

Tuesday, January 10, 2023

11:30 AM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The public may attend in-person or remotely through the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/84839774014>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 848 3977 4014

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Personnel Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to village.clerk@mcfarland.wi.us to be included as part of the meeting.

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes of the December 20, 2022 meeting.
4. BUSINESS.
 - a. Discussion and recommendation on creation of a Concealed Weapons and Firearms in the Workplace Policy within the Personnel Policy Manual.
 - b. Discussion and recommendation on creation of a Meals Policy within the Personnel Policy Manual
 - c. Discussion and recommendation on creation of a Travel Policy within the Personnel Policy Manual.
 - d. Discussion and recommendation on amendment of Chapter 8, Termination of Employment, of the Personnel Policy Manual.
 - e. Discussion and recommendation on amendment of Chapter 12, Employee Conduct and Disciplinary Action, of the Personnel Policy Manual.

- f. Discussion and recommendation on amendment and consolidation of Chapter 19, Sick Leave, of the Personnel Policy Manual and Chapter 10, Sick Leave, of the Compensation and Benefits Manual.

5. SCHEDULE NEXT MEETING DATE.

- a. January 31, 2023, 11:30 am
- b. February 21, 2023, 11:30 am
- c. March 14, 2023, 11:30 am

6. ADJOURNMENT.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the McFarland Municipal Center at (608)838-3153, 5915 Milwaukee Street, McFarland, Wisconsin, or village.clerk@mcfarland.wi.us by 2:00 p.m. at least 5 business days prior to the meeting so that any necessary arrangements can be made to accommodate each request. If the meeting or request is less than 5 business days from the meeting, requests for accommodations may still be made and reasonable efforts will be made to accommodate each request.

VILLAGE OF MCFARLAND

Personnel Committee Minutes

Tuesday, December 20, 2022 - 11:30 AM

1. CALL TO ORDER, ROLL CALL.

Village Trustee Carrie Nelson called the regular meeting of the Personnel Committee to order at 11:39 am in the Community Room of the McFarland Municipal Center.

Members present: Carrie Nelson, TJ Jerke

Members not present: Edward Wreh

Staff Present: Cassandra Suettinger, Andrea Anderson

2. PUBLIC APPEARANCES.

a. This is an opportunity for members of the public to address the Personnel Committee. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the Committee may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the Committee for their consideration. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to village.clerk@mcfarland.wi.us to be included as part of the meeting.

No public present.

3. APPROVAL OF MINUTES.

a. Motion to approve the minutes of the November 29, 2022 meeting.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to approve Motion to approve the minutes of the November 29, 2022 meeting. Motion carries 2 - 0 - 0 by acclamation.

4. BUSINESS.

a. Discussion and recommendation on creation of a Requests for Information Regarding Current or Former Employees Policy within the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the creation of a Requests for Information Regarding Current or Former Employees Policy within the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

b. Discussion and recommendation on amendment to Chapter 23, Family and Medical Leave Laws, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend amendment to Chapter 23, Family and Medical Leave Laws, of the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

c. Discussion and recommendation on amendment to Chapter 24, Unpaid Leaves of

Absence, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend amendment to Chapter 24, Unpaid Leaves of Absence, of the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

d. Discussion and recommendation on amendment to Chapter 27, Ethical Standards for Employees, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend amendment to Chapter 27, Ethical Standards for Employees, of the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

5. SCHEDULE NEXT MEETING DATE.

a. January 10, 2023, 11:30 am

b. January 31, 2023, 11:30 am

c. February 21, 2023, 11:30 am

6. ADJOURNMENT.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to adjourn at 12:28 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Andrea Anderson
Human Resource Generalist


McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on creation of a Concealed Weapons and Firearms in the Workplace Policy within the Personnel Policy Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through the updates to the Personnel Policy Manual, staff asked the Village Labor attorney to review the extent of our policies as a whole, and to provide us with recommendations as to policies that may be missing from our current manual. It was identified that the manual was missing a policy on concealed weapons and firearms in the workplace. As a result, the Village desires to bring a formal policy forward regarding Concealed Weapons and Firearms in the Workplace. Overall, the policy provides for:

- The Village's ability to maintain a work environment that is free of the possession and use of firearms, explosives, other weapons, or materials employed as a weapon;
- The prohibition of concealed carrying of weapons or firearms in Village work areas or Village facilities;
- An exception for carrying lawful weapons onto Village premises, including the ability for McFarland sworn Police Officers to possess weapons as authorized by Police Department policy; and,
- A duty to report to the Police Department any suspected or known possession of a weapon in a Village-owned building, vehicles, or equipment, or that is improperly stored in personal vehicles on Village property.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.



Motion to recommend approval of creation of a Concealed Weapons and Firearms in the Workplace Policy within the Personnel Policy Manual.

ATTACHMENTS:

1. Concealed Weapons and Firearms in the Workplace Policy - Final Draft 01.05.2023

CHAPTER XX - CONCEALED WEAPONS AND FIREARMS IN THE WORKPLACE

XX.01 Policy.

The Village's policy is to maintain a work environment that is free of the possession and use of firearms, explosives, other weapons, or materials employed as a weapon. The Village requires the cooperation of all individuals working on behalf of the Village in complying with this policy. Violations of the policy may lead to disciplinary action, up to and including termination.

No employee, or contractor, shall carry, wear, or otherwise possess, control, transfer, sell, give, deliver, accept, or use any weapons or materials employed as a weapon at any time on and off Village property in work areas, while performing work duties, or while operating Village equipment or vehicles. McFarland Police Officers are exempt from this restriction, as it relates to the performance of their job duties as law enforcement officers.

XX.02 Concealed Carrying Prohibited.

In addition to the prohibition on weapons in all Village work areas, Village facilities are a prohibited area under Wis. Stat. § 941.235, *Carrying firearm in public building* and thus concealed carry of a gun, or a weapon, in or on any Village facility is not authorized by law, regardless of whether the individual possesses a concealed carry permit.

XX.03 Exceptions for Carrying a Lawful Weapon onto Village Premises.

An individual may keep a lawful weapon in their personal vehicle properly parked and locked in a Village parking lot or parking area, so long as the weapon is kept (1) in compliance with all applicable Federal, State, and local laws and regulations, (2) entirely out of sight (such as glove compartment or trunk) within the locked vehicle, and (3) so long as the individual is properly licensed and otherwise complies with Village policy. Under no circumstances shall an individual bring a weapon into a Village building or work area.

McFarland sworn Police Officers may possess weapons as authorized by Police Department policy to fulfill their job duties.

XX.04 Duty to Report.

Weapons present on Village property, including Village-owned vehicles and equipment, are considered an immediate safety issue. Any individual who suspects or has knowledge of a weapon in Village-owned buildings, vehicles or equipment or is improperly stored in personal vehicles should make a report to the Police Department. Any individuals with questions about bringing weapons onto Village premises should contact the Deputy Village Administrator or the Human Resources Designee.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on creation of a Meals Policy within the Personnel Policy Manual

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff identified the desire to create a stand-alone Meals policy. Language regarding meal reimbursement was previously included within Chapter 15, Working Conditions, of the Personnel Policy Manual. It is of note that this language has not been updated in some time. As a result, the Village desires to bring forward a formal and separate policy regarding Meals. Proposed revisions to the existing language regarding meal reimbursement include:

- Addition of language setting forth the policy regarding meal allowances in certain circumstances associated with travel and work outside of an employee's normal working schedule.
- Increase of allowed reimbursable gratuity from 15% to 18%.
- Addition of language regarding documentation requirements for reimbursements.
- Addition of language regarding exempt employees called in outside of normal working hours for emergency operations to be eligible for meals in accordance with the standards in the policy.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.

Motion to recommend approval on creation of a meals policy within the Personnel Policy Manual.



ATTACHMENTS:

1. Meals Policy - Final Draft 01.05.2023

Chapter ~~XX - C~~ Meals

XX.01 Policy.

The Village provides meal allowances in certain circumstances associated with travel and work outside of an employee's normal working schedule. The meal allowances provided in this policy are meant to be a benefit to employees and should be treated as such.

(1) Meal Allowances.

- (a) The Village will reimburse the employee subject to the Authorized Reimbursement Allowances in Subsection (b) for the actual cost of Meals Authorized for Reimbursement defined in Section (2). Claims for reimbursement of meal costs are expected to represent reasonable and necessary costs and may include a maximum gratuity of ~~185~~⁸⁵% as well as any state or local tax.
- (b) Authorized Reimbursement Allowances:
 - 1. Breakfast: \$10.00
 - 2. Lunch: \$15.00
 - 3. Dinner: \$25.00
- (c) Requests for reimbursement for amounts in excess of the above schedule must be accompanied by receipts for the entire day with a full explanation of the extraordinary reason for such expenses. Requests to exceed amounts in excess of meal allowances shall be approved by the Department Head or Village Administrator.

(2) Meals Authorized ~~For~~^{For} Reimbursement

- (a) Employees who are working overtime at the normal time for breakfast, lunch or dinner will be reimbursed with actual receipts for meals. Employees will not be eligible for breakfast unless they start work two (2) hours prior to their normal work schedule, and will not be eligible for dinner unless they work two (2) hours past their normal work schedule. Time spent eating a meal will be considered paid time, but such paid time will not exceed ½ hour.
- (b) The maximum amount for one or more meals may be exceeded and the employee may claim the actual amount spent for each meal as long as the total amount claimed for the eligible meals per day is not greater than the combined maximum reimbursement rate for those meals in that day. If meal maximums are not reached on one day, the excess amount does not accrue and cannot be applied to meals on another day or other costs incurred.

- (c) If a meal is part of the conference, convention or instruction program being attended by the Village employee and a higher amount is charged each participant, the full amount will be reimbursed with proper documentation.
- ~~(d) Meals that occur ~~W~~when employees are traveling on authorized functions away from the Village.~~
- (e) It shall be responsibility of the Department Head or Village Administrator to approve all requests for reimbursements ~~are~~ in accordance with the policies outlined in this chapter.
- ~~(f) All meal reimbursement requests shall be submitted on a form approved by the Deputy Village Administrator. Reimbursements should be made on a monthly basis.~~
- ~~(g) Requests for meal reimbursements must include an itemized receipt identifying the meal requested for reimbursement.~~
- ~~(h) Exempt employees called in outside of normal working hours for emergency operations shall be eligible for a-meals in accordance with the standards provided in this policy.~~
- ~~(i) Meals not taken during the period of eligibility shall be forfeited.~~
- ~~(j) Paid time to eat meals is not compensable if the employee does not take the allotted meal.~~
- ~~(k) Consumption of alcohol during a paid break, including when a meal is taken at the end of a shift, is a violation of the Village's Drug & Alcohol policy and shall be subject to discipline.~~

(3) **Limitations.**

- (a) If meals are included in registration fees for a conference, the employee will not be eligible for a per meal rate for that meal.
- (b) No reimbursement will be claimed for meals that could have reasonably been consumed prior to departure or following return. The Department Head will review the particular circumstances of any questionable claims and determine whether or not reimbursement is appropriate.
- (c) Reimbursements shall not be made for expenses incurred in purchasing alcoholic beverages.

- (d) Reimbursements must be claimed within 3060 days or reimbursement will be forfeited.
- (e) The Emergency Management Director, Fire & ~~EMS-Rescue~~ Chief, Police Chief, and Director of Public Works may authorize reasonable meal expenses for employees and volunteers staffing the emergency operations center or responding to an emergency situation.
 - (i) Meals not taken during the period of eligibility shall be forfeited.
 - (j) Paid time to eat meals is not compensable if the employee does not take the allotted meal.
 - (k) Consumption of alcohol during a paid break, including when a meal is taken at the end of a shift, is a violation of the Village's Drug & Alcohol policy and shall be subject to discipline.
 - (f) The Village shall have the sole discretion to approve or deny requests for meal reimbursements.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on creation of a Travel Policy within the Personnel Policy Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff identified the desire to create a stand-alone Travel policy. Language regarding travel and travel reimbursement was previously included within Chapter 15, Working Conditions, of the Personnel Policy Manual. As a result, the Village desires to bring forward a formal and separate policy regarding Travel. The proposed revisions to the existing language regarding travel and travel reimbursement are rather minor in nature, with the only notable revisions being:

- Addition of language regarding approval for conferences and conventions to be in accordance with Chapter 10 of the Personnel Policy Manual.
- Revision of language to allow for efficiency in conjunction with low cost in regards to methods of travel and transportation.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.

Motion to recommend approval of creation of a Travel Policy within the Personnel Policy Manual.

ATTACHMENTS:

1. Travel Policy - Final Draft 01.05.2023

Chapter XX - Travel

~~XX01.(1)~~ Policy.

- (a) Village vehicles will be used for out-of-town travel or village business whenever practical and available.
- (b) The Village will reimburse an employee for necessary and reasonable travel expenses incurred while on authorized Village business. All such travel must be authorized in advance by the Department Head in order to be eligible for reimbursement.

The Department Head will administer travel expenses approved by the Village Board in the adopted Village Budget. An extraordinary expense beyond the amount budgeted will require the prior approval of the Village Administrator.

- (c) Reimbursement will always be based upon the least expensive and efficient form of transportation available.
- (d) Travel will be by direct route, weather conditions permitting, in a minimum number of vehicles, with mileage payable only to persons whose personal vehicles are used during the authorized travel. The travel mileage to be reimbursed will normally be based on either the distance from work to destination or home to destination, whichever is shortest.

In the event two or more employees of the Village are scheduled to attend the same out-of-town function, such employees are encouraged to travel together in order to reduce the cost to the Village.

- (e) The Village will pay for travel time to and from meetings or conferences when the travel occurs outside the employee's normal working hours.
- (f) Commuting expenses for travel between an employee's residence and assigned place of work at the beginning and end of the normal work day are not reimbursable.
- (g) Approval for conferences and conventions shall be in accordance with Chapter 10 of the Personnel Policy Manual on training and development.

~~(2)XX02.~~ Mileage and Other Ground Travel.

- (a) The rate of reimbursement for mileage when employees use their own vehicle for official travel will be the rate per mile established by the ~~IRS~~Internal Revenue Service (IRS).

- (b) The Village Board may authorize employees in designated positions who are required to use their personal vehicle on Village business to receive a local mileage allowance in lieu of itemizing actual mileage.
- (c) When car rental is necessary or authorized, only the reasonable cost of renting a compact or subcompact model will usually be reimbursed, unless the non-availability of such less expensive models can be documented. Discounts or other special rates are often available if proof of employment by a unit of government is presented to the rental agent.
- (d) Ground transportation to and from an airport should ~~be by public transportation or airport shuttle if available. The use of taxis is discouraged.~~ be by the least expensive and efficient method of transportation available.

~~(3)~~ XX03. — Air Travel.

- (a) Reimbursement for air travel expenses will be limited to the fare for the lowest coach class available or the fare actually paid, whichever is lower. Flight life insurance is not a reimbursable item.

~~(4)~~ XX04. — Parking Fees, Tolls, and Violations.

- (a) The actual documented cost of parking fees, tolls, and other incidental authorized ~~business expenses~~ will be reimbursed.
- (b) The Village will pay the full amount of the fine plus court costs and penalty assessments if an employee is issued a citation due to any of the following circumstances: poor or unsafe conditions of a Village-owned vehicle, including improper or malfunctioning equipment; missing or non-functioning safety features, or an overloaded vehicle.
- (c) The cost of tickets or fines for moving violations where the driver is at fault in the operation of the vehicle will not be reimbursed.

~~15.14~~ XX05. — Lodging.

- (a) The Village will reimburse the employee for the actual single occupancy cost of lodging expenses incurred while traveling on authorized Village business.
- ~~(1)~~ (b) Lodging should be at a hotel or motel reasonably close to the place at which an employee is expected to conduct business or attend a conference during the day so that additional public transportation costs are not incurred. First consideration should always be given to hotels and motels offering government rates to public employees.

(2)(c) Requests for reimbursement for lodging expenses will not be granted for employees who are attending meetings or conferences within a 50-mile radius of McFarland or their residence. Exceptions may be granted by the Department Head when nighttime activities are an important part of the conference or for other unusual circumstances.

(3)(d) Request for reimbursement of Wisconsin sales taxes related to lodging will not be granted. Employees are required to provide vendors with a Wisconsin Sales and Use Tax Exemption Certificate in advance of their stay.

(4)(e) If a spouse or friend accompanies an employee on a trip, that employee must reimburse the Village for the difference between the cost of a single and a double room. No travel or meal expenses will be paid for the spouse or friend.

15.13XX06.—Travel, Lodging, and Meal Reimbursement.

(a) Reimbursement for travel, lodging, and meal expenses will be claimed on a form provided by the Village Administrator and will be fully supported by receipts documenting actual expenditures.

15.14XX07.—Travel Advances.

(1)(a) Travel advances may be requested when prepayment by the employee of anticipated expenses will create a financial hardship. To minimize financial hardship, employees are encouraged to arrange for prepayment by or billing to the Village of major expenses that may require significant personal outlays. Such expenses may include air travel, lodging, and conference registration fees.

(2)(b) If travel expenses, which cannot be prepaid by or billed to the Village, are expected to exceed \$100, an advance may be requested. Travel advances will not normally be made prior to ten days before departure and will not exceed 75% of the estimated expenses.

(3)(c) Receipt of a travel advance does not exempt an employee from the requirement to keep and submit accurate records following completion of travel detailing expenses incurred, the travel advance received and the additional amount claimed or to be repaid.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 8, Termination of Employment, of the Personnel Policy Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff and the Village's labor attorney reviewed Chapter 8, Termination of Employment, of the Personnel Policy Manual. It is of note that this section of the manual has not been updated in some time. Proposed revisions within this chapter provide updates to the following areas:

- Addition of the Deputy Village Administrator and the HR Generalist positions.
- Addition of language regarding Job Abandonment.
- Revisions to the language regarding the exit interview, including a change from the Village Administrator conducting the exit interview to the HR designee.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.

Motion to recommend approval of amendment to Chapter 8, Termination of Employment, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 8 - Termination of Employment - Final Draft 01.04.2023

CHAPTER 8 - TERMINATION OF EMPLOYMENT

8.01 Purpose

The purpose of this chapter is to set forth policies that govern all types of employment termination.

8.02 ~~Notification~~Resignation

(1) Department heads and other employees holding management or supervisory positions, who are planning to voluntarily terminate their employment with the Village, are expected to provide the Deputy Village Administrator with an advance notice of a minimum of four (4) weeks to ensure continuity of Village operations.

(2) Non-Department Head ~~Other~~ employees planning to voluntarily terminate their employment are expected to notify their Department Head as far in advance as possible, but not less than ten (10) working days prior to their last day on the job.

(3) Vacation ~~or other paid leave~~ time may not be taken during the required minimum notification period except as may be approved by the Deputy Village Administrator or Human Resources designee.

~~8.03~~ Acceptance

~~(4)~~ Once a resignation has been submitted, it cannot be withdrawn except upon mutual agreement of the employee, the Department Head, and the Deputy Village Administrator.

~~(2) — Employee terminations will be reported to the Village Board in a timely manner.~~

8.03 Job Abandonment

~~(1) If an employee does not report to work as scheduled for three (3) full consecutive business days without any notification to the Department Head, Human Resource Designee, Deputy Village Administrator, or Village Administrator, this will be considered job abandonment and their employment with the Village will be terminated effective the last day worked by the employee.~~

~~(2) The Village will provide the employee with notification of the termination of employment via a letter sent either by electronic or physical mail. The letter will indicate the termination date and will include any additional information needed or required by law regarding benefits, final paycheck, etc.~~

~~(3) The Village recognizes that there are limited instances where an employee may be unable to communicate with the Village regarding an unauthorized absence from work, such as in an emergency medical situation. In these events, the Village will give due consideration to those particular circumstances.~~

8.04 Eligibility for Fringe Benefit Payouts

(1) Voluntary Termination/Retirement/Termination

Persons retiring ~~for the purpose of establishing eligibility for annuity payment under the Wisconsin Retirement System and/or Social Security (including disability retirement annuity benefits),~~ and other employees who voluntarily terminate their employment, will be eligible for full payment for any ~~accrued-earned~~ vacation hours and ~~accrued-earned~~ floating holiday hours. Such payments will be made at the rate of pay in effect as of the employee's last day of work on the job.

(2) Upon Layoff

~~While laid off, E~~employees ~~laid-off will be eligible to~~may take full payment for any ~~accrued-earned~~ vacation hours and ~~earned~~~~accrued~~ floating holiday hours at any time ~~of the employee's choosing~~ during the remainder of the calendar year in which the layoff occurs. ~~At December 31 of that year of layoff, any~~Any-remaining ~~earned~~ vacation or floating holiday hours will ~~then~~ be automatically paid out to the employee on December 31st of the year of layoff.

8.05 Return of Village Property

Employees and volunteers leaving Village service must return all keys, tools, equipment and all other Village property in their possession to their supervisor or other designated personnel ~~upon request~~. Uniform articles will also be returned if required by department policy. ~~The checklist of property issued and returned will be completed and inserted into the personnel file of each terminating employee.~~

8.06 Health Insurance Continuation

Continuation of health insurance coverage or conversion from a group to an individual plan under the various kinds of insurance plans available to Village employees will be determined by Federal and State law and the provisions of each insurance contract ~~in effect at the time of termination~~. ~~The Village Clerk will inform each~~ The Village will provide notice to the terminating employee of the specific insurance continuation options available ~~to the employee~~.

8.07 Retirement System Contributions

Treatment of an employee's contributions to the Wisconsin Retirement System will be determined by options open to municipal employees under applicable State sStatutes and administrative rules in effect at the time of termination.

8.08 Exit Interview

~~(1)~~ Purpose

The Village conducts ~~An~~ exit interviews ~~is used~~ to gain insight into the effectiveness of Village personnel and managerial practices, to determine where personnel policies and procedures are in possible need of review or revision, and to determine where supervisory or managerial practices need modification or improvement.

~~(2) — Conducting the Exit Interview~~

All employees who voluntarily terminate their employment with the Village will ~~be requested~~ be provided the opportunity to participate in a confidential exit interview with the ~~Village Administrator~~ the Human Resources designee, ~~or, at the request of the employee, a member of the Village Board.~~ ~~If any opportunities are discovered during the exit interview they will be reported to the Village Board by the Village Administrator.~~ ~~In the case of a Department Head who voluntarily terminates employment, the exit interview will be conducted by the Village President.~~


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 12, Employee Conduct and Disciplinary Action, of the Personnel Policy Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff and the Village's labor attorney reviewed Chapter 12, Employee Conduct and Disciplinary Action, of the Personnel Policy Manual. It is of note that this section of the manual has not been updated in some time. Proposed revisions within this chapter provide updates to the following areas:

- Addition of the Deputy Village Administrator and the HR Generalist positions.
- Addition of language to ensure notification and provision of written documentation to the HR designee of any disciplinary action.
- Removal of language regarding the prohibition of carrying concealed weapons on Village property or in Village-owned vehicles as that is now covered in the new proposed policy, Concealed Weapons and Firearms in the Workplace Policy.
- Revision of language to provide for any investigation or fact finding required to be done by the HR designee.
- Revision of the language regarding the pre-disciplinary meeting to be more clear and concise on the intent of that meeting.
- Addition of language regarding the disposition of disciplinary charges to provide for the Village to exercise discretion on how and when action is taken on disciplinary charges.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.



Motion to recommend approval of amendment of Chapter 12, Employee Conduct and Disciplinary Action, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 12 - Employee Discipline - Final Draft 01.04.2023

CHAPTER 12 - EMPLOYEE CONDUCT AND DISCIPLINARY ACTION

12.01 Purpose

The activities of the various Village departments contribute toward the accomplishment of Village goals and the fulfillment of the Village's mission. This requires teamwork, efficiency, productivity, and a harmonious workplace. To ensure orderly operations and provide for the best possible work environment, the Village will create and communicate reasonable rules and standards for employee conduct. Disciplinary action may be taken for the purpose of modifying or eliminating unacceptable conduct on the part of an employee.

This chapter sets forth the general standards of conduct expected of all employees. It also outlines the general disciplinary policy of the Village and the procedures to be followed in the administration of discipline, and identifies aspects of behavior that may constitute just cause for disciplinary action.

NOTE: Discipline of sworn police employees and of non-clerical Fire Department employees is administered by the Police and Fire Commission. Discipline of Library employees is administered by the Library Board.

12.02 Policy

It is the policy of the Village to apply consistently certain minimum rules and standards of employee conduct across the entire organization. The Village will use disciplinary action whenever the behavior of an employee is such that it interferes with or adversely affects the efficient or effective operations of the department or that of the Village organization as outlined in section 12.06 below. It is the ~~obligation~~ responsibility of each supervisor or Department Head to enforce the standards of conduct outlined in Section ~~12.03~~ among their employees, and if appropriate, to take disciplinary measures when other actions are effective in producing desired results.

Disciplinary action will be taken only when just cause exists and such actions taken are to be applied fairly and are to be commensurate with the severity of behavioral problems giving rise to such actions. Disciplinary actions, including verbal warnings, taken for repeated behavioral problems will generally be progressive in nature, however, progressive discipline as a process will not necessarily be followed in all cases. Serious offenses, such as insubordination, theft, etc., may be handled at advanced steps, eliminating the other steps. Written documentation must occur regardless of the entry point into the discipline process.

12.03 Standards of Employee Conduct

The Village expects all of its employees to work earnestly in promoting and protecting the interests of their employer and the public they serve. The following general principles of behavior are established to guide the conduct of employees in the workplace. In addition to these general

standards, each work group may have its own set of work rules to further guide employee conduct in each department.

(1) Employees are expected to: listen to others; keep each other informed and communicate in a way that ensures mutual understanding; treat others with dignity and their property with respect; treat information as responsibility, not power; respect confidential information; and.

(2) Employees are also expected to: perform diligently and productively in providing the highest quality of service to the public; give direct feedback; work as a team; value and protect the safety of co-workers and citizens; be open to change; contribute to each other's success; and.

(3) Employees are also expected to: hold the public trust in highest regard and provide services impartially; avoid creating an actual or apparent conflict of interest between their activities and the unbiased performance of their duties; follow established policies and procedures; do things correctly the first time; encourage individual and team accountability and decision making; and behave in ways which support the organization's values; and.

(4) Employees are also expected to: timely and thoroughly report a violation of policy, rule, or law, gross mismanagement or a misuse of funds; abuse of authority, or a substantial and specific danger of public health or safety, to employee's supervisor, or if the violation is by the supervisor, then to the supervisor's supervisor. If the violation is by the Administrator, then such report must be made to the Village Board President.

12.04 Employee Rights

Just as the employer has the right to expect certain types of conduct and work effort from the employee, ~~so has~~ the employee has the right to expect fair and impartial treatment in the administration of discipline. For this reason, each employee, ~~who is not on probation,~~ will be entitled to recourse under the Village's grievance procedure (see Chapter 143) in the event that the employee feels such disciplinary action to be unfair, unwarranted, or unduly harsh in terms of the infraction cited.

No such right of grievance will reduce any employee's obligation to continue performing work in accordance with department standards, to maintain internal harmony within the ~~work~~ place workplace, and to promote and protect the interests of the Village.

12.05 Forms of Disciplinary Action

The forms of disciplinary action that may be taken include: ~~one or more~~ verbal warnings or written reprimands; suspension with or without pay; transfer or demotion in classification; and discharge.

The form of disciplinary action taken, and the severity of penalty assigned will be at the discretion of the supervisor or Department Head, in consultation with the Deputy Village Administrator or Human Resource Designee, based upon the seriousness of the infraction and the prior disciplinary record of the employee. ~~The level of discipline applied should be the least severe form believed necessary to correct the problem.~~

When in doubt regarding the appropriate form of discipline or type of penalty to be taken, the supervisor will first consult with the Department Head and/or Human Resource Designee~~the Village Administrator~~.

~~The supervisor or Department Head must report All any disciplinary actions taken should be reported to the Human Resource Designee, including providing accompanied by written documentation of such action, by the supervisor or Department Head in a timely manner, within 48 hours of such discipline.~~

~~Suspensions~~discipline. Suspensions, demotions, and discharges must be ~~discussed~~ approved by the ~~with the~~ Village Deputy Administrator before such action is taken.

12.076 Potential Grounds for Disciplinary Action

The following constitutes a partial list of the most common grounds for disciplinary action. Other circumstances may also warrant disciplinary action and will be treated on a case-by-case basis.

(1) Official Capacity

- (a) Accepting or expressing a willingness to accept, either directly or indirectly, anything of value that could influence an employee's conduct, including decisions made in their capacity as public officials or employees.
- (b) Asking for or accepting any special privilege from a public entity.
- (c) Intentionally soliciting or accepting anything of value for performing a service or duty that is part of an official's office or 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, policy or ordinance.
- (e) Intentionally acting in excess of the authority an official or employee is entitled to exercise.
- ~~(f) Bidding for, negotiating or entering into a contract that involves an expenditure of \$5,000 a year or more and in which the official or 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 Village Board.
- (h) Violating any other ethical standards or requirements set forth in state statutes or Village ordinances. (Village ethics code is attached as Appendix A)

(2) Attendance

- (a) Failing to be present at the time an employee is scheduled to begin work or leaving without permission before the scheduled quitting time.
- (b) Failing to notify a supervisor, Department Head or another responsible party when an employee expects to be late in reporting for work.
- (c) Failing to observe the time limits set for rest breaks and meals.
- (d) Absence without authorized leave or misrepresenting the purpose of an authorized leave.
- (e) Unavailability for work because of such circumstances as incarceration or loss of driving privileges for those positions requiring a driver's license as a minimum requirement.

(3) Conduct on the Job

- (a) Refusing to carry out reasonable instructions given by an authorized supervisor or delaying without good reason the performance of an assigned task.
- (b) Being insolent, talking back, ~~or verbally abusing~~ speaking disrespectfully, or threatening a supervisor, co-worker, or member of the general public.
- (c) Negligence in performing assigned tasks.
- (d) Loafing, sleeping or engaging in personal business while on the job except during times set aside for rest breaks and meals.
- (e) Dishonesty or falsification of records.
- (f) Unauthorized disclosure of information or records.
- (g) Failing to give accurate, complete information, when authorized to do so on behalf of the Village, to individuals and groups served by the Village or to other governmental agencies.
- (h) Failing to comply with health, safety and sanitation rules set for Village employees.
- (i) Recklessness or endangering others.
- (j) Unauthorized or improper use of Village property.
- (k) Unauthorized possession, removal or sale of Village property or the property of another Village employee.

- (l) Unauthorized use, loan, borrowing or duplication of keys providing access to Village property and equipment.
- (m) Unauthorized entry to or on Village property, including unauthorized entry outside of assigned work hours, or to restricted areas in which the employee or the public is not authorized ~~entry without permission.~~
- (n) Unauthorized removal of official notices or signs from Village property, equipment or bulletin boards.
- (o) Failing to comply with established department work rules.
- (p) Engaging in work stoppages such as strikes or slow-downs.
- (q) Failing to immediately report a personal injury suffered on the job to the employee's immediate supervisor.
- (r) Engaging in any retaliatory conduct against an employee who reports in good faith any violation of policy, rule or law.

(4) Personal Behavior

- (a) Using intoxicants, illegal drugs, or controlled substances while on duty or being under the influence of intoxicants, illegal drugs, or controlled substances while on duty.
- (b) Failing to inform a supervisor or Department Head when called in for emergency duty that the employee has recently used intoxicants, illegal drugs, or controlled substances that might impair the employee's ability to perform the job.
- (c) Failing to inform a supervisor of any potential ill effects from over the counter or prescribed medication that may impair the employee's ability to perform the job.
- (d) Possessing illegal drugs on Village property, in Village vehicles, or while performing Village business.
- (e) Fighting or creating a disturbance among co-workers resulting in an adverse effect upon morale, productivity, ~~of maintenance~~ or proper order.
- (f) Disorderly, illegal, or immoral conduct which ~~brings disrepute upon the individual or which~~ reflects adversely upon or brings discredit to, the Village ~~as an employer.~~
- (g) Knowingly making false or malicious statements with the intent to harm or destroy the reputation, authority or official standing of individuals or organizations.

- (h) Engaging in discriminatory or abusive conduct toward any employee.
- (i) ~~Violation of any Village policies including but not limited to the unlawful harassment, non-discrimination and non-retaliation policies, the concealed carry policy, workplace violence policy, ethics code, drug and alcohol policy, and the vehicle policy. Making sexual advances, gestures or comments; making or attempting to make physical contact of a sexual nature; engaging in the deliberate and repeated display of sexually graphic materials unrelated to Village purposes while on or in Village property; or engaging in any form of sexual harassment. Violating the Village's unlawful harassment policy.~~
- (j) ~~Village employees are prohibited from carrying a concealed weapon on their person or in any Village owned vehicle in the course of employment, or during any part of the course of employment, with the exception of sworn police personnel so authorized by the Police Chief. Violating the Village's concealed carry policy.~~
- (k) Unauthorized or improper use of uniforms, badges, identification cards or permits.
- (l) Gambling on Village property, in Village vehicles, or while performing Village business.
- (m) Failing to report a conviction for a moving violation under the requirements of the Commercial Motor Vehicle Safety Act (applies to employees with a Commercial Driver's License that is required for their position with the Village).

12.067 Disciplinary Procedures

(1) Investigation/Fact Finding

- (a) In the event the supervisor or Department Head ~~lacks firsthand knowledge of~~ the becomes aware of an incident or conduct ~~leading to the being~~ potential grounds for disciplinary action, he or she will report the matter to the Human Resource Designee to first verify the circumstances surrounding the incident or conduct by talking to witnesses and/or employee and gathering other factual information.
- (b) ~~Prior to a final determination, any Department Head has the right to immediately place an employee on administrative leave if the continued presence of the employee at the work site threatens the health or safety of self or co-workers, threatens to disrupt ongoing operations, or is in the best interest of the Village.~~
- (c) ~~The Human Resource Designee and supervisor will review the results of the investigation and make a determination as to whether a violation of work rules or policies has likely occurred, and disciplinary action may be warranted.~~

(32) Notification

- (a) The employee will be notified in writing of the reason or reasons considered to be just cause for taking disciplinary action and of the specific action to be taken their fair opportunity to respond to the charges.

(34) Timing

- (a) Generally speaking, disciplinary action should be issued as soon as reasonably possible after the incident or knowledge of the incident is received. Delays in issuance may be warranted in situations requiring more extensive investigation and consultation or where the Village does not have immediate knowledge that the incident occurred.

(42) ~~Pre~~-Disciplinary Meeting

- (a) ~~If as a result of the investigation the supervisor or Department Head determines that a violation of work rules or policies has likely occurred and disciplinary action is perhaps warranted, The Supervisor and Human Resource Designee he or she will meet with the employee and give that employee a fair opportunity to hear and respond to each charge which might give rise to disciplinary action to discuss the grounds for discipline and provide the employee a fair opportunity to respond to the charges.~~

(5) Disposition of Disciplinary Charges

(a) Based on the investigation and information provided from the employee regarding the violations of policy and grounds for the discipline, the Village reserves the discretion to take action on the disciplinary charges in the manner in the best interest of the Village including during the disciplinary meeting or at a later time.

- ~~(b) During this discussion of the charge(s), including the intent to potentially impose discipline, the employee is entitled to have a personal representative of their choice present at the meeting.~~

- ~~(b) Prior to a final determination any Department Head has the right to immediately place an employee on administrative leave if the continued presence of the employee at the work site threatens the health or safety of self or co-workers, threatens to disrupt ongoing operations, or follows a previously issued disciplinary action.~~

12.08 Record Keeping

- (a) Copies of written documentation of disciplinary proceedings including but not limited to written reprimands, suspensions, demotions, and discharges will be ~~provided to the Department Head and Village Administrator and~~ kept in the employee's personnel file.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, January 10, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrea Anderson, HR Generalist

AGENDA ITEM: Discussion and recommendation on amendment and consolidation of Chapter 19, Sick Leave, of the Personnel Policy Manual and Chapter 10, Sick Leave, of the Compensation and Benefits Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff and the Village's labor attorney reviewed Chapter 19, Sick Leave, of the Personnel Policy Manual and Chapter 10, Sick Leave, of the Compensation and Benefits Manual. It is of note that these sections of the manuals have not been updated in some time. Proposed revisions within these two combined chapters provide updates to the following areas:

- Revision of language regarding the definition of "immediate family" to be more inclusive.
- Addition of language to encourage Village employees to stay home and utilize sick leave when they are sick with an illness in order to protect the safety of co-workers and the community.
- Removal of language regarding the inability for an employee who becomes ill during a period of vacation to utilize their sick leave benefits.
- Removal of language regarding a Department Head or the Village Administrator investigating alleged illnesses.
- Revision of language regarding the requirements of a valid doctor's certificate.
- Addition of language allowing for new employees to borrow up to 40 hours of sick leave in their first year of employment.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

N/A

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended for discussion and approval.



Motion to recommend approval of amendment and consolidation of Chapter 19, Sick Leave, of the Personnel Policy Manual and Chapter 10, Sick Leave, of the Compensation and Benefits Manual.

ATTACHMENTS:

1. Sick Leave - Final Draft 01.04.2023

Chapter XX – Sick Leave

XX.01 Eligibility

- (a) Full-time employees and part-time employees who are ~~regularly scheduled~~budgeted to work at least twenty (20) hours per week will be eligible for sick leave.

XX.02 Accrual

- (a) Full-time employees may earn sick leave at a rate of eight (8) hours earned for each full month worked regardless of years of service.
- (b) Part-time employees may earn prorated sick leave time based on their percentage FTE status upon which the position is budgeted. Pro-ration amounts shall be rounded up to the nearest quarter. The Village's determination of the proration amount is final Ex: A 20 hour per week employee would earn 4 hours of sick leave per month.
- (c) The maximum sick leave accumulation shall be no more than 1,440 hours.

XX.03 Authorized Uses

- (a) Sick leave is intended for the use of employees in the event of personal illness (including pregnancy related illness or disability), bodily injury, exposure to a contagious disease, or in the event of a serious illness or accident involving a member of the employee's immediate family. For the purpose of administering this policy, the definition of "immediate family" will include spouse, significant other, child/step child, parent, or any other relative that resides in the employee's household. For the purpose of administering this policy, an employee's immediate family shall be the following relations of the employee: their spouse or their Domestic Partner: spouse, children, step-children, foster children, siblings, step-siblings, parents, step-parents, foster parents, grandchildren, grandparents, brother-in-law, sister-in-law, son-in-law and daughter-in-law. Also included are other relatives of the employee, spouse or Domestic Partner residing in the employee's household.
- (b) Out of respect and safety for co-workers and the publiccommunity which is served on a daily basis, the Village encourages employees who are sick with illness and symptoms to stay home and utilize sick leave.
- (a)(c) _____

~~(b) Sick leave may be used for pregnancy related illness or disability of the employee and/or spouse or significant other.~~

~~(e)(d)~~ Sick leave may be used for doctor medical or dental appointments which cannot be scheduled during an employee's regular time off.

~~(d) An employee who becomes ill during a period of vacation will not be eligible for sick leave benefits for the time while on vacation unless the employee provides documentation of the illness or injury from a qualified medical doctor.~~

~~(e) The Department Head or the Village Administrator may investigate the alleged illness of an employee absent from work on sick leave. False or fraudulent use of sick leave will be cause for disciplinary action against the employee, up to and including discharge.~~

XX.04 Procedures

(a) Employees who are absent from duty for reasons which entitle them to sick leave will notify their supervisor or Department Head no later than sixty (60) minutes prior to the scheduled start of their work shift, or in accordance with the policy of their department, if different. Employees on short term sick leave without prior approval, will keep their supervisor or Department Head informed of their condition on a daily basis. Exceptions will be reviewed on a case-by-case basis.

(b) The Department Head or the Village Administrator may require a certificate from a qualified medical practitioner to justify payment use of sick leave. Such instances may include, but are not limited to, when the absence occurs before or after a scheduled day off; for sick leave in excess of three (3) days; when an employee has a record of repetitious usage of ~~short amounts of~~ sick leave over an extended period of time; and when an employee's pattern of illness otherwise raises some doubt as to the legitimacy of the illness. For longer term absences, the employee may be required to provide ongoing medical documentation from the attending physician or may qualify for FMLA and be required to complete the associated documentation for the FMLA process.

A doctor's certificate will be considered acceptable when it spells out ~~the type and term of illness or injury, substantiates the fact that the employee was too ill to work, and specifies either that the employee has recovered sufficiently from the recent illness or~~

~~injury to resume the employee's normal duties or that the employee will be required to remain off work for an additional period of time. In the latter case, the attending physician should provide an anticipated return to work date and all job restrictions (if applicable), the duration of restrictions/absence, and job duties that cannot be performed.~~

(c) The Department Head or Village Administrator may also require an employee to take a medical examination upon returning from sick leave or on such occasions that it is in the best interest of the Village ~~or the Village has reason to believe the employee is unable to safely perform essential functions of their job.~~ The medical examination will be given by a qualified physician designated by the Village and the cost of the examination will be paid by the Village.

~~(d)~~ When sick leave is used, each employee will be responsible for requesting sick leave pay on the time sheet.

~~Sick leave will be charged in no less than two (2) hour increments.~~

~~(d)(e)~~ In the event a doctor's appointment is canceled, the employee should report to work or substitute an alternative leave time type for time away from work. Any employee who was previously scheduled to fill in for the applicable shift, shall have their shift cancelled.

XX.05 Borrowing Sick Leave for New Employees

~~(a) New employees will have the ability to borrow up to 40 hours of sick leave in their first year of employment for the use of sick leave as provided in section XX.03 regarding authorized sick leave.~~

~~(b) If a terminating employee has not earned back borrowed sick leave, the employee will have an appropriate amount withheld from the final paycheck to reimburse the Village for any borrowed sick leave not earned before termination. The amount to be withheld will be calculated at the current rate of pay times the number of unearned borrowed sick leave days.~~

XX.056 Sick Leave Conversion

(a) *Eligibility* – Retiring employees shall be eligible to participate in the Village's Sick Leave conversion plan as long as they meet the following criteria:

1. The employee is eligible for retirement and has reached at least the minimum retirement age as required by the Wisconsin Retirement System; and,

2. The employee ends employment with the village and any participating Wisconsin Retirement System (WRS) employer.
- (b) The Village will determine the dollar value of a retiring employee's earned sick leave (up to a maximum of 1,440 hours) at the employee's salary or hourly rate of pay, whichever applies, on the last day of the employee's employment (Sick Leave Conversion Amount). The Village will contribute the employee's Sick Leave Conversion Amount to either:
1. A healthcare reimbursement account (HRA); ~~or.~~
 2. An account for the employee under the *Village 401(a) Plan* (Retirement Plan), a retirement plan sponsored by the Village that satisfies the qualification requirements of section 401(a) of the Internal Revenue Code. The Village will determine, on a ~~case-by-case~~case-by-case basis, whether an employee's Sick Leave Conversion Amount will be contributed to an HRA under the VEBA or to the Retirement Plan. The Village's determination will be based on objective factors that may include, but are not be limited to, the retiring employee's access to other health insurance coverage, the dollar amount of the retiring employee's Sick Leave Conversion Amount, and the willingness of the Village's health insurance carrier to cover retired employees. At no time will the retiring employee have a choice between a contribution to an HRA under the VEBA or a contribution to the Retirement Plan. ~~For purposes of this Section 10.02, an employee is a "retiring employee" if:~~