jury duty will be paid their current hourly rate, but all jury compensation is to be paid to the City. Travel and meal allowances and parking will be retained by the employee. Employees must notify their Department Head as soon as they are notified of duty, and at least one week prior to jury duty.

Subpoena During Working Hours

If any employee is subpoenaed for any case other than to appear on the behalf of the City, the employee must use vacation time, compensatory time or, with the approval of their Department Head, leave without pay. Employee must notify their Department Head as soon as they are subpoenaed and when they are scheduled to be absent from work.

Military Duty

Full time and Permanent Part-time employees shall be granted a leave of absence for military service in accordance with applicable state and federal laws.

Employees on military leave shall be paid their regular City pay for up to twenty (20) working days in any twelve (12) month period. The employee shall remit to the City the employee's military pay, but not to exceed the employee's regular wages, for the period of paid leave. Thereafter, the leave shall be unpaid, except to the extent the employee elects to use accrued vacation. An employee must return to work before qualifying for a new period of paid military leave.

Sick Leave

Sick leave cannot be used until earned. Sick leave may be taken by eligible employees for personal illness, for medical appointments, for illness in immediate family or to care for a person living in the employee's household, or for reasons which qualify under the Family Medical Leave Act (FMLA). Immediate family, for purposes of sick leave, includes parent, child, spouse or any person in the immediate household whose physical well being is the responsibility of the employee. Refer to FMLA for additional circumstances.

In order to be granted sick leave with pay, the employee must adhere to the following:

a) Report reason for absence from work promptly.
b) Keep employer informed on one's condition.
c) Permit the City to make such medical inquiry as it may determine necessary.
d) Submit medical certificate for any absence of more than three (3) working days certifying as to inability to work.

An employee who is taking sick leave must notify their immediate supervisor as soon as possible. Failure to do so is grounds for disciplinary action and/or dismissal from employment. Sick leave must not be abused.

Sick leave is earned at the rate of one day per month worked. All full-time and permanent part-time employees will earn and will be granted sick leave with pay at the rate of twelve days per year. Permanent part-time employees will earn hours as prorated to their normally scheduled hours. All sick leave shall be on an hours earned basis. There is no cap on sick leave accumulation.

When an insufficient sick leave balance remains to cover the absence of an employee, the remainder shall be charged either to accumulated vacation or leave without pay, at the employee's option and Department Head's concurrence, except as may be otherwise permitted by applicable state or federal FMLA laws.

When an employee is on paid sick leave, the accrual of sick leave and vacation leave benefits will continue during the period of convalescence. Employees shall be allowed to use sick leave if they become ill while on vacation. (A doctor's certificate or other evidence to support his sickness may be required.)

A physician's statement or other evidence to support any sick leave may be required by the Department Head. A physician's statement should include:

a) the nature of the medical condition necessitating the sick leave request;

b) an indication that the employee was unable to perform any work at the work station;

c) a description of any limitations to the employee's ability to work due to illness and/or medication, and the anticipated duration of such limitation.

As a matter of concern for others, the City does not want employees to come to work if they do not feel able to perform adequately or might spread their illness to fellow employees. Sick leave accumulated each year should not be used for any purpose other than bona fide employee illness or illness in the immediate family. Willful misuse of sick leave or the willful making of false reports regarding illness will subject the employee to disciplinary action and will be considered grounds for suspension, demotion, or discharge.

Accrued Sick Leave Credit for Retiring Employee.

All full-time employees who actually retire from City service and apply (within 60 days of last day paid) for a retirement annuity from the Wisconsin Retirement System, which annuity must exceed $10.00 per month, shall have their sick leave credits, up to 130 days (at the time of their retirement) converted to a monetary value (hours of credit times normal hourly rate of pay received immediately prior to retirement) which shall be available toward the payment of health insurance premiums for the employee and his/her dependents, or, at the employee's option, paid out in monthly installments equal to the applicable monthly health insurance premium should the employee not elect to continue his/her health insurance coverage.

Accrued Sick Leave Credit for Surviving Spouse.

In the event that an employee dies during the course of his employment and is survived by a spouse, their accrued sick leave credits, up to 130 days, at the time of death, shall be converted to a monetary value (hours of credit times normal hourly rate of pay received immediately prior to death) which shall be available toward the payment of health insurance premiums for the surviving spouse. In the event that the retired employee shall precede his spouse in death and there remains at that time to his credit a balance, such balance shall be used to purchase health insurance for the surviving spouse so long as the spouse is alive and there remains a balance in the fund, or, should the spouse not elect to continue his/her coverage, paid monthly to the spouse in an amount equal to the applicable monthly health insurance premium.

Except as provided below, an employee may take up to forty-five (45) days of accrued sick leave as a lump sum payment upon death or retirement as defined above. Such forty-five (45) days shall be applied against the 130 day cap.

Employees hired on or after January 1, 2005, are not eligible for the forty-five (45) day lump sum option.

There is no other payment of accrued but unused sick leave.

Family and Medical Leave Act (FMLA) Leave

The City complies with both the Wisconsin and Federal Family and Medical Leave Acts (FMLA). (Complete copies are available for review in the Clerk's Office.)

The state and federal FMLA laws permit eligible employees to take unpaid leave in the following circumstances:

a. For the employee's own serious health condition.

b. For a serious health condition involving the employee's parent, child or

spouse.

c. The birth or adoption of a child. Foster placement is also covered under the federal law.

The state law covers employees who have worked for at least 1 year and been paid for at least 1000 hours in the preceding 12 months. The federal law also has a 1-year qualification period, but uses 1250 hours actually worked as the minimum requirement.

The state benefit is:

- 2 weeks per calendar year for the employee's own serious health condition.
- 2 weeks per calendar year for a serious health condition involving the employee's parent, child or spouse.
- 6 weeks in cases of birth or adoption.

The federal law allows a total of 12 weeks per 12 month period. In determining the federal FMLA benefit, the City calculates the 12 months from the date the leave was first taken.

Leave taken under the terms of FMLA is unpaid, although an employee may generally substitute accrued time off (i.e. sick leave, vacation) for qualifying absences. All leaves must be preapproved by the Department Head. During an approved FMLA, the City will continue to make its contribution toward the employee's health insurance. The employee shall make timely contributions towards excess life insurance, income continuation insurance and union dues.

If an employee requires a leave of absence, he/she shall notify the Department Head as soon as the need for the leave is known. At that time the employee will be given additional information regarding his/her obligations during the leave, including medical certification and fitness to return to work requirements.

Other Medical Leaves.

An employee requiring leave beyond that available as FMLA leave due to his or her own medical condition may request a medical leave of absence. All such requests are subject to the approval of the Employer. Such leaves shall generally not exceed ninety (90) calendar days.

All leave of absence requests shall be made to the supervisor or the department head as far in advance as possible. Leave of absence requests must be approved by the department head and the Personnel Committee. During the first thirty (30) calendar days of an approved leave of absence, the City will continue to pay the health and life insurance premiums. Thereafter, except as otherwise provided by state or federal

FMLA laws, health and life insurance may be continued during a leave of absence provided that the City is reimbursed for the insurance premium. Vacation leave, holiday leave, sick leave and longevity bonus, an any other benefit shall not be earned during a leave of absence, except as provided by applicable state or federal law.

V. EMPLOYEE BENEFITS

Statement of Employee Benefits

The City intends that these Work Rules, together with other written materials that have been prepared in connection with the various employee benefits discussed below or elsewhere in this manual, constitute the means of notification to employees of the terms of such benefits. To the extent that the explanation contained in these Work Rules differs from the terms on any insurance contract or other document prepared in connection with a particular plan or benefits, such insurance contract or other document will govern. If you need copies of any of these documents, or have any questions concerning their terms, please contact the Personnel Director.

The City reserves the right to modify, amend or terminate the benefits described in these Work Rules at any time, provided that with respect to group health and life insurance (and any other benefits, to the extent required by state or federal law) any modification, amendment or termination that reduces or eliminates a benefit will only apply to claims for such a benefit which arise after the date of such modification, amendment, or termination.

Vacation

All full-time and permanent part-time employees shall be granted vacation with pay as follows, credited to the employee on the first of January each year:

1 week - after 1 full year of service, but less than 2 years of service

2 weeks - after 2 full years of service, but less than 6 full years of service

3 weeks - after 6 full years of service

4 weeks - after 10 full years of service; and one additional day of vacation for each additional year of service thereafter until reaching a maximum of 5 weeks.

For purposes of this section, a vacation week will consist of the employee's normally scheduled hours. Example: If an employee's normal work week consists of 20 hours, one week of vacation will consist of 20 hours; or if the employee's normal work week consists of 25 hours, one week of vacation will consist of 25 hours.

Computation of benefits when a full time employee goes to part time is as

follows:

No loss of longevity. (i.e. If the employee was entitled to five weeks vacation at full time hours – 40 hours per week; the employee would be entitled to five weeks vacation at part time hours, i.e. 20 hour week or 25 hour week, based on normally scheduled work hours.)

Computation of benefits when a part time employee goes to full time is as follows:

No loss of longevity, but equivalency would be calculated. Vacation would be computed at full time hours. (i.e. If the employee has worked 10 years at 20 hours per week, this would equal 5 years of full time.

Vacation leave is not cumulative and employees must take their vacation by the end of the year credited, except that the Department Head and Mayor may allow earned vacation time to accumulate if an employee obtains prior consent and it is determined to be in the best interest of the City.

A tentative vacation leave schedule for all employees must be submitted to the Department Head by February 15th.

All vacation requests must be approved by the Department Head or their designee in advance.

Eligible employees who terminate employment for any reason will receive a pro-rated vacation benefit. The following procedure should be used when determining pro-rated vacations:

Employees that were hired before 1973 had vacations pro-rated when they started. On January 1 following their hire date, they received a pro-rated number of hours of the basic 40 allowed.

Example: Employee started July 1. On January 1 we would divide the day of the year, 182, by 365 days, times 40 hours. That would equal 20 hours earned in year hired, credited and used after January 1 the following year.

For each additional week eligible for, the same procedure would be followed.

When you quit or retire, your vacation earned and credited on January 1 is 100% payable. If employee works past the first of the year, the pro-rated amount earned would also be payable. The procedure for pro-rating is the number of days worked past January 1, divided by 365, multiply by the number of hours of vacation allowed per year.

Employees hired after January 1,1973, receive 40 hours vacation on the first of

January following date hired.

Example: New employee started July 1, 1982, 40 hours vacation would be available to him on January 1, 1983. If employee quits or retires, pro-ration would be done from anniversary date to date of termination.

Employee worked 60 days past anniversary date. 60 days divided by 365 days times 40 hours equals 6.4 hours payable to employee.

If employee terminates 60 days prior to anniversary date, the same amount would be deducted from final check if vacation had already been used.

Holidays

All full-time employees will be granted the following holidays off with pay:

New Year's Day	Labor Day	Day after Thanksgiving Day
Memorial Day	Thanksgiving Day	Christmas Day
Independence Day	Martin Luther King Jr. Day	

All permanent part-time employees will be granted the same holidays as above with pay as follows:

Full day holiday – 100% of their normally scheduled hours

If any of the holidays fall on Sunday, then Monday will be observed as the holiday. If any of the holidays fall on Saturday, then Friday will be observed as the holiday.

To receive holiday pay, an employee must have worked or be on an authorized leave with pay, both the day preceding and following the holiday.

If one of the holidays falls during an employee's vacation, the employee will be granted an additional day of leave to use as vacation.

Employees working on named holidays will also receive compensation time off equal to the amount of time worked.

Time Off

All full-time employees will be granted the following time off with pay:

Christmas Eve Afternoon	4 hours
New Year's Eve Afternoon	4 hours

Employee's Birthday	8 hours
2-Floating Days Off	8 hours each

All permanent part-time employees shall be granted the following time off with pay as follows:

Christmas Eve Afternoon	50% of normally scheduled hours
New Year's Eve Afternoon	50% of normally scheduled hours
Employee's Birthday	100% of normally scheduled hours
2-Floating Days Off	100% of normally scheduled hours each day

All time off is subject to employee attendance on the work days preceding and following the time off, unless on authorized leave including sick leave, vacation, or comp time, and subject to attendance on the balance of the day in question.

If Christmas Eve or New Year's Eve fall on Saturday or Sunday, then the prior Friday will be the afternoon off. If Christmas Eve or New Year's Eve falls on a Friday, then the prior Thursday will be the afternoon off. Floating Days Off must be approved in advance.

Continuing Education

All continuing education requests for attendance at seminars, workshops, and short courses must be coordinated with and approved by the Department Head as far in advance as possible. To qualify for reimbursement or payment, the employee must successfully complete the course or seminar with a grade of "C" or better; or where applicable, obtain a completion certificate.

All employees will be granted time without loss of pay, for the purpose of taking examinations required for their appropriate State Certification, if the possession of such license or certification becomes a condition of employment. The employee shall provide the results of the examination to the Department Head upon receipt. An employee may be compensated for more than two testing attempts with prior approval of the Department Head.

All employees will be reimbursed for the examination and licensing fee where the possession of such license is a condition of employment.

Continuing education must be strongly related to the employee's current position requirements.

Length-of-Service Payment

A length-of-service payment will be provided to all eligible employees. To be eligible, the employee must have completed three full years of continuous City employment prior to December 1 of the calendar year in which the payment is made. Continuous employment will include full time or permanent part-time status, sick leave status, approved military service, and periods of Worker's Compensation status while a City employee.

The amount of the length-of-service payment will be based upon date of hire.

The first length-of-service payment for full time employees is $150.00. Longevity for permanent part-time employees (20 hours per week or more) will be prorated based on the employee's normally scheduled work week. Example: If an employee works 20 hours per week, their first length of service payment will be $75.00.

Subsequent length-of-service payments are increased by $50.00 for full-time employees and a prorated amount for permanent part-time employees for each additional year of continuous employment.

Except as otherwise provided by applicable state or federal law, a non-medical leave of absence beyond 30 calendar days is considered a break in continuous employment.

Eligible employees who retire, die, or voluntarily terminate employment will receive a pro-rated length-of-service payment. Pro-ration is determined by dividing the length-of-service payment for the current year by 12 months and multiplying by the number of months the employee has worked for that year.

> Example: If full-time employee is terminating employment after completing 10 years and 2 months, his/her pro-rated length-of-service is determined as follows:
>
> 11 years times $50 = $550.00
>
> $550 x 2/12 = $91.66

Payment of length-of-service will be made the payday closest to December 1.

Health Insurance

The City is self-insuring for health coverage. Hospital, surgical, and medical expenses are covered including prescription drugs according to our insurance Plan Document. Insurance is effective on the day after hire. Insurance benefits are for full-time employees. Full-time employees will pay a $30.00 premium payment per month for family coverage and a $15.00 premium payment per month for single coverage. Permanent part-time employees choosing to participate in the City's Health Insurance will pay their share of the health insurance premium according to the hours they are normally scheduled to work per week (example: an employee scheduled to work 20

hours per week will pay ½ of the imputed premium; an employee scheduled to work 30 hours per week will pay ¼ of the imputed premium).

The deductibles and limits are as follows:

Annual Health insurance deductible: $300 single / $600 family

Maximum of 30 chiropractic visits per year per family such services to be provided by an M.D. or Chiropractor.

$50.00 maximum of chiropractic x-rays per person, per year

Employees will be responsible for a thirty dollar ($30.00) per physician office visit co-pay (includes urgent care but excludes annual physical exam) and a seventy-five dollar ($75.00) per emergency room visit co-pay.

Employees will be responsible for a fifteen dollar ($15.00) co-pay on generic drugs, a twenty-five dollar ($25.00) co-pay on brand name drugs and a thirty-five dollar ($35.00) co-pay on non-formulary drugs.

For full information, please refer to the Plan Documents given at the time of employment and periodically updated. If you need a copy, please contact the City Clerk/Personnel Director.

Employee out-of-pocket expenses may be run through a flexible spending plan. Please see the Personnel Director for information about this plan.

The City will designate a medical facility for all pre-employment physicals and any employment related physicals as required by the City. A form will be provided to be filled out by the medical facility.

Dental Insurance

The City is self-insuring for dental coverage. Insurance benefits are for full-time employees. Permanent part-time employees choosing to participate in the City's Dental Insurance Plan will pay their share of the dental insurance premium according to the hours they are normally scheduled to work per week (example: an employee scheduled to work 20 hours per week will pay ½ of the imputed premium; an employee scheduled to work 30 hours per week will pay ¼ of the imputed premium). Any dental treatment costing in excess of $200.00 should have prior authorization before proceeding. Please refer to the plan documents given at time of employment and periodically updated. If you need a copy, please contact the City Clerk/Personnel Director.

Continuation of Health & Dental/COBRA

Upon termination from the City for any reason other than gross misconduct, an employee may elect to continue group medical coverage at group rates to the extent

and number of months allowed by applicable state and federal continuation laws (COBRA). An employee who elects continuation coverage shall be responsible for the entire required monthly premiums. It is also possible to convert other group plans to individual plans. Details on the conversion of any benefits will be discussed with employees at termination by the City Clerk/Personnel Director. Employees may also request information on this subject at any time prior to actual termination.

Eyeglasses (This benefit has been suspended for the years of 2010 and 2011)

For full-time employees, the City will pay up to $200.00, in a 2 year period, per individual living in the employee's household as a dependent, toward one pair of prescription glasses or contact lenses (new or changed). Proof of prescription is required. In lieu of prescription glasses, the employee (and dependents living at home) may submit a claim, up to a total amount of Two Hundred Dollars ($200.00), for contact lenses once every two (2) years, which claim may include multiple purchases. Sunglasses are not included.

For Permanent part-time employees, the City will pay up to a prorated amount, based on the employee's normally scheduled hours of work, of $200, in a 2-year period, toward one pair of prescription lenses or contact lenses (new or changed – proof of prescription is required) per individual living in the employee's household as a dependent. This benefit does not include sunglasses. Example: an employee scheduled to normally work 20 hours per week will receive up to ½ the cost of the prescription lenses or contact lenses, limited to $100.

Retirement

The City is covered under the Wisconsin Retirement System (WRS). The City contributes a percentage ~~100%~~ of the full-time, permanent part-time and limited part-time employee's and employer's WRS contribution. 2011 Rates are as follows:

Insert State Rate Chart Here……

For purposes of calculating sick leave payout or use at retirement, the earliest retirement age for general category employees is fifty-five (55) and protective category employees is fifty (50).The prospective retiree should also give at least 90 days notice to WRS to assure that the benefits will begin on a timely basis. For more information on this program, please consult the ETF "Your Benefit Handbook", given to you at the time of hire or available from the City Clerk/Personnel Director.

Group Life Insurance

The City pays 100% of the premium cost of basic life insurance for full-time employees, permanent part-time and limited part-time employees.

The amount of basic life insurance is determined by the annual salary of each employee

from the previous year as reported to the Wisconsin Retirement System. Each employee will receive $1,000.00 insurance for each portion of $1,000.00 in earnings the previous year. An employee must be employed for six months before becoming eligible for the basic life insurance program. The basic life insurance must be paid for until the employee reaches age 65, after which the insurance is paid up, but reduced in value by 25% a year for the next three years. Thus, an employee has paid up insurance at 25% of wages upon retirement at age 67. For more information on this program, please consult the ETF "Your Benefit Handbook", given to you at the time of hire or available from the City Clerk/Personnel Director.

Income Continuation Insurance

The City provides the Wisconsin Public Employer's Group Income Continuation Insurance Program to all full-time, permanent part-time and limited part-time employees. This program provides income continuation during periods of serious illness resulting in total disability. An employee is "totally disabled" if they are unable to perform their job due to major illness or accidental bodily injury. The City's share of the premium shall be based on the 90-day waiting period. Any employee requesting the 30-day or 60-day waiting period will pay the difference between the 90-day waiting period and the 30 or 60-day waiting period, whichever they choose. For more information on this program, please consult the ETF "Your Benefit Handbook", given to you at the time of hire or available from the City Clerk/Personnel Director.

Uniforms and Personal Protective Equipment (Safety Clothing)

Coveralls (one per employee) and safety clothing are paid for by the City for employees where deemed necessary by the Department Head. Use of coveralls for day-to-day use is discouraged. The City recommends coveralls be used for especially dirty jobs. These items are City property. Cleaning is the responsibility of the employee. Cleaning is to be done at least weekly unless unworn.

The City will provide one or two piece insulated winter coveralls for each employee regularly assigned to work outdoors in inclement weather. Replacement of such item as a result of normal wear and tear shall be with the prior approval of the Department Head.

The City shall provide uniforms at the discretion of the department head to all employees required to wear them. If the City rents uniforms, the uniforms shall be cleaned through a rental service at no cost to the employee.

Employees will be reimbursed for the purchase of safety shoes in the following amounts for those departments where it is deemed necessary by the Department Head:

Full time employees will be reimbursed for the purchase of safety shoes in the amount

of $150.00 per year when required by the City.

Permanent part-time employees will be reimbursed for the purchase of safety shoes in the amount of $150.00 every two years when required by the City.

Limited permanent part-time employees will be reimbursed for the purchase of safety shoes in the amount of $75.00 every two years when required by the City.

Seasonal and temporary employees, if required, must furnish their own safety shoes.

All employees required to work in inclement weather will be provided by the City with a pair of rubber rain boots which shall be replaced at the discretion of the Department Head.

Except to the extent already expressly provided in this article, the Employer will provide all required protective equipment and/or clothing.

VI. PAY PRACTICES

Pay Days

The regular City payday is bi-weekly on Friday. Should this day occur on a holiday, the payday will be on the day prior to the holiday.

Time Sheets

All employees are required to complete and sign timesheets using the forms provided by the City. The timesheet must be filled out with all hours worked (including times in and out) and turned into the employee's supervisor so that they may be turned into Payroll every other Monday by 8 a.m. Vacation days, sick days, holidays, and absences such as jury duty, funeral leave or military service must be specifically noted on the time sheet for days on which they occur. All time sheets must be approved and signed by supervisors prior to being sent to Payroll.

Electronic Direct Deposit

The City provides direct deposit of paychecks. This is a service which saves time and provides added security. Each paycheck will be automatically deposited to the employee's checking or savings account (or divided between two accounts) as the employee directs. Each pay day, employees will receive a pay voucher for their records. It is much like a voided check with all the same information which would appear on a regular check. All employees are required to complete a direct deposit authorization form at the start of employment.

Business Expense Reimbursement

All expenses over $100.00, or meetings lasting more than one day, must have received prior authorization from the Department Head in order to be considered for reimbursement.

Requests for out of state conferences must be submitted to the Department Head and Mayor for prior approval. If the funds are already budgeted, no additional approval is necessary. If not budgeted for, the request must also be submitted to the appropriate committee and City Council for action.

All claims must represent reasonable and necessary expenses actually incurred.

Employees will be reimbursed for amounts expended for their own meals (excluding alcoholic beverages) and mileage at State-approved rates (rates will be updated biennially). Lodging claims incurred in the performance of official duties will be considered for reimbursement with the approval of the Department Head or if for a Department Head, the Mayor.

Employees shall be reimbursed when authorized and required to use their personal automobile in the performance of their official duties. Employees must use a City vehicle when available.

A purchase order or appropriate form and Application for Training/Conference form (available from the City Clerk/Personnel Director) must be prepared by the employee and approved by the Department Head prior to submittal for reimbursement. Reimbursement requests must be submitted within 7 days of incurring expense. Expense claims not received within 7 days will be reimbursed at the City's discretion.

Receipts for meals, including tips, lodging and transportation must be attached to the Travel/Training Reimbursement Form (available from the Clerk's Office).

Employee Information

It is important that the personnel records of the City be accurate at all times. In order to avoid issues or compromising benefit eligibility or having W2's returned, the City expects that employees will promptly notify the City Clerk/Personnel Director of any change in name, home address, telephone number, marital status, number of dependents, or any other pertinent information which may change.

VII. EMPLOYEE CONDUCT AND JOB SAFETY

Position Descriptions

Each full time and permanent part time employee will be given a copy of their position

description within one week of employment, job change or promotion which details the requirements and expectations of the position for which the employee was hired or reassigned. The employee will sign a statement indicating agreement with and understanding of the position description. This position description may be reviewed and updated periodically as needed. When changes are made, the employee will be given an updated copy and will sign a statement indicating agreement with and understanding of the position description.

Performance Reviews

Performance reviews are normally conducted annually with the exception of a review at the end of an employee's trial period. All performance reviews are based on merit, achievement, job description fulfillment and performance in the position. Reporting supervisors will review and discuss the review with each employee.

Job Safety

The City recognizes that safe working conditions are of prime importance and will continue to take every reasonable precaution to protect the safety and health of the employees at their work. Employees shall keep their work place neat, clean and orderly. Safety equipment provided by the City must be used whenever appropriate. No employee-owned personal safety equipment should be used without prior approval of the Supervisor and/or Department Head. Employees shall use all safety equipment/devices applicable to the duties they are performing. It is the employee's responsibility to learn the locations of all safety and emergency equipment. All required safety equipment will be provided by the City and employees will be responsible for the reasonable upkeep of this equipment. Any problems with or defects in equipment should be reported immediately to the employee's supervisor.

In the interest of safety, all employees excluding the office staff, must wear long pants and a shirt throughout the workday at the discretion of the Department Head. Safety shoes must be worn at the direction of the Department Head. Department Heads have the authority to make seasonal adjustments in clothing requirements.

Safety Glasses

The City reserves the right to require the use of eye protection for employees. In such cases, the City will provide the appropriate type of safety glasses for the duties performed. The employee is responsible for the cost of any non-essential feature. When safety glasses are required and safety glasses other than the safety glasses provided by the City are used, the employee must provide and pay for their own.

Safety Belts

It is the interest of the City of Stoughton to reduce injury through the use of safety belts. All employees operating or riding in a motor vehicle while engaged in City business are mandated to use safety belts, if so equipped. It is the responsibility of the person

operating the vehicle to ensure that all passengers and themselves are wearing safety belts.

Worker's Compensation and Injury Reporting

The City of Stoughton will follow all laws and regulations regarding worker's compensation insurance and benefits. All injuries shall be reported to the employee's immediate supervisor and the City Clerk/Personnel Director as soon as practical on the prescribed form. Additional information on Worker's Compensation Coverage is available through the City Clerk/Personnel Director.

All on-the-job injuries must be reported to the supervisor by the employee and to the City Clerk/Personnel Director by the Department Head immediately after occurrence. It is essential that the following information be reported:

1. Time of the injury.

2. Description of the job being performed at the time of the injury.

2. The extent of the injury.

4. Description of the aid administered.

5. Witnesses to the injury.

A written report must be filed within 24 hours of occurrence. The reporting form is available from the City Clerk/Personnel Director. Adherence to these procedures will assure that the appropriate benefits will not be jeopardized.

Unsafe Activity Reporting

Unsafe activity or inappropriate use of City property in the work place will not be tolerated and must be reported to the Department Head for action. Each employee has a duty to comply with the safety rules of the City, to assist in maintaining a hazard-free environment, to report any accidents or injuries including any breaches of safety and to report any unsafe equipment, working condition, process or procedure at once to a supervisor. No employee will be punished or reprimanded for reporting safety violations or hazards.

Work Station Conduct

Employees shall immediately contact their supervisor in the event of a vehicular or property damage accident or occurrence. The supervisor shall insure that the Police Department and the City Clerk/Personnel Director are contacted in writing as appropriate, secure the area and evidence, and provide all appropriate documentation to the offices of the City Clerk/Personnel Director, or to the Utilities Operations

Superintendent and the Utilities Finance/Administrative Manager, as appropriate.

The use of City owned tools, materials, or equipment for personal activities or for activities not performed in the best interest of the City are prohibited. Privately owned materials and equipment are not to be stored on City owned property. This includes the private use of City owned vehicles during the rest period or unpaid break unless such use is authorized by the Department Head. All employees who have access to computers will be required to read and sign off on the City's Electronic Communication & Information Systems Policy.

Personal activities must not interfere with or delay the performance of assigned duties nor the work of others. Personal activities must be limited to approved break times. Family members and friends of City employees may not interfere with or delay the performance of assigned duties nor the work of others.

The City of Stoughton is committed to a professional method of approaching workplace conflicts and concerns. We advocate solving any problem at the earliest opportunity with the lowest level of administrative oversight possible. Many problems are matters of miscommunication or misinformation easily solved through direct and honest discussion between the affected parties, often without the intervention of anyone else. It is every employee's responsibility to develop and maintain the job skills necessary to conduct successful conflict management and resolution. In the event of a problem or issue, all employees and Department Heads must do the following, either in person or in writing if face-to-face discussion is not possible, applying each step in turn, to arrive at a reasonable and timely resolution of workplace concerns:

1. Directly speak/write to the person(s) concerned or involved in the situation, without involving other coworkers. Be sure your conversation/material clearly states the problem, a possible resolution, and sets a timeframe for decision making or settlement. Be willing to listen. See the other person's point of view. Admit fault as necessary or accept compromise. Everyone's feelings are important. Decision making requires facts and documentation, so be ready to give it. Admit defeat gracefully. Be ready to accept the answer that is best for the taxpayer or ratepayer, even if you don't agree.

2. If resolution is not possible, both parties must go to the Department Head for assistance in developing a workable solution.

3. If still unresolved, the parties, Department Head, and Mayor will meet to find a resolution. Matters of day-to-day operation will be handled solely by the Mayor, whose decision is final. Policy questions will be referred to the appropriate standing committee for investigation and the Common Council for final resolution.

Failure to use professional methods of conflict resolution will not be tolerated and will be

followed by disciplinary action.

Alcohol & Substance Abuse

The City is committed to maintaining a workplace free from substance abuse. Substance abuse, either at work or away from work, can seriously endanger the safety of employees and citizens alike. Likewise, substance or alcohol abuse has been demonstrated to cause absenteeism, poor job performance, and the inability to perform work safely.

Additionally, if an employee is taking a prescribed controlled substance which may adversely affect or limit his/her ability to perform his/her duties, the employee must notify his/her Supervisor and/or Department Head of such known side effects prior to the performance of any such duties.

Department Heads are responsible for communicating to every employee that the City's position applies to all alcohol or controlled substances. As a condition of employment, all City employees must abide by the policy.

The use, possession, sale, manufacture or transfer of controlled substances is prohibited at all times with an exemption for Police Personnel acting in their official capacity for possession only in handling of police cases.

The consumption of alcoholic beverages or controlled substances during the work day or while on standby is prohibited, as is reporting for work or being at work, while under the influence of alcohol or a controlled substance. Possession of alcoholic beverages while on City premises and/or in any City work environment is prohibited, except for Police acting in official capacity. Disciplinary action will be taken in cases where violations occur.

All employees should report evidence of alcohol or controlled substance abuse to a supervisor or Department Head immediately. In cases where the use of alcohol or controlled substances pose an imminent threat to the safety of persons or property, an employee must report the violation. Failure to do so could result in disciplinary action for the non-reporting employee.

Department Heads have the authority to require "reasonable suspicion" drug and alcohol testing and to send employees home, on sick leave, for the remaining work hours who have apparently consumed controlled substances or manifest behavior during the work day that appears to impair the performance of their job. Investigatory conference(s) will be scheduled as soon as possible after the employee returns to work. Participants for this conference will be the employee, the Department Head, a union representative if applicable, and other person(s) deemed appropriate by the Mayor or City Clerk/Personnel Director.

Random drug testing will occur for CDL License holders, as mandated by the Federal Government order. Employees in positions which are identified as safety sensitive will

be required to undergo annual random controlled substance/alcohol screening according to the Commercial Driver's License (CDL) policy. Controlled substance/alcohol tests for all other employees will be limited to post-incident, situations exhibiting reasonable suspicion, or related to safety sensitive employment positions.

Pursuant to the Drug Free Work Place Act of 1988, employees must report to their Department Head any conviction under a criminal drug statute for violations occurring on the job or during working hours, whether on or off City premises, within 5 days after conviction. Violations of any provisions of this substance abuse policy will be considered grounds for disciplinary action, up to and including, discharge, even for the first offense. Because the City recognizes alcoholism and drug abuse as treatable conditions, employees are encouraged to voluntarily refer themselves for professional assistance prior to any disciplinary action being initiated.

Tobacco Use

The City endeavors to provide a healthy environment and therefore prohibits any form of tobacco use or consumption in city buildings or vehicles.

Drivers License and Traffic Tickets

An employee whose job requires driving city vehicles or a personal vehicle in conducting city business must promptly notify his/her supervisor if his/her drivers license is revoked, suspended, or restricted in any way. Employees are expected to abide by traffic rules and regulations while on duty. An employee who receives a traffic or parking ticket while on the job must pay the fine.

CDL Requirement

Any employee whose current position requires him/her to have a valid Commercial Driver's License (CDL) shall immediately inform his/her Department Head and the City's Personnel Director of any revocation, loss or suspension of their CDL privileges. Upon revocation, loss or suspension of the CDL, the employee shall not operate any vehicle of the City which requires such licensure. The City may in its sole discretion, temporarily reclassify an employee who loses his/her CDL to the status of CDL exempt.

Reclassification to the status of CDL exempt shall be based upon the following factors: The availability of suitable and necessary work within the employee's current Department. The employee's overall employment history, including but not limited to skill set, disciplinary record, and attendance record. The City's application of these factors shall not be arbitrary or capricious.

While temporarily reclassified as CDL exempt, the employee's wage rate shall be adjusted accordingly to 90% of employee's former pay rate during the duration of the employee's CDL exempt status.

An employee's CDL exempt status shall not exceed three hundred sixty five (365) days. Such exempt status may be terminated at any time by the City for good cause. The CDL exempt classification is not to be construed as a permanent position and will only apply during periods of CDL suspensions. An employee placed on CDL exempt status will be expected to perform all of their regular job duties except those requiring a CDL. The opportunity for continued employment during a CDL suspension or revocation will only be afforded to an employee once during their employment with the City. If a second CDL suspension or revocation is imposed upon the employee, they will be deemed unqualified to continue in their position and will be subject to dismissal. An employee whose CDL licensure is revoked or suspended as a result of work-related incident or other operation of a City vehicle is not eligible for CDL exempt status and is subject to immediate discharge.

As a condition of being placed on CDL exempt status, the employee agrees to participate in and comply with reasonable and necessary driving or substance abuse programs which may be established as a condition of reinstatement of his/her CDL licensure and to provide to the City, upon request, proof of compliance with such programs.

Workplace Violence

The City of Stoughton is committed to providing a safe and healthy work environment that is free from any threats or acts of violence. Towards this commitment, the City will not tolerate any threats or acts of violence perpetrated by employees or people from outside the workplace. Violence is defined to include, but is not limited to: physical assault, aggressive behavior directed at an individual, purposeful destruction of another person's or the City's property, intimidation through verbalized or implied threats, and threatening or harassing telephone calls. Any reported act or threat will be investigated as a criminal act and/or a serious violation of City policy. Any confirmed act or threat by an employee will be grounds for disciplinary action, up to and including termination of employment, as appropriate.

Any employee who has been a recipient of a threat of violence or victim of an act of violence is to make a report to the Personnel Director who will forward the information to the Police Chief. Such reports will be kept confidential to the extent possible. We ask each employee's cooperation and commitment to the prevention of violence in the workplace.

Hearing Conservation Policy

The City of Stoughton is committed to providing a safe environment for its employees and visitors to its facilities. The Hearing Conservation Policy is composed of the following responsibilities as mandated by OSHA Standard 29 CRF 1919.95 effective April 7, 1983:

Responsibilities of the Employer:

1. To provide noise level surveys of affected work areas.
2. To file and maintain noise level survey data.
3. Generate a list to all employees of “Hearing Protection Needed” areas.
4. Provide baseline hearing test for all employees, and annual subsequent audiograms for employees exposed at or above a time-weighted average of 85 decibels.
5. Provide hearing protection devices for employees and visitors who will be in a “Hearing Protection Needed” area.
6. Sign all areas that require “Hearing Protection Needed”.
7. Noise exposure measurement records shall be retained for two years.
8. Audiometric test records shall be retained in personnel file permanently.
9. Provide annual employee training on the effects of noise on hearing; purpose and use of hearing protectors, the advantages and disadvantages of various types; instruction in the selection, fitting, use and care of protectors; and the purpose of audiometric testing and an explanation of the test procedures.

Responsibilities of Employees:

1. Read and understand noise level survey.
2. In the proper areas, wear hearing protection equipment provided, be trained in their use, selection, fitting and care.
3. Inform employer of defective hearing protection equipment.
4. Ensure visitors wear hearing protection equipment in “Hearing Protection Needed” areas.
5. Inform employer of work areas that are not surveyed that may need “Hearing Protection Needed” status.

Responsibilities of Non-Employees and Visitors

1. Wear hearing protection equipment provided before entering “Hearing Protection Needed” areas.

Bloodborne Pathogens Exposure Control Plan

In accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030, the City has developed a Bloodborne Pathogens Exposure Control Plan. The purpose of the exposure control plan is to: 1) Eliminate or minimize employee occupational exposure to blood or certain other body fluids; and 2) Comply with OSHA Bloodborne Standard. Employees shall participate in annual training regarding this Plan. Contact your Supervisor for more information.

Written Hazard Communication Program

The City’s Written Hazard Communication Program enables employees to know health and safety information about hazardous chemicals they work with and/or are exposed to in their individual work area(s) of the workplace. The City Safety Coordinator is

responsible for receiving and cataloguing all current Material Safety Data Sheets (MSDS's) and MSDS lists from the Department Heads.

The Department Head and their designee shall manage this program in their Departments(s) and maintain a current MSDS list and copies of all MSDS's in a Written Hazard Communication Program folder specific to the individual work area(s) where it is available to be reviewed by all employees at that workplace. The Department Head or their designe4e shall insure that all containers and piping used for handling hazardous chemicals are properly labeled at all times. The Department Head or their designee shall conduct training sessions with all employees at leas annually to discuss the MSDSs and labeling and report the effectiveness of the training session to the City Safety Coordinator in writing.

All employees shall participate in the training sessions, remain familiar with the MSDS list and information in the MSDSs, and insure that all containers and piping used to handle hazardous chemicals in their individual work area(s) are properly labeled at all times.

Employee Assistance Program

Please see the City Clerk/Personnel Director for a current copy of the Employee Assistance Program Manual.

Disciplinary Action

The City is committed to fair and consistent enforcement of its rules and standards of conduct. In evaluating whether disciplinary action is to be taken and, if so, the type of disciplinary action, the City will consider all relevant factors including the nature and seriousness of the offense, the impact on the City, co-workers, or others associated with the City and the employee's overall employment record.

While the City will generally employ a system of progressive discipline in cases of non-serious offenses, the City reserves the right to impose such level of discipline as it determines appropriate in the circumstances. The rules listed below are by way of example and should not be read to in any way limit the City's right to discipline for any reason. Except as otherwise provided under a collective bargaining agreement or under an individual contract of employment of fixed duration, all employment with the City is considered at-will and nothing in this policy or otherwise in these Work Rules is intended or to be construed to create a property right.

The following are grounds for disciplinary actions up to and including discharge as determined appropriate by the City:

Grounds for Disciplinary Action (examples only)

- Carelessness resulting in injury, property damage or a dangerous condition

- Reckless or careless driving while using a City vehicle
- Release of confidential information
- Insubordination or failure to perform an assigned task
- Conduct which reflects unfavorably upon the City as an employer
- Discourtesy or use of abusive language
- False statements at the time of employment
- Dishonesty
- Falsification of organization records or reports
- Willingly making a false statement to a supervisor, official, the public, or any City board or commission
- Violation of City ordinance, administrative regulation, department rule, state or federal laws that relate to specific job functions
- Refusal to be examined by City authorized personnel, fully licensed physician or intoxilizer operator when so directed, if applicable to position
- Theft or unauthorized removal of property belonging to another
- Indecent behavior on City premises
- Refusal to work overtime during a designated emergency, without justifiable cause (Defined emergency = an emergency situation during any period in which the health, safety, or welfare of the community is threatened)
- Violation of, or disregard for, an established safety practice
- Provoking, instigating, or participating in an activity intended to disrupt the established work routine
- Documented unsatisfactory work performance
- Unauthorized use or possession of tools, machinery, or equipment
- Gambling on City property during working hours
- Loafing, loitering, or otherwise wasting time during work hours
- Being late for work without permission or notification
- Misuse of sick leave or other benefits
- Leaving the work station without permission prior to the scheduled quitting time
- Violation of harassment policy
- Possession, transfer, sale or use of controlled substances
- Possession, or consumption of alcohol while on duty or on City premises
- Reporting for, or being at work while under the influence of alcohol or controlled substance, use of alcohol in circumstances which impairs the person's ability to adequately undertake the responsibilities of the position
- Violation of applicable CDL standards with regard to the use of alcohol prior to reporting or while performing safety sensitive functions
- Refusal to be tested for use of alcohol or controlled substances or tampering with the conduct or results of such tests

This list is meant to provide examples only, and is not all inclusive.

Discipline at or below the level of a written warning may be issued by the employee’s Department Head with a copy of any such disciplinary action being provided to the City Clerk/Personnel Director at the time issued.

Discipline involving a suspension should generally be reviewed with the City Clerk/Personnel Director and/or Personnel Committee before being imposed, except where immediate suspension is deemed necessary to protect persons or property.

Prior to discharge, the matter will be reviewed by the Personnel Committee, Personnel Director and Mayor, as appropriate.

An employee who disagrees with a disciplinary action may request review of the matter by the Personnel Committee or its designee. The Personnel Committee will determine the type and extent of review to be conducted. The decision of the Personnel Committee or its designee is final and not subject to further review.

Disciplinary actions involving employees covered by a collective bargaining agreement are subject to such review as the agreement may provide for. Disciplinary actions involving sworn personnel are subject to the requirements of sec. 62.13(5), Wis. Stats. and any applicable collective bargaining agreement.

VIII. Unlawful Harassment (Harassment in the Workplace Policy adopted by the Common Council ~~12-12-00~~ 10-14-08)

PURPOSE: The purpose of this policy is to maintain a healthy work environment in which all individuals are treated with respect and dignity and to provide procedures for reporting, investigating and resolving complaints of harassment and discrimination.

POLICY: It is the policy of the City of Stoughton that all employees have the right to work in an environment free of all forms of harassment. The City of Stoughton will not tolerate, condone, or allow harassment by any employee or other non-employees that conducts business with the City. The City of Stoughton considers harassment and discrimination of others to be forms of serious employee misconduct. Therefore, the City of Stoughton shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination, with repeated violations, even if “minor”, resulting in greater levels of discipline as appropriate.

DEFINITIONS:

Verbal Harassment: Sexual innuendoes, degrading or suggestive comments, repeated pressure for dates, jokes of a sexual nature, unwelcome sexual flirtations, degrading words used to describe an individual, obscene and/or graphic descriptions of an individual’s body or threats that job, wages, assignments, promotions or working conditions could be affected if the individual does not agree to a suggested sexual relationship.

Non-verbal Harassment: Sexually suggestive or offensive objects or pictures, inappropriate usage of voicemail, e-mail, the internet, or other such sources as means to express or obtain sexual material, comments, etc., printed or written materials including

offensive cartoons, suggestive or offensive sounds, whistling, catcalls, or obscene gestures. Any material which inappropriately raises the issues of sex or discrimination. Treating an employee differently than other employees when they have refused an offer of sexual relations.

Physical: Unsolicited or unwelcome physical contact of a sexual nature, which may include touching, hugging, massages, kissing, pinching, patting, or intentionally brushing against the body of another person.

Other Forms of Harassment: Persistent and unwelcome conduct or actions on the basis of race, national origin, religion, creed, disability, arrest record or conviction record, marital status, sexual orientation, membership in the military reserve, or use or nonuse of lawful products away from work is prohibited under this policy and §111.31-111.39, Wis. Stats.

Harassment on any basis (race, sex, age, disability, etc.) exists whenever: Submission to harassing conduct is made, either explicit or implicit, a term or condition of an individual's employment; submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual; the conduct interferes with an employee's work or creates an intimidating, hostile, or offensive work environment. Such conduct is prohibited under this policy and §111.31-111.39 Wis. Stats.

Unwelcome: Sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. The conduct may be unwelcome even though the victim voluntarily engages in it to avoid adverse treatment.

PROCEDURES

Prohibited Activity (Sexual Harassment and Harassment)

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment is any verbal, written, visual or physical act that creates a hostile, intimidating or offensive work environment or interferes with an individual's job performance.

- No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person.

- Employees shall not make offensive or derogatory comments to any person, either directly or indirectly based on race, color, sex, religion, age, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and/or is also considered misconduct subject to disciplinary action by the city.

Covered Individuals

Individuals covered under this policy include employees and applicants for employment, volunteers, elected officials, appointed members of committees, commissions and boards, contractors, vendors, and members of the public.

Each Supervisor shall be responsible for:

- Preventing prohibited activities as defined above.
- Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
- Training and counseling all employees on what constitutes harassment and sexual harassment, on the types of behavior prohibited, the City's policy and procedures for reporting and resolving complaints of harassment;
- Stopping any observation that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision; and
- Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation. If a situation requires separation of parties, care should be taken to avoid actions that appear to punish the complainant. Transfer or reassignment of any of the parties involved should be voluntary if possible and, if non-voluntary, should be temporary pending the outcome of the investigation.
- Failing to carry out these responsibilities will be considered in any evaluation or promotional decisions and may be grounds for discipline.

Each Supervisor has the responsibility to assist any employee of the City who comes to that supervisor with a complaint of harassment in documenting and filing a complaint with the internal investigation authority as designated by the City while maintaining the highest level of confidentiality possible.

Each employee of the City is responsible for assisting in the prevention of harassment through the following acts:

- Refraining from participation in or encouragement of actions that could be perceived as harassment;
- Reporting acts of harassment to a supervisor; and
- Encouraging any employee who confides that he or she is being harassed or discriminate against to report these acts to a supervisor.

Failure of any employee to carry out the above responsibilities will be considered in any performance evaluation or promotional decisions and may be grounds for discipline.

Complaint Procedures

Any employee encountering harassment is encouraged but not required to inform another employee that his or her actions are unwelcome and offensive. This initial contact can be either verbal or in writing. The employee is to document all incidents of harassment to provide the fullest basis for investigation.

Any employee who has unsuccessfully attempted to terminate the harassment and who believes that he or she is being harassed shall report the incident(s) as soon as possible to their supervisor so that steps may be taken to protect the employee from further harassment, and so that appropriate investigative and disciplinary measures may be initiated. Where doing so is not practical, the employee may instead file a complaint with another supervisor, the Personnel Director for the City (City Clerk), the City Attorney, or Mayor.

The supervisor or other person to whom a complaint is given shall meet with the employee and document the incident(s) complained of, the person(s) performing or participating in the harassment, any witnesses to the incident(s) and the date(s) on which it occurred.

Any employee who does not feel it is practical to file their complaint with the above listed people may file the complaint with either or both of the following:

Wisconsin Department of Work Force Development-Equal Rights Division
1 S. Pinckney Street
Madison WI

United States Equal Opportunities Commission
1-800-669-4000

If the employee exercises the reporting options of either of the above two listed agencies, they must file a copy of the complaint with the City Attorney within 24 hours of filing of the complaint.

The internal investigation authority shall be responsible for investigating any complaint alleging harassment or discrimination.

- The internal investigative authority shall immediately notify the Mayor and the City Attorney if the complaint contains evidence of criminal activity, such as battery, rape, or attempted rape.

- The investigation shall include a determination as to whether other employees are being harassed by the person, and whether other city employees participated in or encouraged the harassment.

- The internal investigative authority shall inform the parties involved of the outcome of the investigation.

- A file of harassment and discrimination complaints shall be maintained in a secure location. The Mayor shall be provided with an annual summary of these complaints.

There shall be no retaliation against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint per state law.

The complaining party's confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.

Complainants or employees accused of harassment may file a grievance/appeal in accordance with City procedures when they disagree with the investigation or disposition of a harassment claim.

This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency.

Retaliation

Retaliating against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by this City and by federal and state statutes.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for harassment and discrimination complaints.

Monitoring to ensure that retaliation does not occur is the responsibility of the chief, supervisors, Department Heads, employees and the appropriate internal investigative authority.

IX. GRIEVANCE PROCEDURE

As defined in Municipal Code 42-61, any City employee allegedly aggrieved by a personnel decision of their Department Head may make a written request to such Department Head within 10 days after the personnel decision, setting forth with specificity the provision of this policy allegedly violated. The Department Head and the

employee shall meet at least once to discuss the areas of disagreement.

The Department Head may sustain or modify the personnel decision within 10 days after the meeting with the employee and will furnish the employee with a written summary of the basis of their decision, which will be placed in the employee's personnel file.

If the employee is dissatisfied with the result of their meeting with the Department Head, the employee may file a written appeal within 30 days with the Personnel Committee of the City Council. The decision of the Personnel Committee shall be final and not subject to further review.

This section will not apply to grievances processed under the contractual agreement now in effect or hereafter entered into between the City and the recognized bargaining representative of the City's Police officers and other bargaining units.

X. CODE OF ETHICS

As defined in Municipal Code 2-2, the proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics was established for all City officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees, and commissions of the City. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The provisions and purpose of the code and such rules and regulations as may be established are hereby declared to be in the best interest of the City.

Public officials and employees are agents of public purpose and hold offices for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and carry out impartially the laws of the nation, State, and municipality and to observe in their official acts the highest standard of morality and to discharge faithfully the duties of their office regardless of personal consideration, recognizing that the public interest must be their prime concern. Their conduct in their official affairs should be above reproach so as to foster respect for all government.

All officials and employees of the City should be loyal to the objectives expressed by the electorate. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

Use of Public Property

No official or employee shall request or permit the unauthorized use of City-owned vehicles, equipment, materials, or property for personal convenience or profit.

Obligations to Citizens:

No official or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

Financial interest prohibited: No local public official or employee may use his or her public position or office to obtain financial gain or anything of substantial value for their private benefit or their immediate family, or for an organization with which they are associated. This does not prohibit a local public official from using the title of prestige of their office to obtain campaign contributions that are permitted and reported as required by Chapter 11 of the Wisconsin Statutes.

Definitions:

> Financial Interest - any interest which shall yield directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
>
> Person - any person, corporation, partnership, or joint venture.
>
> Immediate Family - any individual's spouse; and an individual's relative by marriage, lineal descent, or adoption who receives, directly or directly, more than one-half of their support from the individual or from whom the individual receives, directly or indirectly, more than one-half of their support.

No official or employee shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair such official or employee's independence or judgment or action in the performance of their official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.

No official or employee will, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor will such official or employee use such information to advance the financial or other private interest of such official or employee or others.

No official or employee will accept any gift, whether in the form of service, loan, thing, or promise from any person, firm or corporation which to their knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor will any such official or employee accept any gifts, favor, or thing of value that may tend to influence such official or employee in the discharge of their duties, or grant in the discharge of their duties any improper favor, service, or thing of value, except campaign contributions as controlled by Sub (7). Gifts received under unusual circumstances should be referred to the Ethics Board within 10 days for recommended disposition.

No official or employee who in their capacity as such officer or employee participates in the making of a contract in which such officer or employee has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the part of such official or employee, shall enter into any contract with the City unless, within the confines of 946.13, Wis. Stats., the contract is awarded through a process of public notice and competitive bidding.

Any member of the City Council who has a financial interest in any proposed legislation before the Council shall disclose on the records of the Council the nature of and extent of such interest. Any other official or employee who has a financial interest in any proposed legislative action of the Council and who participates in discussion with or gives official opinions or recommendations to the Council, will disclose on the records of the Council the nature of and extent of such interest.

All elected and appointed officials and employees as directed by the City Council must file an initial statement of economic interests and amend such statement if substantial changes have occurred in economic interests as defined and limited to paragraph (e) below with the Ethics Board.

If a person must make a disclosure as provided in paragraph (a) above, within 7 days after such person becomes a candidate for any elective City office, prior to appointment to such office such person must file a statement of economic interests or a statement as provided in paragraph (e) below with the Ethics Board.

Elected and appointed officials now serving a definite term must comply with provisions of this section within 90 days of adoption of forms and procedure by the Ethics Board.

A person filing any statement of economic interests under this section must file the statement on a form prescribed by the Ethics Board and must supply the following information to the Ethics Board; a description of all parcels of real estate within the City and adjoining towns or villages in which the person or spouse owns any interest, including an option to purchase, if such property is to be considered for rezoning or purchase by an entity of government, but exempting homestead property. All candidates for elective and appointive office required to file under this section shall identify any and all interests of more than 2% or $7,500 (whichever is lesser) he, she, or their spouse has in any business organization, either as an owner, part owner, partner, silent partner, or lender. The statement shall include a listing of all corporations or

businesses on which the person or spouse serves as a director or on a consultation basis.

Any candidate, elected or appointed official or employee who feels their standards of privacy would be compromised by a statement of economic interests may decline to offer such a statement. In lieu thereof, they must initially file a statement with the Ethics Board of their knowledge and awareness of the requirements to disclose interest in legislation required under sub. (g)(4) of this section.

Campaign contributions must be reported by all candidates for City office in strict conformity with the provisions of the Wisconsin Statutes. Any campaign contribution tendered to or accepted by a candidate subsequent to the final statutory report must be reported to the City Clerk, who will forward a copy of such report to the Ethics Board.

~~Revised by Personnel Committee 10-24-05 1-22-2007 through 2-10-2009 12-31-2009~~

~~Approved by Council 11-8-05 2-13-2007 through 2-10-2009 12-31-2009~~

Revised by Personnel Committee:

Adopted by Council:

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AFFIRMATION OF RECEIPT

I have read the Work Rules for the City of Stoughton, dated 12/31/2009, and I fully understand that non-compliance with these rules may result in disciplinary action up to and including termination.

_____

Employee (print name)

_____ _____

Employee Signature Date