



COUNTY BOARD STAFF COMMITTEE
Minutes – November 12, 2019

Call to Order. Chair Podzilni called the meeting of the County Board Staff Committee to order at 4:00 P.M. in Conference Room N-1 on the fifth floor of the Rock County Courthouse-East.

Committee Members Present: Supervisors Podzilni, Mawhinney, Brill, Bostwick, Bussie, Peer, Sweeney, Thomas and Yeomans.

Committee Members Excused: None.

Staff Members Present: Josh Smith, County Administrator; Randy Terronez, Assistant to County Administrator; Annette Mikula, Human Resources Director; Richard Greenlee, Corporation Counsel; Bridget Laurent, Deputy Corporation Counsel; Terri Carlson, Risk Manager; Michelle Schultz, Real Property Lister.

Others Present: None.

Approval of Agenda. Supervisor Sweeney moved approval of the agenda as presented, second by Supervisor Yeomans. ADOPTED.

Citizen Participation, Communications and Announcements. Chair Podzilni, Committee and staff thanked Supervisor Bussie for her service to our Country, having served in the Air Force.

Approval of Minutes – October 22, 2019. Supervisor Sweeney moved approval of the minutes of October 22, 2019 as presented, second by Supervisor Peer. ADOPTED.

Transfers. None.

Review of Payments. The Committee accepted the reports.

Resolutions.

Recognizing Jon Furseth

“NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors, at its regular meeting this ___ day of _____, 2019 directs that a sincere expression of recognition be given to Jon Furseth for his 32 ½ years of service and expresses to him best wishes for the future.”

Supervisor Brill moved approval of the above resolution, second by Supervisor Mawhinney. ADOPTED.

Amending the County's Personnel Ordinance

“NOW, THEREFORE, BE IT RESOLVED, NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors assembled this _____ day of _____, 2019 does hereby amend Chapter XVIII, the County's Personnel Ordinance as follows:

CHAPTER XVIII
Section 3: Recruitment and Selection

Recruitment
18.301

The Human Resources Director shall develop and conduct an active recruitment program designed to meet current and projected County manpower needs.

Recruitment shall be tailored to the position to be filled and shall be directed to sources likely to yield qualified candidates. Applications received are maintained by Applicant Tracking Software. Candidates are notified by the system as they progress thru the life cycle of the recruitment.

(a) Job Announcements and Publicity.

Human Resources shall issue job announcements and otherwise publicize vacancies as may be appropriate. Job vacancies shall be formally announced for a minimum of five working days prior to the closing date for filing applications. Depending upon the vacancy and the scope of the recruitment process, this period may be adjusted accordingly. The Human Resources Director may also initiate continuous recruitment programs for any class of positions. (See HR Policies and Procedures.)

(b) Application Form.

All applications for employment shall be made on forms prescribed by the Human Resources Director. The Human Resources Director may require proof of application statements.

(c) Rejection of Applications.

Human Resources may reject any application if the applicant:

- (1) does not meet the minimum qualifications established for the position.

(2) is physically, mentally or otherwise unable to perform the duties of the position, with or without a reasonable accommodation, as permitted under applicable State and Federal laws.

(3) has been convicted of a crime, which renders him/her unsuitable for the position, as permitted under applicable State and Federal laws.

(4) is not within the legal age limits prescribed for the position or for County employment.

(5) has established an unsatisfactory employment record, which demonstrates unsuitability for the position.

(6) is a member of an organization, which advocates the violent overthrow of the government of the United States.

(7) based on job related factors, is found by Human Resources to be clearly unsuitable for the position for which he/she has applied.

~~(d) Whenever an application is rejected, notice of such rejection shall be promptly made to the applicant.~~

(d) Human Resources may select only the best qualified applicants for screening and final consideration.

(e) Applicants that are not selected for a position have the ability to review their individual results. Candidates who do not agree with their recruitment process results may request the Human Resources Director to review the results.

Section 5: Fringe Benefits

Holidays
18.501

The following holidays are observed by the County and shall be granted to regular employees with pay and to temporary employees without pay, unless such employees are required to be on scheduled work:

- (a) New Year's Day
- (b) Spring Holiday to be observed the Friday immediately preceding Easter
- (c) Memorial Day

- (d) July 4th
- (e) Labor Day
- (f) Thanksgiving Day
- (g) Friday following Thanksgiving
- (h) Day before Christmas
- (i) Christmas Day
- (j) One Floating Holiday
- (k) Any additional holiday granted by the County Board.
- (l) The County Administrator may designate additional holidays in unusual circumstances with the approval of the County Board Chair and/or Vice Chair.

For employees working the standard work schedule, when a holiday falls on Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, the following Monday shall be observed.

For employees not working the standard work schedule see the HR Policies and Procedures.

Floating holidays must be taken in whole day increments (pro-rated for part-time employees).

The floating holiday shall accrue to the employee effective any work shift starting on or after 4 a.m. of January 1st of each year. Employees need to use the floating holiday on or before December 31 of each calendar year. If the floating holiday is not used by December 31, the floating holiday will be forfeited. During their first year of employment, Employees hired after November 30, will have until January 31 of the following year to use their floater from the previous year.

Jury Duty
18.510

Any employee called for jury duty in any court of competent jurisdiction shall be granted time off from his/her regular and normal daily schedule of working hours with pay, for such jury service provided such employee shall remit to ~~Employer~~ Rock County Treasurer's Office all fees received from the Clerk of Courts for such service, and further provided that no claim for overtime pay or compensatory time off shall be made by such employee as a result of his/her jury services. If a second or third shift employee is selected to serve on a jury panel, the employee will not be required to work their next scheduled shift, if such shift begins on the same calendar day. If the employee does not remit the fee, he/she shall be considered to be on leave of absence without pay while performing jury duty. The County shall pay a reasonable amount for the difference if the employee has to pay parking fees and reimbursement from the Court does not fully cover the fee.

Should an employee not be selected to serve on a jury panel, the employee will report back to work within one hour of dismissal by the court.

If the employee chooses not to return to work, they may use available benefit time to take the rest of the day off. Sick Leave cannot be used.

Sick Leave
18.515

Sick leave pay shall commence on the first day of any period of illness due to accident, injury or disease.

(1) All full-time employees shall earn one sick leave day per month of continuous employment. All part-time employees whose regular workweek is sixteen hours or more shall earn one sick leave day on a prorata basis directly in relation to the normal full time employment period. All part-time employees, who work less than sixteen hours per week, shall not earn sick leave. Temporary and seasonal employees are not eligible for sick leave.

(2) Sick leave shall be granted after three months continuous service (from original hire date) when an employee is required to be absent from work because of:

(a) Illness of the employee.

(b) Illness of an employee's spouse

(a) Illness of a minor child (includes stepchild, current foster child, grandchild, or any other child they are legally responsible for and can provide legal documentation supporting the responsibility) or a child who meets the definition of a disabled adult child.

(b) **Adult child when covered by an approved FMLA.**

(c) Illness of a parent (includes stepparents and current foster parents).

(d) Contact with or exposure to a contagious disease rendering the employee's presence hazardous to fellow workers

(e) Reasonable medical or dental attention that cannot be scheduled during non-working hours.

(3) Sick leave shall accrue to a maximum of one hundred thirty days.

(4) Employees who are absent from work for reasons which entitle them to sick leave shall notify their supervisor in accordance with Department Work Rules.

(5) A supervisor may identify a potential problem with an employee's sick leave usage. Patterns that may indicate a problem with sick leave usage include but are not limited to:

- a) It occurs before or after a holiday,
- b) It occurs before or after a scheduled day off,
- c) An employee takes sick leave in excess of three days which has not been reported to FMLA, or
- d) The employee has a history of using short amounts of sick leave repeatedly over an extended period of time.
- e) It occurs on a day that an employee previously requested off and was denied.

Once a potential problem with sick leave usage has been identified the supervisor shall meet with the employee to discuss the reason(s) for the absences. The goal of the meeting is to gather information, counsel the employee and if there is an admitted problem, have the employee change his/her behavior.

When a problem has been identified and the employee has not voluntarily changed their behavior, a Department Head or the Human Resources Director may require the employee to submit a medical statement, stating the specific illness, period of treatment, and date that the employee may return to work.

The Department Head or Human Resources Director may require an employee to take a medical examination on returning from sick leave or on such occasions that it is in the best interest of the County. The medical examination shall be given by a physician designated by the Human Resources Director.

The Department Head or the HR Director may investigate the alleged illness of an employee absent from work on sick leave.

False or fraudulent use of sick leave shall be cause for disciplinary action against the employee, up to and including dismissal.

(6) An employee on vacation who presents an acceptable medical certificate giving the dates of illness may have that portion of his/her vacation leave converted to sick leave.

(7) Sick leave shall be debited in no less than quarter hour units.

(8) No credit for sick leave shall be granted for time worked by an employee in excess of his/her normal workweek.

(9) A regular employee who moves from one department to another by transfer, promotion or demotion shall have his/her total sick leave credits transferred to the new department.

Employees who resign or retire with ten or more years of continuous service shall be paid for one half of the accumulated sick leave days, not to exceed a total of sixty-five days. In the event of the death of an employee, the County shall make the same sick leave payment to the employee's estate. In the event of a discharge, the employee will not receive this benefit.

Subpoenaed Witness

18.516

When subpoenaed to appear before a court, public body, or commission in connection with County business on regular work time, the employee shall be paid at his/her regular rate of pay and the employee shall remit his/her fee to the County.

Employees who are off duty and are subpoenaed to appear in court as a result of their work assignment shall receive a minimum of two hours pay at the rate of time and one half. If the employee is required by the court to be present in court for time over and above the minimum, the employee will be paid at the rate of time and one half. Employees shall be reimbursed for mileage costs incurred because of court appearances required under this provision. Employees shall sign and turn over to the County any and all fees and reimbursements paid because of court appearances resulting from their work assignment.

Subpoena Cancellation Pay. Employees who are subpoenaed to testify on off duty time and are not notified of the cancellation or dismissal of said subpoena at least twenty-four hours prior to the time scheduled for appearance, shall be paid two hours of pay at their regular rate of pay. There shall be a maximum of two (2) canceled subpoenas per day.

Employees subpoenaed to appear before a court, public body, or commission for reasons outside of their County employment will be given time off of work if they must appear during their normally scheduled shift. The time away from work will be covered by the employee's benefit time or will be leave without pay if the employee does not have appropriate benefit time to cover.

Section 6: Conditions of Employment

Discipline/Investigations

18.607

The purpose of discipline is correcting job behavior and performance problems of employees. Employees shall be informed of standards of conduct and performance. All staff must notify their immediate supervisor within twenty-four (24) hours of all arrests and convictions for any ordinance (other than minor traffic violations), misdemeanor or felony violations that may impact their ability to complete the essential functions of their position.

No disciplinary action will be taken until a thorough investigation has been completed. Employees under investigation shall have the right to representation during the investigatory process. The employee will be allowed to have a representative of their choice who is not a supervisor or manager within Rock County. The representative will be limited to listening and advising the employee but will not be allowed to speak in place of the employee. Unilateral employees other than Department Heads shall be allowed to have a representative of their choice who has equal or less authority than they do. Employees may be placed on a Paid/Non Paid Administrative Leave during the investigation. Rules and standards shall be consistently applied. Penalties shall be uniform and shall match the infraction. Persons administering corrective discipline shall systematically document the case. Records of written reprimands, suspensions, demotions and terminations shall be provided to Human Resources and kept in the employee's personnel file. Written reprimands will remain in effect for a period not to exceed one year, and at the end of such period shall be removed from the active Employee's personnel file. Records of suspension shall remain in the active Employee's personnel file for a period of two years and at the end of such period shall be removed from the Employee's personnel file.

Suspensions, demotions, and terminations shall be discussed with the Human Resources Director or the County Administrator before such actions are taken. In the event that the immediate dismissal action is required and the HR Director or the County Administrator cannot be reached, the employee shall be suspended with pay pending investigation.

An employee may only be suspended, demoted, or terminated for just cause. In determining whether just cause exists, the following standards must be applied to the extent applicable:

- (a) Whether the employee could reasonably be expected to have had knowledge of the likely consequences of the alleged conduct
- (b) Whether the rule or order that the employee allegedly violated was reasonable.
- (c) Whether the County made a reasonable effort to investigate and discover whether the employee did in fact violate a rule or order.
- (d) Whether the investigation was fair and objective.
- (e) Whether the County discovered substantial evidence that the employee violated the rule or order
- (f) Whether the County is applying the rule or order fairly and without discrimination against the employee.
- (g) Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and the employee's record of service with the County.

Notwithstanding the above, whenever an employee is laid off under section 18.613, it shall not be considered discipline and the employee shall not be considered terminated under this section. Dismissal of an employee during his or her initial Probationary Period shall not be considered a termination under this section."

Supervisor Yeomans moved approval of the above resolution, second by Supervisor Bussie.

Mr. Smith said this resolution, along with the Policy and Procedural Manual, comes before the Committee each year.

Ms. Mikula went over the changes to the ordinance, as listed on page 7 of the resolution.

Discussion on the Blue Ribbon Committee; appeals proposed at Finance Committee on the 2020 Recommended Budget; and that, more than likely, not everything the Blue Ribbon Committee reports back with will be able to be accomplished at one time.

ADOPTED.

Committee Action, Updates and Possible Action.

Review and Possible Action on Proposed Changes to the Rock County Administrative Policy and Procedural Manual

Supervisor Mawhinney moved approval of the changes to the Rock County Administrative Policy and Procedural Manual, second by Supervisor Brill.

Ms. Mikula explained the changes to the Administrative Policy and Procedural Manual as listed on pages 1 and 2 of the memo.

ADOPTED.

Adjournment. Supervisor Bostwick moved adjournment at 4:41 P.M., second by Supervisor Sweeney. ADOPTED.

Respectfully submitted,

Marilyn Bondehagen
Office Coordinator

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.