Posted 12/2/2022

TOWN OF OSCEOLA
TOWN BOARD OF SUPERVISORS
SPECIAL TOWN BOARD MEETING
Monday, December 5, 2022 – 5:00 P.M.
Town Hall - 516 East Avenue North, Dresser WI
Virtual - Open Meeting via Microsoft Teams
To join via Teams: See Meetings, Notices/Agendas on www.townofosceola.com
Agenda Can Change Up to 24 Hours Prior to Meeting

MEETING AGENDA

1. **Call Meeting to Order**
2. **Verification of Meeting Posting**
3. **Roll Call**
4. **Acceptance of Proposed Agenda**
5. **Consider Discussion and Review of Employee Handbook**
6. **Adjournment**

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Clerk's office at (715)755-3060.

AFFIDAVIT OF POSTING: I hereby certify that this notice has been posted at the Dresser Post Office, the Town Hall, the First National Community Bank, the Town Web Site, and the Town Facebook site.

/s/ Denise Skjerven, Clerk

Town of Osceola

Polk County

Employee Handbook

Adopted

August 7, 2012

Amended

4/14/15 ~~and ,~~3/5/19 and x/x/xx

PURPOSE OF HANDBOOK

This Employee Handbook sets forth the personnel policies of the Town of Osceola. Its purpose is to familiarize employees with the personnel policies of the Town of Osceola.

All employees are considered "at-will" employees. Therefore, nothing contained in this document is to be construed by any employee as establishing, creating or constituting a written, oral or implied contract of employment. Furthermore, nothing herein shall be construed as a guarantee of continued employment nor as a guarantee of any benefits or conditions of employment.

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

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

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Move definitions to first part of documents. (Jo Everson)

SECTION 1
INTRODUCTION

1.1 This publication contains information and general guidance regarding employment ~~policy~~policies, procedures, rules and regulations for the use of management and employees of the Town of Osceola ("Town" or "Employer").

1.2 This handbook has been prepared to acquaint all employees with the ~~policy~~policies, procedures, rules and regulations in the Town, and to provide for the Town's orderly and efficient operation.

1.3 These personnel policies and procedures are based on an "open door" philosophy. The Town wants to ensure that ~~you~~ an employee feels free to discuss any problems relating to personnel policies and procedures with management. To that end, the Town encourages interactive communication between ~~you~~ an employee and ~~your~~an employee's supervisor. It is important for ~~you as~~ an employee to keep in mind that problems, when they arise, can best be resolved with ~~your~~ an employee's immediate supervisor. If, for some reason, the problem cannot be resolved, a Town representative will assist ~~you~~ the employee in referring ~~you~~ the employee to appropriate personnel.

By working together cooperatively and in harmony, we can be assured that the Town will continue to be known as a fine place in which to work.

SECTION 2
SCOPE, APPLICATION AND MANAGEMENT RIGHTS

2.1 The ~~policy~~policies and procedures contained in this handbook apply to all Town employees.

2.2 The ~~policy~~policies and procedures contained in this handbook are subject to the application of relevant labor laws in the case of certain classes of Town employees.

(a) Applicable state law governs the discipline and discharge of Town employees.

(b) Operational, safety and similar mandated policies, procedures, rules, regulations and bylaws relating to the functioning of the Town employees supplement this handbook.

2.3 Certain rights and responsibilities are imposed on the Town by state and federal laws, rules, legislation and court decisions. Many of these have implications for the policies and procedures that govern employees. For this reason, a summary of the Town's basic rights and responsibilities may be helpful. These rights and responsibilities include, but are not limited to, the following:

(a) Managing and directing the Town's employees, including the hiring, evaluation, compensation, promotion, scheduling, transfer, assignment, and retention of employees in positions with the Town.

(b) Lay off employees.

(c) Establishing work rules.

(d) Establishing and altering employment policies and procedures, including those set forth in this handbook.

(e) Suspending, discharging, or taking other appropriate disciplinary action against employees.

(f) Scheduling overtime work as required, consistent with the Town's requirements.

(g) Developing job descriptions and creating or eliminating jobs as the Town's needs require.

(h) Introducing new or improved methods or facilities or changing existing methods or facilities.

(i) Contract out for goods and services.

(j) Discontinue certain operations.

(k) Direct all operations of the Town.

(l) Eliminate, change or expand its workforce, its general employment policy and procedures, and this document, at any time, and for any reason.

2.4 All employment with the Town shall be based on the need for the work and fiscal responsibility as determined in the sole discretion of the Town Board.

SECTION 3
EQUAL EMPLOYMENT OPPORTUNITY

3.1 The Town of Osceola is an equal employment opportunity employer.

3.2 The Town provides equal employment opportunity to all qualified employees and applicants for employment regardless of ~~their~~ the employee's race, creed, color, religion, sex, national origin, ancestry, age, or other physical or mental disability, marital status, or any other characteristic of an individual protected by, without limitation, the Wisconsin Fair Employment Act, Title VII of the 1964 Civil Rights Act, the Civil Rights Act of 1991, the Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act of 1990, as those laws may be changed or amended from time to time. Positive action is required from all employees to help insure that the Town complies with its obligations under state and federal law.

3.3 Equal consideration to all qualified persons includes, but is not limited to, the following

functions: recruitment, hiring, placement, demotion, compensation for employment, promotions, transfers, training, involuntary layoffs, discipline, separation from employment, and other conditions of employment.

3.4 The procedure for processing ~~complaint~~grievances regarding the Town's equal employment opportunity policy is located in ~~the Appendix to~~ this Employee Handbook.

3.5 Our policy objective is to employ individuals who are qualified for specific work by such job-related standards as experience, demonstrated ~~attitude~~aptitude and skill, education, training, overall ability and other relevant considerations.

SECTION 4
HARASSMENT POLICY AND ~~COMPLAINT~~GRIEVANCE PROCESSING PROCEDURE

4.1 The policy of promoting equal employment opportunities extends to prohibiting the harassment of Town employees.

4.2 Harassment of other employees – in any form – is unacceptable, will not be condoned, and will subject the harassing employee to disciplinary action or discharge from employment.

4.3 Under federal and state fair employment laws, members of protected classes are shielded from unlawful discrimination in employment. Such discrimination can be in the form of harassment such as: unsolicited and repeated derogatory epithets, derogatory statements, or gestures made to a person because of his/her protected status or any attempt to penalize or punish a person because of his/her protected class or status. Any employee who believes that he or she has been subjected to unlawful discrimination must immediately report the harassment to the immediate supervisor or ~~Town Chair~~Personnel Committee, as provided in the ~~complaint~~grievance procedure located in this handbook.

4.4 The Town shall immediately and confidentially investigate all allegations of workplace harassment. If an employee is responsible for the harassment, ~~he/she~~ the employee will be subject to disciplinary action or termination from employment.

4.5 Acts of sexual harassment at the workplace by employees against other employees, vendors or members of the public will not be tolerated and are strictly prohibited. Accordingly, the Town of Osceola adopts and establishes the following work rules and ~~complaint~~grievance procedure:

(a) It is unlawful and against policy for any employee, male or female, to harass another by: making unwelcome sexual advances or making favors or other verbal or physical conduct of a sexual nature a condition of any employee's work; using an employee's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or otherwise creating an intimidating, hostile or offensive working environment by such conduct.

(b) The creation of an intimidating, hostile or offensive working environment may include such actions as persistent comments on an employee's sexual preference or the display of obscene or sexually oriented photographs or drawings. Conduct or actions that arise out of a personal or social relationship that are not intended to have a discriminatory employment affect may not be viewed as harassment. The Town will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.

(c) The Town of Osceola will not condone any form of sexual harassment toward others. All employees who violate this policy will be subject to disciplinary action or discharge from employment.

(d) Employees who believe they are being sexually harassed should immediately report the harassment to ~~their~~ the employee's immediate supervisor or ~~Town Chair~~Personnel Committee. If the employee's supervisor is the source of the alleged harassment, the employee should report to the ~~Town Chair~~Personnel Committee, Town Supervisor or the Town ~~Clerk-Treasurer~~Clerk. All sexual harassment ~~complaint~~grievances should be made in writing and will be investigated.

(e) Supervisors who receive a sexual harassment ~~complaint~~grievance should carefully investigate the matter, keeping in mind that privacy considerations will be applied in handling this type of ~~complaint~~grievance. The investigator should question all employees who may have knowledge of either the specific incident complained of or similar problems. The ~~complaint~~grievance, the investigative steps and the findings should all be documented as thoroughly as possible.

(f) Employees who are dissatisfied with the resolution of a sexual harassment ~~complaint~~grievance may file a ~~complaint~~grievance through the Town's ~~complaint~~grievance resolution procedure. No employee will be subjected to any form of retaliation or discipline for pursuing a sexual harassment ~~complaint~~grievance. Modifications to the ~~complaint~~grievance resolution procedure may be necessary so as not to duplicate the investigation procedure.

(g) If an employee believes that he or she is being retaliated against for pursuing a claim of harassment, that employee should immediately file a written ~~complaint~~grievance.

4.6 It is the Town's intention to be fair and impartial in order to establish the smoothest working relationship possible. Retaliation against any person who has registered a ~~complaint~~grievance or who has made a report of harassment, or against any person who has participated in the Town's investigation of a ~~complaint~~grievance or report, is strictly prohibited.

SECTION 5
WORKPLACE VIOLENCE POLICY

5.1 The safety and security of our employees is of vital importance. Therefore, acts or threats of physical violence, including intimidation, harassment and/or coercion which involve or affect the Town or which occur on Town property are considered misconduct and will not be tolerated.

5.2 The prohibition against threats and acts of violence as described above applies to all persons involved in the operation of the Town including (but not limited to) our own personnel, contract and temporary workers, and non-employees on Town property. Any confirmed act or threat will be grounds for disciplinary action, up to and including termination of employment.

5.3 No provision of this policy statement or any other provision in this plan alters the at-will nature of employment with the Town. Town management makes the sole determination of whether, and to what extent, threats or acts of violence are acted upon by the Town. In making this determination we may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred.

5.4 Any employee who has been a recipient of a threat of violence or a victim of an act of violence is to make a report to the ~~Town Chair~~Personnel Committee. Such reports will be kept confidential to the maximum extent possible and may be used in the Town's investigation. Because the threat may come from a source external to the Town, we will assess the need for special safeguards and cooperate with local authorities.

SECTION 6
GRIEVANCE PROCEDURE

6.1 The Town of Osceola recognizes the right of its employees to receive fair and impartial treatment. Accordingly, the Town has established the following grievance procedure. We regard the use of this problem-solving procedure not as a nuisance, but as an opportunity to correct dissatisfaction in job-related practices and policies.

6.2 Purpose: This grievance procedure is adopted pursuant to s. 66.0509(1m), Wis. Stat., and is intended to provide a timely and orderly review of disputes regarding: a) employee terminations, b) employee discipline, and c) workplace safety.

6.3 Definitions for terms used in this document:

(a) "Days": means calendar days, excluding legal holidays as defined in s. 995.20, Wis. Stat.

(b) "Discipline": means any employment action that results in disciplinary suspension without pay, disciplinary reduction in pay or other benefits, disciplinary demotions and terminations. The term "discipline" does not include verbal notices or reminders, written reprimands, performance evaluations, documentation of employee acts and/or omissions in an employment file, non-disciplinary demotions, non-disciplinary adjustments to compensation

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or benefits, actions taken to address job performance such as establishment of a performance improvement plan or job targets; placing an employee on paid leave pending an internal investigation; or other personnel actions taken by the employer for non-disciplinary reasons.

(c) "Hearing Officer": means the impartial hearing officer required pursuant to s. 66.0509(1m)(d)2, Wis. Stat. The hearing officer selected by the Town to serve as the hearing officer such as: a lawyer, a professional mediator/arbitrator, a retired judge, or other qualified individual. The hearing officer shall not be an employee of the Town.

(d) "Termination": means a discharge from employment for rule violations, poor performance, acts detrimental to the employer or other acts of misconduct. The term "termination" does not include: a voluntary quit, completion of seasonal employment, completion of temporary assignment, completion of contract, layoff or failure to be recalled from layoff at the expiration of the recall period; retirement, job abandonment ("no call, no show" or other failure to report to work); or termination of employment due to medical condition, lack of qualification or license, or any other cessation of employment not involving involuntary termination.

(e) "Workplace Safety": means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety.

6.4 Process and Timelines:

The clerk should not be involved, it should be the personnel committee at all times- Jo Everson

(a) Step One

Written Grievance Filed with ~~Town Chair~~Personnel Committee The grievant must file a written grievance with the ~~Clerk-Treasurer~~Clerk within 10 days of the termination, discipline or actual or reasonable knowledge of the alleged workplace safety issue. So that an earnest effort can be made to resolve the matter informally, the grievant must discuss the issue with the ~~Town Chair~~Personnel Committee prior to filing the written grievance. However, in the case of a termination, such a meeting is not required. Grievance forms may be obtained from the ~~Clerk-Treasurer~~Clerk. The Town ~~Clerk-Treasurer~~Clerk shall inform the ~~Town Chair~~Personnel Committee about receipt of the written grievance as soon as practicable.

The ~~Town Chair~~Personnel Committee ~~or the Chair's designee~~ will meet with the grievant within 10 days of receipt of the written grievance. The ~~Town Chair~~Personnel Committee ~~or the Chair's designee~~ will provide the grievant with a written response within 10 days of the meeting. A copy of the response shall be filed in the ~~Clerk-Treasurer~~Clerk's office.

(b) Step Two

Impartial Hearing Officer The grievant may request an appeal to the hearing officer by filing a written request with the Town ~~Clerk-Treasurer~~Clerk within 10 days of receiving the written response. The Town ~~Clerk-Treasurer~~Clerk shall notify the ~~Town Chair~~Personnel Committee about the filing of the request for a hearing as soon as practicable. The Town will work with the hearing officer and grievant to schedule a mutually agreeable hearing

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date.

The hearing officer shall provide the grievant and the ~~Town Chair~~Personnel Committee with a written decision no later than 30 days after the hearing date. The hearing officer shall also provide the ~~Clerk-Treasurer~~Clerk with a copy of the decision for filing in the ~~Clerk-Treasurer~~Clerk's office.

(c) Step Three

Review By Town Board The non-prevailing party may file a written request with the ~~Clerk-Treasurer~~Clerk for an appeal to the Town Board within 10 days of receipt of the hearing officer's decision. The ~~Clerk-Treasurer~~Clerk shall notify the ~~Town Chair~~Personnel Committee about the request as soon as possible. The Town Board shall decide the matter and issue a written decision within 45 days of the filing of the appeal. The Town Board may sustain, deny or modify the recommendation of the impartial hearing officer. The decision of the Town board shall be final and binding. A copy of the board's decision shall be provided to the grievant and filed in the ~~Clerk-Treasurer~~Clerk's office.

All timelines may be extended by mutual written agreement of the Town Board and grievant. Without such agreement, a failure of the grievant to adhere to any of the specified timelines shall preclude any further consideration of the grievance.

If the last day on which an event is to occur is a Saturday, Sunday, or legal holiday, the time limit is extended to the next day which is not a Saturday, Sunday or legal holiday. A grievance or request for an appeal is considered timely if received by the ~~Clerk-Treasurer~~Clerk during normal business hours or if postmarked by 11:59 p.m. on the due date.

If the grievance is not answered within the time limits, at any stage, the grievant may proceed to the next available step within 7 days.

The grievant and Town Board may mutually agree in writing to waive a step or multiple steps within the procedure.

Granting the requested or agreed upon remedy resolves the grievance.

6.5 Grievance Requirements:

(a) The written grievance must contain:

1. A statement of the pertinent facts surrounding the nature of the grievance.
2. The date the incident occurred or the date the alleged workplace safety concern was discovered.
3. The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion.
4. The specific remedy requested; and
5. A description of the workplace safety rule alleged to have been violated, if applicable.

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6.6 Chair's Response:

(a)The ~~Town Chair~~Personnel Committee's written response to the employee's written grievance must contain:

1. A statement of the date the meeting between the grievant and ~~Town Chair~~Personnel Committee was held.
2. A decision as to whether the grievance is sustained or denied.

6.7 Procedure Before the Hearing Officer: The hearing officer shall define the issues, identifying areas of agreement and identifying the issues in dispute and hear evidence and arguments. The hearing officer will determine whether the Town acted in an arbitrary and capricious manner. A decision will not have been arbitrary or capricious if it was made in the best interest of the Town. In all cases, the grievant shall have the burden of proof to support the grievance. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be strictly followed. However, no factual findings may be based solely on hearsay evidence.

The hearing officer may require the grievant and Town to submit materials related to the grievance and witness lists in advance of the hearing in order to expedite the hearing. The hearing officer shall sustain or deny the decision of the ~~Town Chair~~Personnel Committee. The hearing officer is not given authority to modify the decision made by the ~~Town Chair~~Personnel Committee. The hearing officer is not given authority to grant in whole or in part the specific request of the grievant. Within 30 days after the hearing, the hearing officer will issue a decision in writing indicating the findings and reasons for the decision.

If the hearing officer's decision on any grievance is appealed, only the issues raised in the hearing may be appealed. Issues are not subject to modification in the appeal process.

6.8 Hearing Officer's Decision:

The hearing officer's written decision must contain:

1. A statement of pertinent facts surrounding the nature of the grievance.
2. A decision as to whether the grievance is sustained or denied, with the rationale for the decision.

3. A statement outlining the timeline to appeal the decision.

6.9 Representation: Both the grievant and the Town may be assisted by a representative of ~~their~~ the employee's own choosing in person or by teleconference at any point during the grievance process.

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6.10 Consolidation: The ~~Town Chair~~Personnel Committee and/or the hearing officer may consolidate grievances where a reasonable basis for consolidation exists.

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If more than one grievant is grieving the same issue or circumstance, a single grievance form may be used. A group grievance must be signed by all grieving employees and must indicate that it is a group grievance at the first step in the grievance process.

6.11 Costs: Any expense incurred by the grievant in investigating, preparing, or presenting a grievance shall be the sole responsibility of the grievant. Each party (grievant and employer) shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees. The fees of the impartial hearing officer shall be divided equally between the parties with the grievant(s) paying half and the employer paying the other half. Fees paid the hearing officer will be determined on a case by case basis.

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SECTION 7
RULES OF CONDUCT

7.1 All Town employees shall comply with the reasonable rules and regulations of conduct on the job, which may be promulgated from time to time at the sole discretion of the Town Board.

7.2 Rules and regulations governing the conduct of employees on the job are intended to provide for the orderly and efficient operation of the Town.

7.3 A list of rules of conduct on the job cannot be complete, exhaustive or exclusive, because it is neither possible to list every form of possible misconduct nor to anticipate every rule of conduct that the Town may wish to promote or to prohibit in the future.

7.4 The following rules of conduct on the job are in force and effect:

(a) Solicitation and Distribution. The maintenance of a business atmosphere is important to the operation of the Town of Osceola and protects employees from undue interference while performing ~~their~~ the employee's jobs. Employees may not, in working areas at any time, engage in solicitation of any kind or the distribution of literature of any kind for any organization, fund, activity or cause during normal working hours or during the normal working hours of any employee being solicited or receiving literature.

The term working area does not include any area provided to employees as a lunch or break room. The term normal working hours does not include regular, authorized breaks or an employee's unpaid lunch period. Off-duty employees may not solicit or distribute literature on Town premises at any time.

(b) Political Activity. Employees may not hold elective office in the Town.

Employees shall not, in ~~their~~ the employee's working area or during ~~their~~ employee's working hours, engage in political activity relating to Town government except to sign a nomination petition or to vote. An employee may express a private or personal opinion with respect to Town government political issues only in an area provided as a lunch or break room, and then only during authorized breaks or the unpaid lunch period.

No employee shall attempt to influence or to pressure any other employee, citizen or resident to obtain any property or contribution of money, time or support, directly or indirectly, for any political campaign or personal gain during the employee's or any other employee's working hours or in the working area.

(c) Alcohol and Drugs. Employees must report to work free of drugs, intoxicants, alcohol, narcotics, or any other controlled substance.

Employees may be disciplined, up to and including termination, for possession, consumption, not being free of, or use of any drugs, drug paraphernalia, intoxicants, alcohol, narcotics, or any other controlled substance, at any time while on Town property or while performing Town work.

Employees must report to ~~their~~ the employee's supervisor or ~~Town Chair~~Personnel Committee when ~~they~~ the employee are taking any prescription or over-the-counter medication known to cause dizziness or drowsiness or that might affect ~~their~~ the employee's senses, motor ability, judgment, reflexes, or otherwise affect ~~their~~ the employee's ability to perform ~~their~~ the employee's job.

The purpose of these work rules is: (a) to establish and maintain a safer, healthier working environment; (b) to help reduce the number of and potential for industrial injuries; (c) to aid in reducing absenteeism and tardiness; and, (d) to improve job performance.

Town employees who hold a commercial driver's license and who perform safety-sensitive functions are subject to Department of Transportation regulations mandating pre-employment, random, reasonable suspicion, post-accident, return to duty and follow-up drug-testing and in accordance with the Town's Alcohol and Substance Abuse testing policy.

The Town may require an employee to undergo a drug and/or alcohol screening test to verify compliance with this rule and related state and federal regulations. The procedure for drug and/or alcohol testing is provided for in the Appendix to this handbook. Refusal to cooperate with this rule may result in discipline, up to and including termination. Depending upon the seriousness and circumstances of the violation, and at the Town's sole discretion, an employee who tests positive for drugs and/or alcohol may be referred to counseling, rehabilitation, or to an employee assistance program, if any, at the employee's sole expense.

(d) Public Service. All Town employees are public servants. Employees shall, at all times

and in all circumstances while dealing with the public, conduct themselves in a manner, which reflects favorably upon the Town.

Employees shall provide the public with prompt, courteous, effective and efficient service, and shall promptly and accurately communicate citizen comments, concerns and questions to ~~their~~the employee's immediate supervisor or ~~Town Chair~~Personnel Committee who shall refer potential action matters to the attention of the ~~Clerk-Treasurer~~Clerk and the Town Board.
Again, to the personnel committee… please remove submission to the clerk. Jo Everson

(e) Appearance. Town employees shall dress appropriately for ~~their~~the employee's position and job duties. Employees shall maintain reasonable standards of neatness and cleanliness. Clothing that is imprinted with illustrations or messages that may be insulting, demeaning, harassing or offensive to co-workers or the public are prohibited. Jewelry, perfume and other accessories should not interfere with an employee's or co-workers' ability to do ~~their~~the employee's jobs and should not pose a safety or health hazard. Reporting to work in other than a presentable condition may necessitate ~~your~~ the employee being sent home to change. Repeated violations may lead to disciplinary action up to and including termination of employment. Those employees who are furnished uniforms, protective gear and/or I.D. badges are required to wear all such items as furnished by the Town.

(f) ~~Code of Ethics. The Town has adopted ordinances, which address actual and potential conflicts of interest between its employee and the conduct of Town business. These laws apply to all Town employees, and a reprint of the applicable ordinances is included in the Appendix to this handbook.~~
Does the Town have a code of ethics? This needs to be reviewed Jo Everson

(g) Payment Other Than Wages. Employees shall not accept or solicit any individual fee, gift, discount, entertainment or anything of value in the course of performing Town work. No employee shall accept or solicit any direct or indirect payment, other than wages and benefits paid in the normal course of employment by the Town, as compensation for performing any Town job or providing any Town service.

(h) Private and Public Property. Property of any value found by or coming into the hands of employees from any person during the performance of ~~their~~the employee's duties shall not be converted to personal use or for personal gain, but shall be reported to and surrendered to the supervisor for disposal or processing according to established departmental procedures.

Employees shall not remove any Town property, any property belonging to Town contractors, property in Town custody, or the property of any other Town employee from the work site.

This policy does not preclude employees' use of Town property or vehicles when necessary for job performance or where given prior approval to perform work appropriate to the job away from the work site, to travel to and from the work site, or to

use Town property for minor or occasional personal use upon prior approval and after providing reasonable indemnification to the Town for such use.

(i) Smoking. In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in Town buildings and in Town vehicles is strictly prohibited. Employees violating this policy may be subject to disciplinary action, up to and including discharge. This includes vaping and electronic cigarettes. Jo Everson

(j) Safety and Health. As a Town employee, the employee has a personal responsibility keep oneself, co-workers, and equipment free from accident. Employees shall at all times conduct ~~their~~the employee's work in a safe and healthful manner with the public, ~~their~~the employee's own, and ~~their~~the employee's fellow workers' safety ~~their~~the employee's first priority. Doing the job safely is as much a part of job performance as technical knowledge, skill or ability. Therefore, ~~you~~ the employee should report any unsafe practice and conditions to ~~your~~ the employee's supervisor at once. Delay may result in serious injury.

Employees shall comply with all posted, promulgated or legally mandated health and safety regulations pertaining to the performance of ~~their~~the employee's jobs and the maintenance of ~~their~~the employee's work spaces. Employees must, at all times, wear any safety equipment and clothing, and any safety guards or devices provided for or mandated to be used as part of performing ~~their~~the employee's job duties. Employee's failure to us/wear safety gear will be subject to disciplinary action up to and including termination. Public works should be required to wear safety vest / safety boots. No tennis shoes. Jo Everson

All work related injuries or illnesses of any kind, no matter how minor or severe, shall be reported to the supervisor immediately. If ~~you~~ the employee ~~are~~ is injured on the job (or if ~~you~~ the employee ~~are~~ is a witness to an injury) ~~you~~ the employee must report the incident as soon as possible after taking necessary action to prevent further injury or death. ~~You~~ The employee may also be required to make a written report about the incident to Town management.

The Town of Osceola welcomes and encourages suggestions from all employees regarding safety.

(k) Job Accountability. Employees shall perform the duties of ~~their~~the employee's job and shall comply with the orders and directions of ~~their~~the employee's immediate supervisor.

Job performance shall meet the reasonable work standards established by supervisors, the Town administration, and as promulgated from time to time by the Town Board.

Employees shall submit timely and accurate time cards, and shall provide personal information as required for the Town to comply with state and federal labor laws, record

keeping and maintenance, and insurance requirements. A change of name, address, home telephone number, or change affecting fringe benefits or tax withholding information shall be reported to the ~~Town Chair~~Personnel Committee ~~or , Clerk Treasurer~~Clerk or Treasurer without delay. Employees shall not falsify any report, supply any false or misleading information, or report or falsify any information of another Town employee.

Employees shall notify the supervisor whenever leaving the work site, and shall immediately report for duty upon the expiration of any break or lunch period. Employees shall not leave work, commence clean up or stop work without notifying the supervisor.

(l) Telephone. Employees shall not use Town telephones for personal or long distance calling except with prior authorization of the supervisor or in the case of an emergency. Or personnel cell phones unless it is an emergency. Jo Everson

(m) Outside Employment. Regular full time Town employees shall not hold employment outside ~~their~~the employee's employment with the Town if such outside employment will create any actual or any appearance of a conflict of interest with the Town, if such outside employment will affect the efficient and effective performance of ~~their~~the employee's job duties, or if such outside employment makes it necessary for any reason to change ~~their~~the employee's work assignment or schedule.

(n) Residency. The Town requires that employees live in or reasonably near the Town to be available to help the citizens, and to be able to respond to emergencies quickly. Town employees are required to live within 20 minutes of the Town Hall unless the Board agrees by ~~two thirds~~three fifths vote to override the ruling. Please check on this. It is my understanding that you cannot required residency as a condition to employment. Jo Everson

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(o) Bulletin Boards. It is the policy of the Town to keep employees informed of Town activities. The Town may also provide a bulletin board in a location convenient for use by its employees. Authorization for employees to use the Town bulletin board must first be obtained from management. All persons who post notices, letters, and the like on Town bulletin boards without first obtaining authorizations will be subject to disciplinary action, up to and including termination.

(p) Confidentiality. It is the policy of the Town of Osceola to ensure that the operation, activities, and business affairs of the organization and our clients are kept confidential to the greatest possible extent. If, during the course of employment, ~~you~~ the employee acquire confidential or proprietary information about the Town, such information is to be handled in strict confidence and not to be disclosed with others. Employees are also responsible for the internal security of such information.

Nothing in this policy is intended to prohibit employees from discussing with others ~~their~~the employee's wages, hours or terms and conditions of employment.

Employees found to be violating this policy are subject to disciplinary action, up to and

including termination.

(q) Performance Evaluation. ~~Your~~ The employee's supervisor will normally conduct a formal review of ~~your~~ the employees' performance sometime during ~~your~~ the employees first year of employment. Thereafter, performance evaluations will normally occur on an annual basis. Such evaluations may include a review of ~~your~~ the employee's quality and quantity of work, dependability, job knowledge, judgment, initiative and other job-related issues. These evaluations can serve as an assessment of ~~your~~ the employee's performance and a tool for planning ~~your~~ the employees career development. Please expand on this, who does the eval, when are they required. Etc. Jo Everson

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SECTION 8
DISCIPLINE

8.1 State laws, in particular Sections 946.10 through 946.18 of the Wisconsin Statutes, prohibit all public employees from engaging in certain kinds of conduct. If a public employee engages in one of these prohibited acts, it could be treated as a felony offense calling for a term in prison, a fine of up to $10,000, or both. Some kinds of conduct all public employees must avoid include, but are not limited to:

(a) Accepting or expressing a willingness to accept, either directly or indirectly, anything of value that could influence ~~their~~the employee's conduct, including decisions made in the Town as a public employee.

(b) Asking for or accepting any special privilege from a public utility.

or accepting any special privilege from

(c) Intentionally soliciting or accepting anything of value for performing a service or duty that is part of an employee's responsibilities.

(d) Intentionally failing or refusing to perform any lawful duty that is assigned or one that is required by law, administrative rule or ordinance.

(e) Intentionally acting in excess of the authority an employee is entitled to exercise.

(f) Bidding for, negotiating or entering into a contract that involves an expenditure of $15,000 a year or more and in which the employee has a personal interest or may realize a personal gain.

(g) Giving anything of value to another person for the purpose of securing the passage or defeat of a measure before the state legislature.

8.2 Town employees are also expected to observe reasonable rules of personal conduct governing ~~their~~the employee's behavior on the job. Disciplinary action against Town employees may be taken for violations of any personnel policies and procedures or for unsatisfactory work performance. At the Town's sole discretion, various types of employee discipline may be imposed which include, but are not limited to, the following: verbal warning, written warning or suspension. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. Employees who violate Town policies and procedures or who have unsatisfactory work performance are subject to disciplinary action, up to and including discharge from employment.

8.3 Town employees are expected to work in a competent and conscientious manner which reflects favorably upon the employee and the Town. Instances may occur when an employee has exhibited questionable behavior and corrective action is necessary. The following is a list of examples of behavior which would normally justify corrective action.

1. Fraud in securing employment
2. Incompetency
3. Inefficiency
4. Unauthorized absences
5. Repeated absence or tardiness
6. Neglect of duty
7. Insubordination or willful misconduct
8. Dishonesty/theft of Town property
9. Assuming duties while under the influence of controlled substances or intoxicants; or possession of use of intoxicants or controlled substances during working hours
10. Conviction of a felony or misdemeanor the circumstances of which are substantially related to the duties performed
11. Negligence or willful damage to property
12. Discourteous treatment of the public or fellow employees
13. Loss of driver's license if required for the job
14. Sexual or other unlawful harassment or discrimination

15. Violation of any lawful order, directive, policy, or work rule

16. Safety violations involving failure to wear appropriate safety gear or will-full failure to follow proper safety procedures

The offenses listed above are not intended to be all-inclusive, and discipline or discharge may occur for any other reason depending upon the seriousness of the offense and the particular circumstances involved.

SECTION 9
WAGES, HOURS AND WORKING CONDITIONS

9.1 The Town employs persons in a full time, part time, and temporary, or seasonal position.

(a) Full Time. A full time employee is one who is regularly scheduled to work forty (40) or more hours per week. Jobs included under this title include public works supervisor, public works employee. Jo Everson

(b) Part Time. A part time employee is one who is regularly scheduled to work less than forty (40) hours per week. Jobs included under this title include Town Clerk, Town Treasurer. Jo Everson

(c) Temporary/Seasonal. A temporary or seasonal employee is one who is hired for a specified period of time, for a specified, limited position or project, and who, during such limited period or for such limited purpose, is generally not scheduled to work more than forty (40) hours per week. Jobs included under this title include election inspectors, part-time public works employees. Jo Everson

9.2 In addition to the categories above, each position is designated as either non-exempt or exempt from federal and state wage and hour laws. Since we do not have any salaried employees, it would be best to remove the exempt status. No Confusion. Jo Everson

(a) Non-exempt employees are entitled to overtime pay pursuant to federal and state wage and hour laws.

~~(b) Exempt employees are excluded from certain provisions of federal and state wage and hour laws and are not eligible for overtime pay.~~ Jo Everson

9.3 A normal work week is Monday through Friday eight hours a day unless the ~~Town Chair~~Personnel Committee or Supervisor modifies the work schedule. The Town of Osceola reserves the right to schedule and/or change all hours and schedules of work as deemed necessary by the Town.

(a) Public work normal hours may be adjusted from May 1 to November 1 to Monday through Thursday ten hours a day.

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9.4 Employees that are paid an hourly rate are considered non-exempt and shall be paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous pay period (that ends on the Friday before payday).

~~Salaried employees are considered exempt and shall be paid once a month after paychecks have been signed the first Tuesday of each month at the Town Board meeting. Each paycheck will include earnings for all work performed through the end of the current month.~~ Jo Everson

(1) If the pay date falls on a scheduled day off holiday, employees will receive pay on the last day of work before the regularly scheduled payday.
(2) Paychecks will not be distributed early.
(3) If the employee is on vacation, ill, or for some other reason does not report to work on the payday, the Town will retain ~~his/her~~the employee's paycheck until ~~he/she~~the employee returns to work, unless the employee has made other arrangements.

Each employee is required to complete a time sheet in accordance with approved format and record the hours worked, vacation time, sick time and holidays per pay period. Each time sheet shall be signed by the employee and submitted to the payroll office.

9.5 Full-time Town employees are entitled to an unpaid, 30-minute duty-free lunch period during each work day; and, may take two paid, 15-minute break periods per work day.

If taken, one 15-minute break period must be taken during the first half of the work day, the other must be taken during the second half of the work day. The breaks may not be taken at the beginning or at the end of the work day. ~~They~~The breaks may not be taken immediately before or after the lunch break. ~~They~~The breaks may not be aggregated, substituted, traded, banked, saved, credited, or in any other manner manipulated to effect any change in the employee's work schedule.

Break periods are calculated from start to finish regardless of the time, place or manner of ~~their~~the employee's exercise. No break period may be taken if doing so will leave any Town office, facility or other public contact location untended or unavailable for public service.

9.6 The Town, through its supervisors, may require any employee at any time to work beyond the end of ~~his/her~~ the employee's scheduled working ~~hour for~~hours for that day, or beyond ~~his/her~~ the employee's total hours of the normal work week. I question "through its supervisors" Jo Everson

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In the event the Town requires overtime work to be performed, it shall compensate non-exempt employees who perform actual work in excess of forty (40) hours during any work week at the rate of one and one-half times ~~their~~the employee's regular rate of pay.
Employees shall not work in excess of forty (40) hours during any work week without the express prior authorization of an immediate supervisor or the ~~Town Chair~~Personnel Committee. The immediate supervisor or the ~~Town Chair~~Personnel Committee may reduce an employee's

regularly scheduled work week in order to avoid the payment of overtime. No such prior authorization shall carry over to, or apply to any pay period except the one for which the authorization is actually made. This needs to be reviewed and discussed. Jo Everson

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Hours credited as actually worked because of a paid holiday shall be included in determining whether an employee has actually worked in excess of forty (40) hours during a work week.

Pay which an employee receives because of personal leave, vacation, other leave taking, or due to any premium paid for actual work on a holiday shall not be included in determining whether an employee has actually worked in excess of forty (40) hours during a work week. This IS required by law. Jo Everson

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Employees will be paid for overtime hours actually worked along with the regular compensation for the pay period in which it is earned. Extra work will be converted at one and one half times the employee's regular pay rate. ~~Employees may choose instead to have their one and one half times converted to comp time. Employees may accrue up to 45 hours comp time in a calendar year. Any comp time not used by December 31st will be paid out.~~

SECTION 10
POLICY ON EXEMPT EMPLOYEE PAY

Provisions Mandated by the Salary Basis Rules

10.1 Exempt employees normally must receive ~~their~~the employee's full salary for any week in which ~~they~~the employee perform any work, without regard to the number of days or hours worked. However, exempt employees need not be paid for any workweek in which ~~they~~the employee perform NO work at all for the organization.

10.2 Deductions from pay cannot be made as a result of absences due to the circumstances listed below. Such improper pay deductions are therefore specifically prohibited by the Town regardless of the circumstances. Supervisors violating this policy will be subject to investigation of ~~their~~the employee's pay practices and appropriate corrective action in accordance with normal procedures.

A. Jury duty

B. Attendance as a witness

C. Temporary military leave

D. Absences caused by the employer

E. Absences caused by the operating requirements of the business

F. Partial day amounts other than those specifically discussed below

10.3 The few exceptions to the requirement to pay exempt employees on a salary basis are listed below. In these cases deductions may be permissible as long as ~~they~~the employees are consistent with other Town policies and practices.

A. Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid).

B. Absences of one or more full days due to sickness or disability.

C. Fees received by the employee for jury or witness duty or military leave may be applied to offset the pay otherwise due to the employee for the week. No deductions can be made for failure to work for these reasons, however.

D. Penalties imposed by infractions of safety rules of major significance.

E. Unpaid disciplinary suspensions of one or more full days in accordance with the Town's disciplinary policy.

F. Deductions for the first and last week of employment, when only part of the week is worked by the employee, as long as this practice is consistently applied to all exempt employees in the same circumstances.

G. Deductions for unpaid leave taken in accordance with a legitimate absence under the Family and Medical Leave Act.

~~Complaint~~Grievance Procedure

1. Employees who believe ~~their~~the employee's pay has been improperly reduced should contact the ~~Town Chair~~Personnel Committee immediately to request an investigation.

2. The employee will be asked to specify in writing, using the guidance above, the circumstances of the pay deduction and whether it has occurred on other occasions.

3. The Town will review pay records and interview the supervisor, as well as the payroll representatives handling the employee's pay, to determine if the allegation is correct.

4. If the deduction was in fact improper, the Town will reimburse the employee as promptly as possible (but in no case longer than two pay periods from the identification of the problem).

5. The individual(s) responsible for the error will be investigated further to determine if this was an isolated incident or a pattern of conduct that requires further action on the part of the Town. If warranted, the responsible person(s) will be held accountable for the error(s) made consistent with Town disciplinary policy.

6. The resolution of the situation will be documented (including confirmation on the part of the employee that the situation has been resolved) and placed with the employee's pay records.

7. Following the identification of such a problem, the Town will establish a practice to regularly audit employee pay records to ensure no further issues arise.

SECTION 11
LEAVES AND BENEFITS

If we are going to use PTO, then use it. Can't be PTO & Vacation & Sick leave separately. Remove ¾" time. Jo Everson

11.1 After completing the probationary period, the Town provides certain leaves, allowances for paid time off, and benefits as follows:

(a) Sick Leave. A ¾ time employee accrues 30 hours and a full time employee accrues 40 hours of sick leave on January 1st each year. A maximum of 160 hours can be carried over into the next calendar year.

Sick leave may be used by an employee for illness, doctor/dental appointments, tending to immediate family members illness, and attending funerals if immediate family members. Should the Town Board deem sick leave use excessive, a written statement by a doctor may be required.

In the event of illness or other absence under this benefit, the employee must notify the immediate supervisor or Town daily before the regular starting time.

Employees who provide the Town with timely notice and who are absent due to illness or injury for three consecutive work days may be required to submit a physician's certification or other medical authorization before being permitted to return to work.

Failure to timely notify of an absence under this policy, to report for duty as scheduled, or to provide a physician's certification or other medical authorization when requested may result in automatic termination of employment.

Employees may also be disciplined or terminated for repeated, habitual or excessive tardiness or absences, for repeated, habitual or excessive tardiness in timely returning to work after breaks or lunch periods, for similar early departure from work, or for any failure to report to work when benefits under this policy have been exhausted.

(b) Paid Time Off (PTO). PTO combines vacation and floating (personal) days into one plan. ~~Any ¾ time or full time employee who has completed the probationary period shall be entitled to PTO time.~~

Time off taken will be at the approval of the ~~Town Chair~~Personnel Committee. PTO time will be awarded at January 1st of each calendar year.

Upon hire, the employees' PTO will be pro-rated from hire date to Dec. 31st as states in the schedule below. The employee will not be able to start using the employee's PTO until the employee has completed the probationary period. Should an employee's employment be terminated for any reason prior to December 31st of the given year, the PTO shall be prorated based on the days worked in the calendar year. If an employee has used more PTO than actually accrued during the partial year worked, the employee's final payroll check will be debited for the appropriate amount.

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Years of Service	PTO Accrued/Year			
	~~Hours ¾~~	Hours-Full	~~Days~~	~~Weeks~~
0 to 5	~~60~~	80	~~10~~	~~2~~
6 to 10	~~90~~	120	~~15~~	~~3~~
11 to 15	~~105~~	140	~~17 ½~~	~~3 ½~~
16 to 20	~~120~~	160	~~20~~	~~4~~
21 or more	~~150~~	200	~~25~~	~~5~~

The employee may ~~carryover~~carry over into the next calendar year up to 80 hours of PTO and will be compensated for any remaining, carried over PTO should ~~his/her~~ the employee's employment end. I believe this is too high. I think it should be 40 hours only. Jo Everson

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Accumulation of the Paid Time Off benefit according to the preceding schedule is based on continuous, uninterrupted employment with the Town.

Upon termination of employment, employees shall be compensated for any accrued and accumulated Paid Time Off leave benefit up to the 280 hour maximum in the final pay check at the employee's then current regular rate of pay. This is a lot of hours. This needs to be discussed in more detail. Jo Everson

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Vacation leave must be requested in writing at least ten (10) work days in advance of its intended commencement date. The ~~Chair~~Personnel Committee may grant or deny a request for vacation leave depending on departmental or emergency work schedule requirements or conflicts with other scheduled vacations in the same department. The Town reserves the right to determine the number of personnel to be on vacation at any one time. Generally, vacation leave requests shall be granted on a first come, first served basis. I think probationary time should be included here, especially when and how probationary time can be used. Jo Everson

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(c) Holidays. After completion of the probationary period, the paid holidays that occur within the normal work week in addition to the PTO ~~¾~~ and full-time employees receive are: Include these hours at 8 hours per holiday and in PTO hours. Jo Everson

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January 1
Memorial Day
July 4
Labor Day
Thanksgiving Day
Christmas Day

Employees shall be entitled to the listed days off with pay at ~~their~~the employee's regular hourly rate. If an employee works a holiday, the pay for the time actually worked will be additional compensation at the rate of 1 ½ times the employee's regular hourly rate.
If a holiday falls on a Saturday, the preceding Friday shall be deemed and observed as the holiday. If the holiday falls on a Sunday, the following Monday shall be deemed and observed as the holiday or other agreed upon day by the employee and ~~Town Chair~~Personnel Committee.

~~When December 25 falls on a Saturday or a Sunday, the preceding Friday or the following Monday shall be deemed and observed as the Christmas Eve holiday upon approval by the Town Chair.~~

Unless granted prior approval by an immediate supervisor or ~~Town Chair~~Personnel Committee, an employee who is on work status but fails to actually work, if scheduled, the day before and the day after any holiday forfeits any entitlement to holiday pay.

(d) Military Leave. All military leaves will be granted in accordance with state and federal law. For additional details regarding ~~your~~ the employee's rights in this regard, please contact the ~~Town Chair~~Personnel Committee.

(e) Jury Duty. Employees called to jury duty or subpoenaed to appear as a witness on behalf of the Town in a legal proceeding shall receive ~~their~~the employee's regular rate of pay for all time actually away from the job attributable to such service.

To receive jury duty pay, the employee must provide the Town with adequate proof of service and actual attendance at the proceeding, and shall surrender to the Town any jury duty pay or witness fee, less mileage allowance, received related to such service.

An employee called to jury duty or to act as a witness must report back to work as soon as reasonably possible during the work day whenever such service requires the employee to be absent from the work place for less than a full work day.

(f) Workers and Unemployment Compensation. The Town provides workers compensation insurance and unemployment compensation insurance benefits as provided by law.

(g) Retirement Program. After completion of ~~their~~the employee's probationary period, employees who qualify will be enrolled in the Wisconsin Retirement System.

Wisconsin Retirement System

Employees who meet Department of Employee Trust Funds (ETF) eligibility requirements are enrolled in the Wisconsin Retirement System (WRS) and are required to contribute a percentage of ~~their~~the employee's paycheck into the pension plan. Based upon the employee's WRS employment category, the Town contributes a percentage equal to or greater than the employee's contribution. The total contribution is calculated based on gross wages paid to the employee for each pay period. Employee contribution percentages may vary each year. More information on WRS requirements may be obtained at etf.wi.gov. ~~Employees enrolled in the WRS program may contribute additional retirement funds into the Wisconsin Deferred Compensation Program. Funds will not matched by the employer.~~Jo Everson

~~Wisconsin Deferred Compensation Program~~
~~Full-time employees hired prior to January 1, 2019 may elect to defer part of their income into a 457 (b) retirement plan through the Wisconsin Deferred Compensation Program. For those who have elected to not participate in WRS and remain with Wisconsin Deferred Compensation, the Town contributes the same percentage as with WRS and is calculated based on gross wages paid to the employee for each pay period. Employer contributions may vary each year.~~ Jo Everson

(h) Short-Term Disability. Eligibility for the short-term disability (STD) plan is a one-month waiting period effective the 1st of the month following completion of the probationary period. The STD plan provides income protection in the event an employee is unable to work for seven consecutive days due to a covered non-occupational accident or sickness (including maternity leave) and is under a doctor's care. The maximum maternity benefit allowed under the STD policy is ***six weeks***. The weekly benefit payment will equal 60% of the employee's current weekly base earnings, not to exceed $500 per week. The weekly benefit payment is considered taxable income. The maximum benefit period is 13 weeks. Benefit is for Full-Time employee only. Jo Everson

(i) Social Security. The Town of Osceola is under the Federal Social Security Program. As required by law, the Town contributes an amount set by law to ~~your~~ the employee's Social Security account. The amount which ~~you~~ the employee contribute to the program through payroll deduction is the amount set by law to ~~your~~ the employee's Social Security account. Social Security benefits are available to ~~you~~ the employee to the extent authorized by law.

(j) Tuition Reimbursement Policy:
Departments shall budget annually for job-related training as needed. Employee training will be set for the next year during the employees review.

SECTION 12
ELECTRONIC MEDIA USE

12.1 Advances in technology have increased our dependence upon computer systems for storage, processing, and transmission of information. It is the policy of the Town that information, in all its forms, written, spoken, recorded electronically, or printed, will be protected from accidental or intentional unauthorized modification, destruction, or disclosure. All electronic media must be protected from misuse, unauthorized manipulation, and destruction. Protection measures may be physical and/or software oriented. All persons using the Town's computer resources should take precautions against the introduction of computer viruses into individual machines or computer networks.

12.2 Town of Osceola intends to honor the policies set forth below but must reserve the right to change ~~them~~the policies at any time as may be required under the circumstances.

(a) Town of Osceola provides and maintains numerous forms of electronic media, including but not limited to e-mail, Internet access, telephones and computer systems. All of these electronic media systems may be provided by Town of Osceola to assist in the conduct of business within Town of Osceola.

(b) All electronic media systems are Town of Osceola property. Additionally, all messages and files composed, sent or received on these systems are and remain the property of Town of Osceola. They are not the private property of any employee.

(c) The use of the Town's electronic media systems is reserved solely for the conduct of business at the Town of Osceola during working hours. However, if employees wish to use these systems during breaks, lunch periods, or before and after regular working hours, ~~they~~the employee may do so but employees are specifically prohibited from using these services for any illegal, illicit, immoral or offensive purposes.

(d) The electronic media systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitations.

(e) The electronic media systems are not to be used to create any offensive or disruptive messages or documents. Among those which are considered offensive are any messages/documents which contain sexual implications, racial slurs, gender-specific comments or other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin or disability.

(f) The electronic media systems may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization.

(g) Town of Osceola reserves and intends to exercise the right to review, audit, access and disclose all internet activity and any messages or documents created, received or sent over the Town's electronic media systems for any purpose. The contents of messages or other communications properly obtained for legitimate business purposes may be disclosed within the Town of Osceola without the permission of the employee.

(h) The confidentiality of any message cannot be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to management or ~~they~~the passwords are invalid and cannot be used.

(i) Notwithstanding Town of Osceola's right to retrieve and read any electronic media messages or documents, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any messages or documents that are not sent to ~~them~~the employee. Any exception to this policy must receive prior approval from management.

(j) Employees may not modify, delete, or destroy any Town document created by any electronic media unless specifically authorized to do so.

(k) Employees may not use a code, access a file or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's messages without ~~their~~the employee's permission. All computer pass codes must be provided to management. No pass code may be used that is unknown to management.

(l) All users have the responsibility to report any discovered or suspected unauthorized access attempts or other improper usage of Town computers, networks, or other information processing equipment. If ~~you~~ the employee observes, or have reported to ~~you~~ the employee, a security or abuse problem, including violations of the policy, report the situation to ~~your~~ the employee's immediate supervisor or the Owner. When there is an indication of a violation of state or federal law, the appropriate agency will be contacted.

12.3 All usage of electronic media is a privilege and not a right, and any misuse may result in the revocation of the privilege. Any employee who violates this policy or uses the Town's electronic media systems for improper purposes is subject to discipline, up to and including ~~discharge~~ termination. Furthermore, under Wis. Stat. § 947.0125, an employee could face criminal sanctions for threatening, intimidating, abusive, or harassing messages sent to another person through electronic mail or other electronic equipment.

SECTION 13
SEPARATION FROM EMPLOYMENT

13.1 Separation from employment includes, but is not limited to, resignation, retirement, reduction in work force, failure to return from approved leave, discharge from employment, or disability. Such employment separations may be voluntary or involuntary. If ~~you~~ the employee decides to voluntarily terminate ~~your~~ the employee's employment with the Town, we request that ~~you~~ the employee give at least two weeks advance notice so that any necessary replacement employees can be recruited or otherwise assigned.

13.2 Upon any separation from employment, compensation and benefits which ~~you~~ the employee ~~have~~ has earned and accrued will be credited to ~~you~~ the employee pursuant to this handbook and the law. ~~Your~~ The employee's last day worked will in most cases be considered ~~your~~ the employee's last day of employment. The Town reserves the right to determine the last day of employment.

13.3 It is the policy of the Town of Osceola that all separating employees shall participate in an exit interview with the ~~Town Chair~~Personnel Committee. This policy shall apply to both voluntary and involuntary separations and shall typically occur on the employee's last day. The employee shall return all Town-owned property and settle any indebtedness to the Town prior to or during ~~their~~the employee's exit interview. The exit interview process provides the employee with an opportunity to express viewpoints on such matters as the reason for termination, quality of supervision, adequacy of salary and employee benefits, as well as other factors which may be of importance to the Town. During the exit interview process, employees will be advised of ~~their~~the employee's eligibility to continue certain benefits and to make arrangements to receive ~~their~~the employee's final paycheck.

TOWN OF OSCEOLA

Employment
Policy and Procedures
Handbook

EMPLOYEE ACKNOWLEDGMENT

I, _____, acknowledge receipt of this Employee Handbook.

I understand that while the Town of Osceola believes wholeheartedly in its policies and procedures, many of which are set out in the Handbook, ~~they~~the policyies are not conditions of employment. Rather, the Employee Handbook is simply a means to acquaint me with the Town of Osceola and its operations, and provide guidelines in regard to its policies and my employment.

I understand that by accepting employment with the Town of Osceola, I am not being asked or required to provide anything in return beyond my services. I further understand that the Employee Handbook does not constitute a contract of employment, express or implied, between the Town of Osceola and myself and that no oral statements by supervisors or management can alter this disclaimer or create a contract. Only the Town of Osceola has the authority to create an employment contract, and such contract must be in writing and signed by the Town of Osceola Town Board to be valid. I understand that my employment with the Town of Osceola is "at-will," not for any definite period of time, and may be terminated by myself or the Town at any time and for any reason not prohibited by law.

I understand that the Town of Osceola retains the right to adopt work rules that are consistent with the terms of employment in the Wisconsin State Statutes.

I understand that the Town of Osceola reserves the right to modify, amend, or delete any provisions of the Employee Handbook at any time. I will receive copies of any such modifications, amendments, or deletions.

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

_____
Printed Name

_____
Signature

Date: _____

TOWN OF OSCEOLA

Employment
Policy and Procedures
Handbook

APPENDIX

A. **Alcohol and Other Drug Assessment and Testing Procedure**

B. **Receipt of Gifts and Gratuities Prohibited, and Disclosure of Interest in Legislation**

C. **Residency Required**

D. **Adopting Resolution Dated _____**

APPENDIX A

Alcohol and Other Drug Assessment and Testing Procedure

This policy is for DOT employees only, regardless of if part-time or full time. This is where I believe the Board may need to appoint someone to administer. I'm not sure it should be the Clerk. I'm not opposed to the Clerk, but that person needs to be trained and understand the importance of the policy. I don't know if Denise has had this or not. Have you reviewed it Dale. Jo Everson

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The Town of Osceola believes it has an obligation to take all reasonable efforts necessary to provide a safe workplace for its employees, free from avoidable hazards. Employees working under the influence of illegal drugs and/or alcohol are safety hazards to themselves and to those around ~~them~~the employee. In order to further the purpose of our Drug and Alcohol Abuse Policy, it is therefore necessary to directly address the issue of drug and alcohol use at the workplace with a clear policy.

A. Applicability

All Town employees are subject to the drug and alcohol testing provisions of this policy.

B. Testing Requirements

Alcohol and controlled substances tests may be administered at any time while the employee is performing work for the Town, including off-site work.

1. Random Testing

a. The Town reserves the right to implement unannounced random alcohol and controlled substances testing at a rate to be determined and announced by the Town.

b. The selection of employees for random testing will be made by a scientifically valid method determined by ~~WWMA Hudson Physicians for DOT required Drivers' Testing~~Bellin Health. Each employee shall have an equal chance of being selected for testing each time selections are made. I don't think this is the correct facility right now. Jo Everson

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c. Random alcohol and controlled substances tests shall be unannounced and spread reasonably throughout the year.

d. Employees who are notified of selection for random testing are required to proceed to the test site immediately after notification.

2. Reasonable Suspicion Testing

a. An employee shall promptly submit to an alcohol or controlled

substances test whenever a supervisor or ~~Town Chair~~Personnel Committee has a reasonable suspicion to believe that the alcohol and drug abuse policy has been violated.

b. A determination that a reasonable suspicion exists that an employee has violated the alcohol and drug abuse policy shall be based on specific, contemporaneous, articulable observations concerning the employee's appearance, behavior, speech or body odors made during, just before, or just after the period of the workday that the employee is required to be in compliance with this policy.

c. When a supervisor or ~~Town Chair~~Personnel Committee has determined that a reasonable suspicion test is required, the employee will be sent/taken home following the administration of the test. The employee will not return to duty for at least the remainder of that workday.

d. Once the test has been completed, the supervisor or Town official who observed the behavior which led to the test must submit a written report to the Town outlining, in detail, the event and the behavior that was observed that lead the supervisor to believe that the employee was under the influence of alcohol and/or drugs.

C. Testing Facility

All alcohol and drug testing procedures will take place at Osceola Medical Center.

D. Consequences/Discipline

1. If the result of any drug or alcohol test conducted in accordance with this policy is confirmed positive for the presence of drugs or alcohol, the employee will be contacted and advised that ~~they~~the employee have 72 hours to request a confirmatory retest, at the employee's expense.

2. If the confirmatory retest is also positive, the Town reserves the right to temporarily suspend the tested employee for a period of up to six (6) weeks without pay. No benefits will accrue to the tested employee during the period of unpaid suspension.

3. An employee who tests positive for drugs and/or alcohol use may seek assistance and rehabilitation through any available means, at the employee's sole expense. Any Town-provided insurance, if applicable, may be utilized by the employee. Assistance will be provided on a confidential basis. Employees who test positive for substance abuse and who are referred for counseling or treatment will be limited to one opportunity for counseling or treatment for substance abuse. A second

positive drug or alcohol test result will lead to immediate discharge from employment. An employee terminated for this reason will be ineligible for rehire.

4. Employees who voluntarily come forward and admit to renewed substance abuse problems, other than as a consequence of a positive test result, will be afforded the opportunity to take a medical leave of absence in order to readmit themselves into an appropriate rehabilitation program without jeopardizing ~~their~~the employee's continued employment status. This "last chance" program will be available to anyone who has once gone through a rehabilitation program as a result of a positive drug/alcohol test, but only to those employees who voluntarily come forward and request readmission.

5. Employees have the right to refuse to undergo drug and/or alcohol testing. However, if the employee refuses to participate in the drug and/or alcohol test, ~~he or she~~ the employee will be disciplined up to and including termination. The termination will be considered a voluntary quit.

6. Where applicable and available, sick leave may be used for treatment and rehabilitation on the same basis as for other health problems.

APPENDIX B

Receipt of Gifts and Gratuities Prohibited and Disclosure of Interest in Legislation

RECEIPT OF GIFTS AND GRATUITIES PROHIBITED.

(1) No employee or official of the Town shall receive or offer to receive, either directly or indirectly, any gift, gratuity or anything of value in excess of $25 which he is not authorized to receive from any person if such person:

(a) Has or is seeking to obtain contractual or other business or financial relationship with the Town Board; or

(b) Conducts operations or activities which are regulated by the Town; or

(c) Has interests which may be substantially affected by the Town Board.

(2) The receipt of any gift, gratuity or anything of value, as denoted above, is contrary to the public policy of the Town.

DISCLOSURE OF INTEREST IN LEGISLATION.

(1) Any member of the Town Board who has a financial interest or personal interest in any proposed legislation before the Town Board shall disclose on the records of the Town Board the nature and extent of such interest.

(2) Any other Town official or employee who has a financial or personal interest in any proposed legislative action of the Town Board and who participates in discussion with or gives an official opinion or recommendation to the Town Board shall disclose on the records of the Board the nature and extent of such interest.

APPENDIX C

Residency Required

I commented on this earlier. I think it is illegal to required redisency in employment status. Jo Everson

RESIDENCY REQUIRED.

(1) PURPOSE AND MANDATE. The Town Board of Supervisors find that it is necessary, convenient and proper, in order to provide for the health, safety, general welfare, administrative and emergency needs of the citizens, that certain essential Town officials, reside within 20 minutes of a call to duty.

(2) SCOPE AND APPLICATION.

(a) The residency portion of this section applies to the essential Town officials, i.e., the Town ~~Clerk-Treasurer~~Clerk, Director of Public Works and all part-time employee positions which may be created from time to time by the Town Board.

(b) This section shall not apply to an essential Town official or other Town official whose employment with the Town on the effective date of this section arises out of a personal contract with the Town for the provision of personal or professional services, whose employment with the Town arises out of a joint or cooperative contract with another municipality, or whose employment with the Town arises out of a personal contract for the provision of personal or professional services on a temporary basis for a term of one year or less, or for the purpose of a single or nonrecurring special project, study or service.

(3) VACANCY. A vacancy occurring under this section shall be filled as provided in this Code for the original appointment of an essential Town official or, as to all employees, according to existing Town employment policy and practice.

(4) REPORTING TIME. (a) Full time and or Department of Public Works personnel ~~shall~~ should reside so as to be able to respond to emergency situations by reporting to ~~their~~ the employee's principal work place within 20 minutes of a call to duty.

~~(a) Department of Public Works personnel shall reside so as to be able to respond to emergency situations by reporting to their principal work place within 20 minutes of a call to duty.~~

(5) WAIVER. The Town Board may, upon a showing of necessity and a vote of ~~2/3~~ 3/5 of all its members, waive the requirements of this section.

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