

EAU CLAIRE COUNTY  
MEETING NOTICE/AGENDA

**COMMITTEE:** Committee on Human Resources  
**DATE:** Friday, February 3, 2017 **TIME:** 1:30 PM  
**PLACE:** Eau Claire County Courthouse, Room 3312  
721 Oxford Avenue, Eau Claire, WI

REASON FOR MEETING: REGULAR

1. Call to Order and Certify Compliance with Open Meetings Law
2. Public Comment
3. Sheriff's Office: WPPA Non-Supervisory Unit Grievance/Patrol Deputy Scheduling/Approval-Denial/Direction to Staff.

Proposed Closed Session pursuant to Wisconsin Statutes 19.85 (1) (c) for the purpose of considering employment, promotion, compensation or performance evaluation of any public employee over which the governmental body has jurisdiction or exercises responsibility.

Motion to Adjourn into Closed Session pursuant to Wisconsin Statutes 19.85 (1) (c) for the purpose of considering employment, promotion, compensation or performance evaluation of any public employee over which the governmental body has jurisdiction or exercises responsibility. To wit: Order-In Procedures.

Motion to go into Open Session. Committee Action.

4. Review and approve minutes of the January 13, 2017 meeting
5. Human Resources: Information/Consideration/Discussion/Action – updates to the existing Eau Claire County policy –
  - a. Policy 425 – PTO (Resolution 16-17/070)
6. Human Resources: Information/Consideration/Discussion/Action – the new Eau Claire County policy –
  - a. Policy 723 Bullying in the Workplace
7. Human Services: Information/Consideration/Discussion/Action of Resolution 16-17/095 to change one Senior Social Worker position to a Social Worker–
8. Highway: Information/Consideration/Discussion/Action – Highway Department Staffing Changes – 16-17/097
9. Administration: Information/Discussion – Update on Finance Department transition
10. Adjourn

**Future Committee on Human Resources Meetings**

*Where:* Room 3312

*Time:* 1:30p-3:30p

*Dates:*

- March 10, 2017
- April 14, 2017
- May 12, 2017

**COPIES TO:**

County Clerk J. Loomis

County Administrator K. Schauf

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**PLEASE NOTE:** Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

Corporation Counsel K. Zehms  
Committee on Human Resources:

K. Clark/S. Miller/M. Beckfield/J. Gatlin/M. Conlin

Human Resources Department

DATE NOTICE POSTED AND SENT:

PREPARED BY: Jill Mangus, Human Resources Department

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## **COMMITTEE ON HUMAN RESOURCES**

Friday, January 13, 2017 1:30 p.m., Room 3312

Location: Eau Claire County Courthouse  
721 Oxford Avenue, Eau Claire, WI 54703

### **MINUTES**

Members Present: Kathleen Clark, Mark Beckfield, Sue Miller, Judith Gatlin, Mike Conlin  
Staff Present: Jamie Gower, Jill Mangus  
Other Staff Present: Kathryn Schauf, Tim Moore

Chair Kathleen Clark called the meeting to order and certified compliance with Open Meetings Law at 1:30 p.m.

#### **Review and approve minutes of the January 13, 2017 meeting:**

Motion Mike Conlin to approve minutes of the January 13, 2017 meeting as written. Motion carried 5 to 0.

#### **Human Resources: Information/Consideration/Discussion/Action – updates to the existing Eau Claire County policies –**

- a. **Policy 425 – PTO (Resolution 16-17/070)**
- b. **Policy 417 – Leave of Absence**
- c. **Policy 201 – Employee Conduct & Working Environment**
- d. **Policy 601 - Benefits- Health Insurance, Dental Insurance & COBRA**
- e. **Policy 603 – Benefits- Other**

- a. During the December 6, 2016 County Board meeting Supervisors requested additional data regarding the proposed PTO policy changes which would allow part-time employees to be eligible for these benefits. Staff provided this information to the Committee on Human Resources at this meeting and will forward that data to the County Board for review on January 17, 2017. Motion Mike Conlin to postpone Policy 425 to the February 3, 2017 meeting. Motion carried 5 to 0.
- b. Motion Judy Gatlin to approve the update to policy 417. Motion carried 5-0.
- c. No action on update to policy 601
- d. Motion Judy Gatlin to approve the update to policy 601. Motion carried 5-0.
- e. Motion Mark Beckfield to approve the update to policy 603. Motion carried 5-0.

#### **Human Resources: Information/Consideration/Discussion/Action - the following new Eau Claire County policy –**

- a. **Policy 723 – Bullying in the Workplace**

No action taken, the Committee requested a review by Corporation Counsel.

#### **Administration: Information/Discussion- Update on the Finance Transition –**

Kathryn Schauf, County Administrator, gave an update on the Finance Department transition and responded to questions related to payroll and timekeeping practices. A high-level overview on the payroll process was also provided.

#### **Adjourn**

Motion Mike Conlin to adjourn the meeting at 3:00 p.m. Motion carried 5 to 0.

Respectfully submitted,

Jill Mangus  
Committee Clerk

## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> February 3, 2017	<b>X</b>	Information-Discussion	
<b>Agenda Item No.</b> 5		Direction to Staff	
<b>Department:</b> Human Resources	<b>X</b>	Approval-Denial	
<b>Subject:</b> Update to the Eau Claire County Policy Manual: Policy 425 Paid Time Off (PTO)	<b>X</b>	Requires Recommendation to:	
	<b>x</b>	County Board	
		Other:	
		Form:	Ordinance
		<b>X</b>	Resolution 16-17/070
<b>Bargaining Unit Involved:</b> N/A			Report
<b>Prepared by:</b> J.Gower		Other Action:	
<b>Reviewed by:</b> J. Mangus			

The Committee on Human Resources requested that staff create a separate PTO payout schedule for part-time employees. Below is a summary of the requested information as well as a summary of the proposed changes:

#### Amended payout schedule for part-time employees:

- Regular part-time employees who leave their position in good standing will be eligible for PTO separation pay as follows:

Length of Service	% of payout at time of separation	Maximum Payout Hours
0 – 3 <sup>rd</sup> Anniversary	0	0 hours
3 <sup>rd</sup> – 5 <sup>th</sup> Anniversary	25%	50 hours
5 <sup>th</sup> - 10 <sup>th</sup> Anniversary	50%	100 hours
10 <sup>th</sup> -15 <sup>th</sup> Anniversary	75%	150 hours
After 15 years	100%	200 hours

In addition, the maximum payout hours for part-time employees has been reduced from 250 hours to 200 hours.

#### Review of the Summary of proposed changes:

- Opens eligibility to employees working at least 20 hours per week (.50 FTE) or more.
- Part-time employees would earn prorated Paid Time Off (PTO) based on the Full-Time schedule multiplied by their Full-time Equivalency (FTE.)
  - Example: The accrual rate for a .73 FTE employee who has been with the County one-year would be: (.73FTE\*6.4 hours = 4.7 hours per pay period)
  - PT employees would be able to accrue up to 200 hours of PTO; currently Full-Time staff can accrue up to 500 hours.
- Although there is not an immediate budgetary impact, it will result in a liability due to a new accrual of a benefit not previously offered to part-time employees. The fiscal liability of that is \$70,199. Note the fiscal liability is reduced based upon the 2017 staffing changes.

#### Summary of data from regarding PTO Option for Part-Time Staff

*Survey Results World-At-Work 2014 Survey*

- 74% of employers offer Part Timers PTO benefits

- 81% of employers with PTO banks vs traditional paid leave benefits offer Part Timers paid time off
- 85% of employers feel it is necessary to offer PTO benefits to be competitive in the labor market

*Survey Results 2015/16 North Central Policies & Benefits Survey (PT Employees)*

*Results reported for organizations with 100-500 employees*

- 56.7% of employers offer Part Timers PTO benefits

*Survey Results of Local Businesses*

The following local business provide leave benefits (PTO, Vacation, or Sick time) to their Part-Time staff:

- Hutchinson Technology
- Royal Credit Union
- Ayers and Associates
- Mega CO-OP
- Westconsin Credit Union
- Phillips Medisize
- Mayo Clinic Health System
- Associated Bank
- Mason Companies
- Group Health Cooperative
- Sacred Heart Hospital
- Huebsch

**Wisconsin Counties**

Human Resources administered a survey to other counties in Wisconsin regarding their policies for prorating Paid Time Off for less than full-time employees. Of those surveyed the following 17 responded that they offered PTO to their part-time staff. The list of those counties can be found below:

- |              |                |                        |
|--------------|----------------|------------------------|
| 1. Calumet   | 7. Manitowoc   | 13. Chippewa           |
| 2. Wood      | 8. La Crosse   | 14. Jackson            |
| 3. Winnebago | 9. Trempealeau | 15. Marathon           |
| 4. Waupaca   | 10. Jefferson  | 16. Washburn           |
| 5. Monroe    | 11. Dane       | 17. Juneau             |
| 6. Adams     | 12. Marquette  | 18. City of Eau Claire |

**Total Eau Claire County Employee’s impacted with this PTO proposal:**

Eau Claire County currently has 32 Part-Time employees who would qualify for this benefit. Based upon recent staffing changes, the current approximate fiscal liability is \$70,199.

Number of employees	Part-time PTO Accrual Rate	PTO Liability
1	6.6	\$ 4,953
1	5.8	\$ 2,760
2	5.5	\$ 7,900
1	4.8	\$ 2,062
5	4.7	\$ 12,743
2	4.0	\$ 3,584
1	3.6	\$ 1,804
19	3.2	\$ 34,393
32	-	\$ 70,199

The Committee is asked to review and provide an update to the County Board of Supervisors at the March 2017 County Board meeting. Staff is requesting additional guidance from the committee regarding next steps.

## POLICY 425 PAID TIME OFF (PTO)

1. **Purpose.** To provide employees with a flexible means of utilizing paid leave time. Paid Time Off (PTO) can be utilized for any purpose, subject only to necessary request and approval procedures consistent with County and department policies.
2. **Eligibility.** Regular employees working at least 20 hours per week (.50 FTE) working thirty-three (33) or more hours per week are eligible for ~~all~~ the benefits documented herein. Part-time employees working less than 20 hours per week (.50 FTE), temporary ~~Part-time employees, limited term~~ and seasonal employees as defined in Eau Claire County Policy 001 Definitions are not eligible.
3. **Definitions.**
  - 3.1 Paid Time Off (PTO). A benefit plan which consolidates all leave benefits into a single “account” of paid leave, for which the employee is responsible for managing.
  - 3.2 Extended Leave Bank (ELB). A bank which may be utilized for absences due to medical necessity for the employee or the employees immediate family, or for qualified FMLA absences, of more than three (3) consecutive days.
  - 3.3 Family Medical Leave Act (FMLA). Provides time off for various medical and military purposes as defined by State and Federal law.
  - 3.4 Planned PTO. Requested and approved prior to the date the employee is requesting leave.
  - 3.5 Unplanned PTO. Requested or reported on the date the employee will not be reporting to work.
  - 3.6 Post-Employment Health Plan (PEHP)/Health Trust Account. An employee benefit to help pre-fund the future cost of health care expenses.
  - ~~3.7~~ Creditable Employment. Years of service with the County working in a regular full- or part-time position beginning with the Employees anniversary date and ending with the date of separation as defined by Eau Claire County Policy 001 – Definitions. Employment in a seasonal or ~~limited term~~ temporary part-time position is not considered creditable employment.

## POLICY 425 PAID TIME OFF (PTO)

Effective Date: ~~November 3, 2013~~ January 2017, April 2017

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

4. Accrual. Eligible Full-time non-exempt and exempt non-supervisory employees will accrue PTO according to the following accrual rates:

Length of Service	Hours Per Pay Period	Days Per Year	Maximum Accrual Hours
0 – 5 <sup>th</sup> Anniversary	6.4 hours	20.80 days	500 hours
5 – 10 <sup>th</sup> Anniversary	8.0 hours	26.00 days	500 hours
10 – 15 <sup>th</sup> Anniversary	9.5 hours	30.88 days	500 hours
After 15 <sup>th</sup> Anniversary	11 hours	35.75 days	500 hours

- 4.1 Part-time employees working at least 20 hours per week (.50 FTE) will earn PTO accruals based on the full-time non-exempt and exempt non-supervisory PTO accrual schedule at a prorated amount based on their percentage of full-time equivalency (FTE).

Example: A .73 FTE employee who has been employed for 4 years would earn 4.7 hours of PTO per pay period. (.73FTE\*6.4 hours = 4.7 hours per pay period)

- 4.2 Part-time employees may accrue up to a maximum of 2500 hours PTO hours.

- 4.3 Exempt supervisory employees will accrue PTO according to the following accrual rates:

Length of Service	Hours Per Pay Period	Days Per Year	Maximum Accrual Hours
0 – 5 <sup>th</sup> Anniversary	8.0 hours	26.00 days	500 hours
5 – 10 <sup>th</sup> Anniversary	9.5 hours	30.88 days	500 hours
10 – 15 <sup>th</sup> Anniversary	11 hours	35.75 days	500 hours
After 15 <sup>th</sup> Anniversary	12.5 hours	40.63 days	500 hours

- 4.4 PTO will not accrue during unpaid leaves including worker’s compensation leave.

PTO cannot be taken before it has been earned and cannot be taken in excess of a part-time employee’s normally scheduled hours.

- 4.5 Temporary part-time and seasonal employees will not accrue nor be given PTO leave.

- 4.6 Part-time employees who transfer into a full-time position or whose hours are increased to full-time will be placed on the PTO accrual schedule based on a proration of the creditable Full Time Equivalent (FTE) status of the positions held multiplied by the years of service in those positions, their length of service in regular employment with Eau Claire County.

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~ January 2017, April 2017

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual



5. Minimum Usage Requirements.

**5.1** Unless otherwise outlined in department work rules, employees will use PTO in increments rounded to the nearest tenth of an hour as outlined in Policy 509, Timekeeping.

6. Planned PTO.

**6.1** Employees must request Planned PTO as far in advance as practicable and must be approved in advance by the Department Head or designee, but not less than 24 hours in advance. Individual departments may require more advance notice for scheduled absences. Employees will follow written department procedures for requesting PTO. PTO requests may be denied based on the needs of the department and the scheduled time off of other department employees.

**6.2** Department Heads or designees may approve planned PTO requests of less than 24 hours' notice on a case by case basis.

7. Unplanned PTO.

**7.1** Employees must report the use of Unplanned PTO at least one (1) hour prior to the start of the employee's scheduled shift, or as soon as practicable in cases of emergency or development of illness during the employee's work shift. Individual departments may require more advance notice for unscheduled absences. Employees will follow written department procedures for requesting PTO.

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

**8.1** The employer may require verification of illness.

**8.2** After a medical absence, a physician's statement may be required to be submitted to Human Resources on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

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

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~ January 2017, April 2017

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

- 8.4 Any work restrictions must be stated clearly upon the employee's return to work. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. PTO may be denied for any employee required to provide a doctor's statement until such a statement is provided.
- 8.5 The County has the right to obtain a second medical opinion to determine the validity of an employee's worker's compensation or illness claim, or to obtain information related to restrictions or an employee's ability to work. The County will arrange and pay for an appropriate medical evaluation when it has been required by the County.
- 8.6 If the absence qualifies as FMLA, Eau Claire County Policy 411, Leaves – Family, Medical, & Military will apply. The appropriate medical certification form(s) will be required.

9. Unpaid Leave.

- 9.1 With the exception of qualified FMLA leave, unpaid leave may not be taken until such time that the PTO account has been exhausted. If an employee would be eligible to use the ELB, unpaid leave may not be taken until such time that the PTO account and the ELB have been exhausted. At no point will an employee's PTO balance be allowed to fall below zero. Should this happen, the employee will revert to unpaid time, and if this occurs without the prior authorization of the Department Head, the employee may be subject to corrective or disciplinary action.

10. FMLA.

- 10.1 State FMLA, employee may substitute accrued paid leave time or choose to take unpaid leave; Federal FMLA, employees may be required to use all accrued paid leave time before receiving leave without pay.

11. Job Related Injury or Illness.

- 11.1 Employees are expected to adhere to the policies and procedures outlined in Eau Claire County Policy 715, Illness/Injuries.

12. Payment Upon Separation. Regular employees who leave the employ of the county in good standing and upon giving notice or employees separated by the county for other than disciplinary or performance reasons will receive payment for unused PTO as outlined below.

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~ January 2017, April 2017

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

**12.1** Regular [fulltime](#) employees hired on or before November 3, 2013 who leave their position in good standing will be eligible for PTO/ELB separation pay as follows:

**12.1.1** Less than 10 years of employment. For an employee with less than 10 years of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB into the post-employment health plan as provided in ~~1112~~.1.5 to a maximum of 180 hours at the employee's rate of pay at separation

~~12.1.1~~**12.1.2.**

~~12.1.2~~**12.1.3** 10 years of employment. For an employee with 10 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB to a maximum of 480 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~1112~~.1.5 at the employee's rate of pay at separation.

~~12.1.3~~**12.1.4** 20 years of employment. For an employee with 20 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO and ELB to a maximum of 640 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~1112~~.1.5 at the employee's rate of pay at separation.

~~12.1.4~~**12.1.5** 20 years of employment and 50 years of age or retiring. For an employee with 20 years or more of creditable employment in a regular position, and 50 years of age or retiring, the employer will pay the total accumulated amount of PTO and ELB to a maximum of 1,000 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in 12.1.5 at the employee's rate of pay at separation.

~~12.1.5~~**12.1.6** Election of Form of Benefit. Within thirty (30) days of receiving written notice of an employee's termination, the employer will elect the form in which the terminating employee will receive the Benefit. The Benefit can only be paid in one of the two forms outlined below. In making the election, the employer will consider several established factors including the terminating employee's access to other health insurance coverage, the value of the terminating employee's unused accumulated sick leave and extra retirement pay, and the ability of the terminating employee to demonstrate the need for coverage. The

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~[January 2017, April 2017](#)

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

employer will notify the terminating employee in writing of the election made by the employer.

~~12.1.5.1~~12.1.6.1 PRIME Trust, or the Medical Plan Trust.

~~12.1.5.2~~12.1.6.2 Retirement Plan Trust and or 457 (b).

**12.2** Regular fulltime eEmployees hired after November 3, 2013 who leave their position in good standing will be eligible for PTO separation pay as follows:

**12.2.1** More than three but less than 10 years of employment. For an employee with more than three but less than 10 years of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 150 hours in cash at the employee's rate of pay at separation.

**12.2.2** 10 years of employment. For an employee with 10 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 350 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in ~~11~~12.2.4 at the employee's rate of pay at separation.

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**12.2.3** 20 years of employment. For an employee with 20 years or more of creditable employment in a regular position the employer will pay the total accumulated amount of PTO to a maximum of 500 hours with the first 200 hours paid in cash and the remainder into the post-employment health plan as provided in 12.2.4 at the employee's rate of pay at separation.

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~~12.2.4~~12.2.2 Election of Form of Benefit. Within thirty (30) days of receiving written notice of an employee's termination, the employer will elect the form in which the terminating employee will receive the Benefit. The Benefit can only be paid in one of the two forms outlined below. In making the election, the employer will consider several established factors including the terminating employee's access to other health insurance coverage, the value of the terminating employee's unused accumulated sick leave and extra retirement pay, and the ability of the terminating employee to demonstrate the need for coverage. The employer will notify the terminating employee in writing of the election made by the employer.

~~12.2.4.1~~12.2.2.1 PRIME Trust, or the Medical Plan Trust.

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~January 2017, April 2017

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

~~12.2.4.2~~12.2.2.2 Retirement Plan Trust and or 457 (b).

**12.3** Regular part-time employees who leave their position in good standing will be eligible for PTO separation pay as follows:

<u>Length of Service</u>	<u>% of payout at time of separation</u>	<u>Maximum Payout Hours</u>
<u>0 – 3<sup>rd</sup> Anniversary</u>	<u>0</u>	<u>0 hours</u>
<u>3<sup>rd</sup> – 5<sup>th</sup> Anniversary</u>	<u>25%</u>	<u>50 hours</u>
<u>5<sup>th</sup> - 10<sup>th</sup> Anniversary</u>	<u>50%</u>	<u>100 hours</u>
<u>10<sup>th</sup> -15<sup>th</sup> Anniversary</u>	<u>75%</u>	<u>150 hours</u>
<u>After 15 years</u>	<u>100%</u>	<u>200 hours</u>

~~12.3~~12.4 Employees separated for disciplinary or performance reasons or fail to provide a two-week notice (30-days for supervisory and department head positions) of intent to terminate will receive no separation benefit.

**13.** Conversion.

**13.1** Effective November 3, 2013, all accumulated vacation leave, sick leave, and floating holidays will be converted as follows:

**13.1.1** If an employee has accumulated less than 280 hours combined vacation leave, sick leave, and floating holidays, all hours will be converted hour for hour to a PTO account.

**13.1.2** If an employee has accumulated more than 280 hours combined vacation leave, sick leave, and floating holidays, 280 hours will be converted hour for hour to a PTO account and the balance will be converted hour for hour to an ELB.

**13.1.3** If an employee does not have an ELB established at the point of conversion, an ELB cannot be created in the future. In addition, employees who establish an ELB cannot convert hours from the PTO account to the ELB in the future.

**13.2** Low Sick Leave Usage Incentive. Upon conversion, employees will not receive a low usage sick leave incentive payment.

**14.** PTO Service Credit at Hire.

**POLICY 425 PAID TIME OFF (PTO)**

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*Eau Claire County*  
Employee Policy Manual

**14.1** A Department Head may recommend to the Human Resource Director that a new hire be given credit for length of service for employment experience directly related to the position to which the employee is being appointed or to match the current leave accrual provided by the employee's most recent employer. The recommendation must be in writing and based on the Department Head's assessment of the employee's qualifications beyond the minimum requirements, recruitment considerations, or service accrual provided by the employee's previous employer.

**14.2** The length of service credit plus the employee's subsequent actual length of service with the County will be the basis for future accrual determinations. No additional length of service credit shall be granted after initial appointment to the County.

**15.** Extended Leave Bank.

**15.1** An employee who is sick uses their PTO account for the missed time. Anytime a single occurrence illness/injury results in the loss of more than three days' time an employee with an ELB is eligible to use time from that bank. When that option is selected by the employee, they may choose for the deduction to revert back to the first day, so that the first three days are deducted from the ELB (not the PTO account), plus the additional missed days. This should be documented as ELB on the employee timesheet. To utilize the ELB, the employee may be asked to submit documentation from a physician to verify illness or injury.

**15.1.1** The ELB may be used for a single occurrence illness/injury results in the loss of more than three days' time to care for an immediate family member.

**15.2** The County reserves the right to have a second medical opinion at its own expense.

**16.** Death While An Active Employee.

**16.1** All accumulated unused PTO and ELB for which the employee may have otherwise been eligible will be transferred to the Post Employment Health Plan (PEHP)/Health Trust Account as defined in Eau Claire County Policy 603.

**16.1.1** If there is not a surviving qualified family member as defined in the Post Employment Health Plan policy, payment will be made to a deferred compensation plan.

**POLICY 425 PAID TIME OFF (PTO)**

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Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

**17. Restrictions.**

- 17.1** PTO and the ELB are for the personal use of the employee only. Should the PTO balance fall below "0", the employee will only receive compensation for hours actually worked. Should this happen, the employee may be subject to corrective or disciplinary action.
- 17.2** An employee cannot be paid for time at work and receive PTO pay at the same time.
- 17.3** PTO cannot be used in the same payroll period in which it is earned.
- 17.4** Employees who are ill should not report to work. Department Heads or supervisors have the right to judiciously assess the health of an employee and, if the employee is deemed to be "too sick to work", the Department Head or supervisor can send the employee home.
- 17.5** Upon written request, the County may allow employees to use accrued paid time during the initial three (3) day waiting period for worker's compensation benefits.
  - 17.5.1** Following the initial three (3) day waiting period, employees may not supplement workers' compensation benefits by utilizing accrued paid time or any other means available to them through the County benefit program. Employees will receive benefits as outlined by, and in accordance with the Wisconsin Workers' Compensation Act.
  - 17.5.2** PTO and the ELB may not be used to supplement income received from a county disability insurance plan.

**POLICY 425 PAID TIME OFF (PTO)**

Effective Date: ~~November 3, 2013~~ [January 2017, April 2017](#)

Revised Date: December 2016

*Eau Claire County*  
Employee Policy Manual

**POLICY 425 PAID TIME OFF (PTO)**

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*Eau Claire County*  
Employee Policy Manual



## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> February 3, 2017		Information-Discussion	
<b>Agenda Item No.</b> 6		Direction to Staff	
<b>Department:</b> Human Resources	<b>X</b>	Approval-Denial	
<b>Subject:</b> Approval of new policy: <ul style="list-style-type: none"> <li>• 723 Bullying in the Workplace</li> </ul>		Requires Recommendation to:	
		County Board	
		Other:	
		<b>Form:</b>	
		Resolution	
<b>Bargaining Unit Involved:</b> N/A			Report
<b>Prepared by:</b> J. Mangus		Other Action:	
<b>Reviewed by:</b> J. Gower			

### NEW Policy

#### **Policy 723 Workplace Bullying**

Eau Claire County is committed to providing a working environment where all employees are treated with dignity and respect. To help promote a respectful workplace, Human Resources is asking to add Policy 723 Workplace Bullying to the Employee Policy Manual.

Keith Zehms reviewed the policy and offered a legal opinion which is included in the agenda materials.

The Committee is asked to approve the addition to the Employee Policy Manual.



## OFFICE OF CORPORATION COUNSEL

EAU CLAIRE COUNTY  
EAU CLAIRE COUNTY COURTHOUSE  
721 OXFORD AVE., SUITE 3520  
EAU CLAIRE, WI 54703

PH: (715) 839-4836 Fax: (715) 839-6243



**ASSISTANT  
CORPORATION COUNSEL**

*Timothy J. Sullivan  
Sharon G. McIlquham  
Richard A. Eaton*

**CORPORATION COUNSEL**

*Keith R. Zehms*

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### MEMORANDUM

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TO: COMMITTEE ON HUMAN RESOURCES  
FROM: KEITH R. ZEHMS, CORPORATION COUNSEL  
DATE: JANUARY 24, 2017  
SUBJECT: POLICY 723 WORKPLACE BULLYING

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You have requested a legal opinion regarding Policy 723 Workplace Bullying.

There is no federal or state law that requires or prohibits adoption of a workplace bullying policy. However, if bullying behavior violates state or federal law prohibiting discrimination and harassment in the workplace it is illegal. In other words if bullying is based on such things as gender, age, race, religion or disability it is illegal. In some cases employees may have other legal remedies.

Policy 723 Workplace Bullying is based on the model policy developed by the American Bar Association and guidance provided by MRA. In my opinion Policy 723 Workplace Bullying is legal.

cc. Jamie Gower, Human Resources Director

## **POLICY 723 WORKPLACE BULLYING**

**1. Purpose.** The County is committed to providing a workplace that is free from bullying. All employees have a right to work in an environment free from bullying, and to be treated with dignity and respect. All managers and supervisors are responsible for actively intervening to prevent and stop bullying behavior that is occurring in their workplaces, whether or not a complaint is received.

### **2. Scope**

2.1 This policy applies to all employees and applicants for employment with Eau Claire County, whether sworn, regular, reserve, or civilian, and all volunteers.

### **3. Definitions**

3.1 Bullying means repeated, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment.

3.2 Bullying includes conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests. The following list may be considered bullying behavior. This list is not intended to be exhaustive:

**3.2.1** Staring, glaring or other nonverbal demonstrations of hostility;

**3.2.2** Exclusion or social isolation in the workplace;

**3.2.3** Excessive monitoring or micro-managing;

**3.2.4** Work-related harassment (work-overload, unrealistic deadlines, meaningless tasks);

**3.2.5** Being held to a different standard than the rest of an employee's work group;

**3.2.6** Consistent ignoring or interrupting of an employee in front of co-workers;

**3.2.7** Personal attacks (angry outbursts, excessive profanity, or name-calling);

**3.2.8** Encouragement of others to turn against the targeted employee;

## **POLICY 723 WORKPLACE BULLYING**

Effective Date: January 2017

Revised Date:

*Eau Claire County*  
Employee Policy Manual

- 3.2.9** Sabotage of a co-worker's work product or undermining of an employee's work performance;
  - 3.2.10** Stalking;
  - 3.2.11** Invasion of another's person's personal space or personal property;
  - 3.2.12** Unreasonable interference with an employee's ability to do his or her work;
  - 3.2.13** Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets;
- 3.3** The County does not consider the following behaviors bullying:
- 3.3.1** Reasonable management practices, including performance management and disciplinary procedures;
  - 3.3.2** A direction to carry out reasonable duties and instructions; and
  - 3.3.3** A direction to comply with Eau Claire County's policies, procedures, or department work rules.

#### **4. Reporting**

- 4.1** Employees who believe they have experienced conduct that they believe violates this policy, or who have concerns about such matters, should report their complaints verbally or in writing to his or her supervisor, department head, or their department Human Resources Partner.

## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> February 3, 2017	<b>x</b>	Information-Discussion		
<b>Agenda Item No.</b> 7		Direction to Staff		
<b>Department:</b> Department of Human Services	<b>x</b>	Approval-Denial		
<b>Subject:</b> DHS is requesting to change one full –time Senior Social Worker (1.0 FTE) position with a full-time (1.0 FTE) Social Worker position.		Requires Recommendation to:		
	<b>x</b>	County Board		
		Other:		
		Form:		Ordinance
			<b>x</b>	Resolution 16-17/095
<b>Bargaining Unit Involved:</b> N/A				Report
<b>Prepared by:</b> J. Mangus		Other Action:		
<b>Reviewed by:</b> J. Gower				

This information was provided by Diane Cable, Human Services Director

Organizational restructuring requires examination of all positions as they become vacant. In reviewing this position, it was determined that a lower credentialing would meet the needs of the department and allow for a broader based recruitment for this position. Even with this change, we will still provide high quality service to the clients we serve in this position.

This position change will result in an approximate savings of \$3,642.00.

Name	Salary	FICA 7.65%	WRS Employer 6.80%	Health Insurance	Life Insurance	Total
Senior Social Worker (Pay Range O) Step 1 (CURRENT)	\$55,682	\$ 4,260	\$ 3,786	\$ 20,222	\$ 20	\$83,970
Social Worker (Pay Range N) Step 1 (PROPOSED)	\$52,499	\$ 4,016	\$ 3,570	\$ 20,222	\$ 20	\$80,327
						\$ 3,642

The position change was presented on Monday, January 23, 2017 to the Human Services Board and was approved on 8-0 vote.

## REPORT TO THE COMMITTEE ON HUMAN RESOURCES

### Action Required

<b>Meeting Date:</b> February 3, 2017	<b>x</b>	Information-Discussion		
<b>Agenda Item No.</b> 8		Direction to Staff		
<b>Department:</b> Highway	<b>x</b>	Approval-Denial		
<b>Subject:</b> The Highway Department is proposing reorganization. Costing details will be provided at the Committee meeting.		Requires Recommendation to:		
	<b>x</b>	County Board		
		Other:		
		Form:		Ordinance
			<b>x</b>	Resolution 16-17/097
<b>Bargaining Unit Involved:</b> N/A				Report
<b>Prepared by:</b> J. Mangus		Other Action:		
<b>Reviewed by:</b> J. Gower				

Organizational restructuring requires examination of all positions as they become vacant. Included is the proposed organizational chart. Costing details will be provided at the Committee meeting.

The department reorganization was presented on Thursday, January 19, 2017 to the Highway Committee and was approved on a 5-0 vote.

