

# Town of Osceola Polk County Employee Handbook

Adopted  
August 7, 2012  
Amended  
4/14/15 ~~and~~, 3/5/19 and x/x/xx

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

- (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 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,

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 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.



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.

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(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.

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(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.

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#### 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 ChairPersonnel Committee The grievant must file a written grievance with the Clerk-TreasurerClerk 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 ChairPersonnel 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-TreasurerClerk. The Town Clerk-TreasurerClerk shall inform the Town ChairPersonnel Committee about receipt of the written grievance as soon as practicable.

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The Town ChairPersonnel Committee or the Chair's designee will meet with the grievant within 10 days of receipt of the written grievance. The Town ChairPersonnel 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-TreasurerClerk's office.

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##### (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-TreasurerClerk within 10 days of receiving the written response. The Town Clerk-TreasurerClerk shall notify the Town ChairPersonnel 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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#### 6.6 Chair's Response:

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

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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.

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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:

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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.

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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 own choosing in person or by teleconference at any point during the grievance process.

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

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 work in a safe and healthful manner with the public, their own, and their fellow workers' safety their first priority. Doing the job safely is as much a part of job performance as technical knowledge, skill or ability. Therefore, you should report any unsafe practice and conditions to your 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 jobs and the maintenance of their 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 job duties. Employee's failure to use/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 are injured on the job (or if you are a witness to an injury) you must report the incident as soon as possible after taking necessary action to prevent further injury or death. You 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 job and shall comply with the orders and directions of their 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



this, who does the eval. when are they required. Etc. Jo Everson

## **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 conduct, including decisions made in the Town as a public employee.
- (b) Asking for or accepting any special privilege from a public utility.
- (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.

or accepting any special privilege from

8.2 Town employees are also expected to observe reasonable rules of personal conduct governing their 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

- (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

~~comp time in a calendar year. Any comp time not used by December 31<sup>st</sup> will be paid out.~~

## SECTION 10

### **POLICY ON EXEMPT EMPLOYEE PAY**

Since we have not except employees, this section can be removed. But it should be specified if non-exempt can take time off for this absence. Jo Everson

#### **Provisions Mandated by the Salary Basis Rules**

- 10.1 Exempt employees normally must receive their full salary for any week in which they 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 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 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 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.



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 3/4 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 1<sup>st</sup> of each calendar year.

Upon hire, your PTO will be pro-rated from hire date to Dec. 31<sup>st</sup> as states in the schedule below. You will not be able to start using your PTO until you have completed the probationary period. Should an employee's employment be terminated for any reason prior to December 31<sup>st</sup> 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-3/4	Hours-Full	Days	Weeks
0 to 5	60	80	40	2
6 to 10	90	120	45	3
11 to 15	105	140	47 1/2	3 1/2
16 to 20	120	160	50	4

~~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 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 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 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 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](http://etf.wi.gov). ~~Employees enrolled in the WRS program may contribute additional retirement funds into the Wisconsin Deferred Compensation Program. Funds will not be 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.~~



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 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 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. 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 permission. All computer pass codes must be provided to



**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 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: \_\_\_\_\_

## **APPENDIX A**

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### **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 apposed to the Clerk, but that person needs to be trained and understand the importance of the policy. I don't know if Denis has had this or not. Have you reviewed it Dale. Jo Everson

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. 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. Each employee shall have an equal chance of being selected for testing each time selections are made. I don't think tis is the correct facility right now. Jo Everson
- 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

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 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 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 C

### Residency Required

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

#### **RESIDENCY REQUIRED.**

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- (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 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.