

Tuesday, March 14, 2023

11:30 AM

McFarland Municipal Center
Conference Room A

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>

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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 February 28, 2023 meeting.
4. BUSINESS.
 - a. Discussion and recommendation on amendment of Chapter 10, Training and Development, of the Personnel Policy Manual.
 - b. Discussion and recommendation on amendment of Chapter 15, previously titled Working Conditions, now proposed as Administrative Policies, of the Personnel Policy Manual.
 - c. Discussion and recommendation on amendment of Chapter 16, previously titled Compensation, now proposed as Compensation Administration, of the Personnel Policy Manual.
 - d. Discussion and recommendation on amendment of Chapter 32, Electronic Communications and Information Systems Policy, of the Personnel Policy Manual.
 - e. Discussion on final approval of the updated Personnel Policy Manual.

5. SCHEDULE NEXT MEETING DATE.

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, February 28, 2023 - 11:30 AM

1. CALL TO ORDER, ROLL CALL.

Village Trustee Carrie Nelson called the regular meeting of the Personnel Committee to order at 11:34 AM in Conference Room A of the McFarland Municipal Center.

Members present: Carrie Nelson, TJ Jerke

Members not present: Edward Wreh

Staff Present: Matt Schuenke, Cassandra Suettinger, Andrea Anderson

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.

No public present.

3. APPROVAL OF MINUTES.

a. Motion to approve the minutes of the January 31, 2023 meeting.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to approve the minutes of the January 31, 2023 meeting. Motion carries 2 - 0 - 0 by acclamation.

4. BUSINESS.

a. Discussion and recommendation on creation of an Equal Employment Opportunity Policy.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the creation of an Equal Employment Opportunity Policy within the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

b. Discussion and recommendation on creation of a Benefits policy within the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the creation of a Benefits policy within the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

c. Discussion and recommendation on amendment of Chapter 34, Violence in the Workplace, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the amendment of Chapter 34, Violence in the Workplace, of the Personnel Policy Manual with the following changes agreed to in Section 34.05 of the policy:

- In 2nd paragraph, change "individuals" to "behaviors."
- In 3rd paragraph, change "will" to "could."

Motion carries 2 - 0 - 0 by acclamation.

d. Discussion and recommendation on creation of a Catastrophic Leave Policy within the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the creation of a Catastrophic Leave Policy within the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

e. Discussion and recommendation on amendment of Chapter 11, Safety, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the amendment of Chapter 11, Safety, of the Personnel Policy Manual. Motion carries 2 - 0 - 0 by acclamation.

f. Discussion and recommendation on amendment of Chapter 14, General Conditions of Employment, of the Personnel Policy Manual.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to recommend the amendment of Chapter 14, General Conditions of Employment, of the Personnel Policy Manual. Village staff will have the attorney review Section 14.08 once more to ensure language is correct. Motion carries 2 - 0 - 0 by acclamation.

g. Discussion and recommendation on amendment of Chapter 10, Training and Development, of the Personnel Policy Manual.

No action taken, item postponed to next Personnel Committee meeting.

5. SCHEDULE NEXT MEETING DATE.

a. March 14, 2023, 11:30 am-1:00 pm

6. ADJOURNMENT.

Motion by Village Trustee Carrie Nelson, second by Village Trustee TJ Jerke, to adjourn at 1:01 pm

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

Respectfully submitted,
Andrea Anderson
Human Resource Generalist



**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Tuesday, March 14, 2023

SECTION: Business

DEPARTMENT: Administration

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

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 10, Training and Development, 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 10, Training and Development, 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:

- Revisions to include the Deputy Village Administrator and Human Resources Designee positions.
- Addition of language to provide for the responsibility of the Department Head to create a training program for onboarding new employees in regards to department policies, procedures and safety protocols related to performing the job duties.
- Addition of language to encourage employees to actively participate in making suggestions regarding desired training opportunities.
- Revisions to the Continuing Education and Training section to allow for Village payment of education and training costs when appropriate versus the only option being for employee reimbursement of costs. In addition, language was included to provide for employee repayment to the Village for these costs if the employee leaves Village employment within 12 months or less of the completion of the education or training that was paid for by the Village.
- Revisions to the Conferences and Conventions section to remove the language regarding conferences in Wisconsin and the 4 adjoining states. We would propose the focus should be on the quality of the conference and convention and not the geographical location.

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 amendment of Chapter 10, Training and Development, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 10 - Training - Final Draft 02.22.2023

CHAPTER 10 - TRAINING AND DEVELOPMENT

10.01 Purpose

Employee training and development programs are important functions of the Village organization. The purpose of such programs is to increase and improve the knowledge, proficiencies and skills of Village employees in order to keep them abreast of current developments in their occupational fields, to provide for career growth and advancement opportunities within the Village organization in accordance with ~~affirmative action goals, the Village's mission, vision and goals to ensure and to improve the quality of services~~ is provided to the public.

10.02 ~~Village Administrator~~ Training and Development Programs

(1) The Deputy Village Administrator, in conjunction with the Human Resource Designee, will be responsible for the ~~overseeing of all development~~ and coordination of employee training and development programs. The Deputy Village Administrator and the HR Designee will:

(~~4a~~) Assist Department Heads in coordinating the design, ~~and~~ implementation, and proper administration of employee training and development programs to meet the current and future needs of their departments ~~and to increase employee efficiency ensuring employees are appropriately trained to perform their jobs safely and receive equal consideration for training opportunities that are available to them and encourage their participation in programs that may enhance their potential for career enhancement and professional growth.~~

(~~2b~~) Conduct or coordinate employee training and development programs to meet the common needs of all departments and align with the Village's missions, vision and goals.

~~(3e) — Ensure that, through their immediate supervisors or Department Heads, all employees are informed of and receive equal consideration for training opportunities that are available to them and encourage their participation in programs that may enhance their potential for career enhancement and professional growth.~~

(~~4d~~) Foster a program for the cross training of employees when such training assignments are in the best interest of the Village to ensure continuity of service.

(~~5e~~) Periodically analyze and evaluate the overall training and development needs of employees within the Village.

(~~6f~~) Maintain current information and materials on job requirements, training opportunities, employee development manuals, and other employee training and development literature.

(7g) Maintain a record of all training conducted and ~~insure~~ensure that all authorized employee training and development programs are properly administered.

(8h) ~~Maintain a record of training within~~ Ensure that the employee personnel files ~~are updated upon successful completion of any employee training and development activity to~~ ensure equitable consideration for placements, transfers, and promotions.

(2) 10.03 Department Heads.

Department Heads will provide active leadership in the development and advancement of employees under their supervision and will:

(4a) Be responsible for creation of a Department Training program that ensures new employees are properly trained and onboarded regarding proper department policies, procedures and safety protocols in performing their job duties.

(2) Cooperate with the Deputy Village Administrator and HR Designee to determine current and future employee training and development needs.

(2b) Suggest to the Deputy Village Administrator and HR Designee any particular training that would be helpful to employees in their departments.

(3c) Cooperate with the Deputy Village Administrator and HR Designee in organizing programs and encouraging employees to attend training sessions.

(4d) Assist in assessing the effectiveness of employee training programs and make recommendations for improvement and modifications.

(5e) Grant employees sufficient time to participate in training programs provided that such participation does not unduly interfere with the necessary operations of the department.

(3) Employees

(a) Employees are encouraged to actively participate in making suggestions regarding desired training opportunities both for the department and their professional development.

10.043 Employee Orientation Program

The Deputy Village Administrator, in conjunction with the HR Designee, will develop a program outline to orient new employees to the Village work force.

(1) ~~Village Clerk~~ Human Resource Designee

On the first day of employment, or as soon as possible during the first pay period, new employees will meet with the ~~Village Clerk~~HR Designee who will advise them of all general conditions of

employment, including standard hours of work, fringe benefits, pay and pay periods, Village work rules, privileges and responsibilities. All required forms such as tax withholding, insurance enrollments, I-9s, etc., will be completed and signed and relevant benefit information furnished.

(2) Department Heads

The Department Head will orient each new employee to the specific conditions and requirements related to that employee's job, ~~and~~ work site, and department. Such orientation will include introductions to co-workers, work standards, safety regulations, break periods, supplies, time keeping, etc. ~~A checklist of all Village property issued to the new employee is to be completed and placed in the personnel file.~~

10.054 In-service Training

Some departments of the Village require special in-service training, and such training may be offered and/or coordinated by individuals assigned that responsibility within the departments. Department Heads will keep the Deputy Village Administrator and HR Designee informed of such programs in order to keep personnel files up to date.

10.065 Continuing Education and Training

(1) Changes in job requirements, individual responsibilities or technology, as well as continued growth and expertise in an employee's position and industry, may warrant the Village providing assistance to employees who need to ~~improve-grow~~ or develop new job-related knowledge and skills. To this end, the Village may pay the cost of tuition, required texts, laboratory materials and other fees associated with programs of instruction offered by ~~the University of Wisconsin System, Madison Area Technical College or other accredited universities and colleges~~ an institution of higher learning. A full-time or part-time employee may be eligible for reimbursement or Village payment of these costs if:

- (a) The course of instruction is directly related to the specific job functions performed by the employee and is approved by the Department Head (by the Village Administrator if the employee is a Department Head or by the Village President if the employee is the Village Administrator) before the first day of class. All approvals for tuition reimbursement shall be forwarded to the Deputy Village Administrator for record keeping purposes.
- (b) The employee provides evidence of successful completion of the course with a passing grade, ~~and of~~
- (c) If the Village is reimbursing the expenses, the employee will provide proof of having paid in full the course related expenses for which reimbursement is being requested.
- (de) The employee is not eligible for full reimbursement of costs from any other source. (In the event partial reimbursement is received from another source, the Village

may pay the difference between the amount received and the full cost of the program.)

- (ed) The total reimbursement or Village payment requested by the employee does not exceed the actual costs of the course or a maximum of \$3,000~~1,500~~ per calendar year.
- (fe) The employee agrees to repay the Village one hundred percent (100%) of the reimbursement/payment amount if the employee leaves Village employment for any reason (including a quit, resignation, retirement, or termination) within 6 months of the date of completion of the course and fifty percent (50%) of the reimbursement amount if the employee leaves Village employment within twelve (12) months of the date of completion of the course. To the extent possible, this amount will be deducted from the employee's final check. In the event the employee's final paychecks are insufficient to cover the remaining amount due and owing to the Village, the employee will be personally responsible for paying the remaining amount due. In the event the employee breaches their obligations to pay the Village back as outlined above within thirty (30) days from the employee's last date of employment, then the Village will be entitled to institute legal proceedings for the collection of the amount due.

~~Workshops, institutes or similar programs of instruction may also be attended if the purpose in attending them is to improve or develop new job-related knowledge and skills. For purposes of reimbursing payment of the costs involved, the policies governing attendance at conferences and conventions will apply.~~

10.076 Conferences and Conventions

Village employees are encouraged to attend conferences and conventions if attendance is expected to ~~significantly~~ add to their job-related knowledge and skills.

Approval to attend conferences and conventions ~~in Wisconsin and the four adjoining states (Illinois, Iowa, Michigan and Minnesota)~~ is at the discretion of the Department Head for employees, at the discretion of the Village Administrator for Department Heads, and at the discretion of the Village President for the Village Administrator. ~~Attendance at conferences in any other states requires the approval of the Village Administrator or the Village President.~~

To the extent possible, Department Heads will be expected to anticipate and plan for attendance at conferences and conventions as part of their proposed operating budget. Reimbursable or allowed costs that should be reflected in projected costs include travel or mileage costs, conference or convention registration fees, meals, lodging expenses, parking and toll fees.

In considering individual requests to attend a conference or convention, first priority will be given to conferences and conventions sponsored by Wisconsin associations representing local government interests or similar programs for local government employees conducted by other organizations in Wisconsin or the adjoining states. Second priority will be given to conferences

and conventions that are national in character and conducted outside Wisconsin or the adjoining states.

10.087 Trade/Professional Associations

The Village may pay membership dues for administrative and technical personnel to join job related trade/professional organizations when such membership is reasonably expected to advance their professional development or benefit the Village in regard to access to resources and knowledge.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, March 14, 2023

SECTION: Business

DEPARTMENT: Administration

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

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 15, previously titled Working Conditions, now proposed as Administrative Policies, 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 15, Working Conditions, of the Personnel Policy Manual. It is of note that this section of the manual has not been updated in some time. The proposed revisions within this chapter were quite extensive with a majority of the document being redlined. A clean draft is being presented. The proposed revisions included:

- Change in title from "Working Conditions" to "Administrative Policies."
- Revisions to include the Deputy Village Administrator and Human Resources Designee positions.
- Moving Sections 15.01, Hours of Work, and 15.02, Meal and Break Periods, to Chapter 16 per the attorney's recommendation due to the wage and hour nature of the sections.
- Addition of language to allow for the use of remote work in some circumstances in the event of inclement weather.
- Revisions to 15.02, Unscheduled Building Closures, to allow for the Village to address these situations on a case-by-case basis in regards to whether employees are working remotely, substituting leave time, or being compensated for their scheduled hours.
- Revisions to 15.03, Dress and Grooming, to be more comprehensive and clear.
- Revisions to 15.05, Use of Telephones, to account for the extensive presence of this technology in employees' daily lives, and to provide guidelines for appropriate use.
- Revisions to 15.08, Smoking Policies, including changing the title to Tobacco and Vaping.

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 amendment of Chapter 15, previously titled Working Conditions, now proposed as Administrative Policies, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 15 - Working Conditions - Clean Final Draft 03.08.2023

CHAPTER 15 - ADMINISTRATIVE POLICIES

15.01 Inclement Weather

In the event that inclement weather creates hazardous traveling conditions between an employee's home and the work site, an employee may be granted permission by a supervisor or Department Head to arrive at work late, to leave work early, or to not work at all that day. In such circumstances, the employee may elect to make up (within the same workweek) the time not worked, or to use vacation, holiday, or available compensatory time to compensate for the time not worked. Supervisors may also coordinate with employees to allow the use of remote work in these circumstances where applicable and in the best interest of the Village.

This policy will not apply to positions that are responsible for providing protective services or for improving driving conditions for the general public. Employees in such positions are expected to adjust their arrival and departure in accordance with predicted conditions and the requirements of their job.

15.02 Unscheduled Building Closures

In the event that a municipal facility is closed unexpectedly for all or a portion of a workday, employees may be directed not to report for work, or be sent home mid-shift if the reasons for the closure might affect the health or safety of the employees or make it unproductive for them to work. These situations will be addressed on a case-by-case basis dependent on the circumstances of the particular event. When feasible and appropriate, the Village will attempt to coordinate with employees to allow for the use of remote work or flexible scheduling. However, the Village reserves the right to evaluate each event and determine the best course of action, which could include (but is not limited to) remote work, flexible or alternative scheduling, substitution of leave time, or to compensate employees for their scheduled hours at their normal rate of pay.

15.03 Dress and Grooming

- (a) All employees are to dress and to be groomed appropriately for the requirements of their jobs and to comply with departmental health and safety standards. All employees whose job requires that they wear special clothing or a uniform are expected to comply with those rules. All employees are representatives of the Village and are expected to present themselves in a manner that projects a positive and professional image.
- (b) Supervisors should communicate any department-specific workplace attire, hygiene and grooming guidelines to staff members during new-hire orientation and evaluation periods. Department Heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas. Any questions about the department's guidelines for attire should be discussed with the employee's immediate supervisor.

- (c) Employee clothes or uniforms must be clean and in good condition free of tears, rips, etc., as well as free from words or images that are inappropriate for the workplace. In the event of any question regarding the appropriateness of a particular style of clothing or grooming, the Department Head will make the final determination. Any employee who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.
- (d) At the discretion of the Department Head, departments may adopt casual or dress-down days. During these casual or dress down days staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing. Likewise, revealing or otherwise workplace-inappropriate dress is not permitted. The Department Head will make the final determination as to appropriateness of attire.
- (e) The Village recognizes the importance of individually held religious beliefs to persons within its workforce. The Village will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Those requesting a workplace attire accommodation should contact the Human Resources Designee.

15.04 Use of Facilities and Equipment

The personal use of Village-owned facilities and equipment will be governed by the policies set forth in **Chapter XX**.

15.05 Use of Telephones

- (a) Users are often required to use Village telephones (including cell phones) in the course of performing their job duties. Such use should be limited to calls, texts, web browsing, and use of apps that are necessary for the performance of users' duties, and personal use should be kept to a minimum. While it is understandable that users may occasionally need to make brief calls and texts of a personal nature, it is expected that such calls, texts or any other usage will be kept to a minimum. The Village reserves the right to monitor its equipment to ensure telephones are used appropriately for business purposes.
- (b) Use of personal cell phones can be very disruptive in the workplace. Users are expected to devote working time to performance of job duties, and any use of communications devices during working time for functions, such as gaming, internet browsing, etc. is prohibited. As a general rule, cell phones and personal devices should be turned off or switched to silent mode during working hours and in work areas. Occasional, limited personal phone calls and messaging may be permitted for brief calls or texts to address personal matters requiring immediate attention, provided such use does not interfere with Village business or the work

duties or environment of the individual or any other individual and does not violate Village policies regarding conduct in the workplace. Otherwise, personal use should occur only during non-work time and must be made in a manner that does not disturb individuals who are working.

- (c) Users shall follow state guidelines and laws in using Village or personal cell phone while operating a vehicle (see Chapter XX, Vehicle Use Policy).

15.08 Tobacco and Vaping

- (a) The Village Board has determined that it is in the public interest to prohibit smoking and vaping in all municipally owned and operated buildings. This prohibition applies to the Municipal Center, the Public Works Facility, the Library, Public Safety Center, well houses, lift stations, enclosed park shelters or restroom facilities, and any leased or rented building and the entry and exit of each building.
- (b) Smoking is prohibited in all types of vehicles and equipment, whether enclosed or open that are owned, leased, or borrowed by the Village.
- (c) This policy extends to electronic cigarettes, chewing tobacco and tobacco substitutes.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, March 14, 2023

SECTION: Business

DEPARTMENT: Administration

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

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 16, previously titled Compensation, now proposed as Compensation Administration, 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 16, Compensation, of the Personnel Policy Manual. It is of note that this section of the manual has not been updated in some time. The proposed revisions within this chapter were quite extensive with a majority of the document being redlined. A clean draft is being presented. The proposed revisions included:

- Change in title from "Compensation" to "Compensation Administration."
- Revisions to include the Deputy Village Administrator and Human Resources Designee positions.
- Addition of Sections 16.01, Hours of Work, to and 16.02, Meal and Break Periods, to Chapter 16 from Chapter 15 per the attorney's recommendation due to the wage and hour nature of the sections.
- Addition of language to allow employees to work flexible or alternative work schedules, including the use of flextime and a compressed work week.
- Addition of language to allow for non-exempt employees to choose not to take a meal period and adjust their work hours accordingly with the prior approval of their supervisor or Department Head.
- Addition of language to require employees to remain on-site during paid break periods.
- Extensive revisions to 16.03, Time and Attendance Reporting, per the attorney's recommendation to bring the section up to date and ensure compliance with laws and regulations.
- Revisions to Overtime Pay section to coincide with the flexible scheduling language that was added.
- Revision of language to allow for a rolling compensatory time bank of 40 hours, which does not require a request to carry over compensatory hours at the end of the year.
- Removal of Section 16.05, Compensation.
- Addition of language to Section 16.07, Payroll Deductions to include Safe Harbor language



that is necessary under the law to include.

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 amendment of Chapter 16, previously titled Compensation, now proposed as Compensation Administration, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 16 - Compensation 03.08.2023 - Clean Final Draft

CHAPTER 16 – COMPENSATION ADMINISTRATION

16.01 Hours of Work

(a) Standard Work Schedules

The work schedule of Village employees will be determined by the Department Head and is subject to review by the Village Administrator or Deputy Administrator based upon the operational responsibilities and needs of the department. To the extent reasonably possible the Village will provide employees advance written notice prior to any change in the workday and/or workweek. Any variations from a standard workweek must also comply with the requirements of Federal and State law. The employee's work schedule may be adjusted to meet the needs and demands of the department.

(b) Flexible Work Schedule

The Village recognizes employees face demands and obligations outside of work, and is committed, when it is feasible, to help employees balance work, family, and personal obligations by allowing for flexible or alternative work schedule arrangements. Flexible schedules may be allowed at the discretion of the Department Head and the Deputy Administrator. To qualify for a flexible work schedule, such as those described below, an employee must complete and submit a Schedule Change Request Form to the Department Head and the Human Resources Designee.

Department Heads and Supervisors are encouraged to approve employee's requests for flexible schedules whenever it is possible to do so without comprising the Department and Village's goals and operational needs. Flexible schedules do not diminish the ability of the Department Head or Supervisor to assign responsibility and accountability to individual employees for the provision of services and performance of their duties, including the assignment of overtime when needed.

Department Heads are responsible for identifying if any of the flexible work schedule options above are feasible within their departments. Departments and employees are still required to:

1. Meet individual work hour requirements;
2. Maintain customer service and operational requirements of the department; and,
3. Provide coverage for the department during the required hours of operation.

Management reserves the right to suspend or cancel a flexible work schedule at any time if the arrangement is found to be ineffective or disruptive to operational, staffing, or performance requirements. In addition, management may need to adjust schedules on a

temporary or one-time basis to accommodate for planned or unexpected absences to ensure adequate staffing during required hours of operation.

If an employee is approved for and working a flexible schedule, and a paid holiday falls on an employee's regularly scheduled day off, the employee will be given another day off during that pay period.

Flexible schedule arrangements are not appropriate for all employees or positions and are not a universal employee benefit. For a flexible work schedule to be approved, the employee must, at minimum: (1) have a satisfactory attendance record, (2) have a record of consistently meeting performance expectations in their current role, and (3) demonstrate the ability to complete tasks and assignments on a timely basis. The nature of the employee's work and responsibilities must be conducive to a flexible work arrangement without causing significant disruption to performance and/or service delivery.

Department Heads and salaried persons in executive, administrative and professional positions are generally expected to work at least 40 hours each week, and possibly additional hours as necessary to meet the expectations and requirements of their position. Due to the fluctuations in their work loads and the heightened expectations of their positions, these individuals may be allowed to work a flexible schedule of hours. Such scheduling will be subject to the approval of the Village Administrator in the case of Department Heads and by the Department Head in the case of subordinate positions. Exempt employees flexing time should do so in the same workweek, when possible, but at minimum, must flex time in the same pay period.

Flexible work schedule options that may be available to employees, only upon Village advance approval, include:

1. Flextime – An employee works the regularly scheduled number of hours in a workday (i.e. 8 hours, 9 hours, 10 hours, etc.), but there is flexibility in an employee's set scheduled start and end times, or there is occasional variation to the employee's start and end times to allow for the employee to attend to personal or non-work related matters.

The Village's standard hours of operation are 8 am-4:30 pm but may allow employees to flex their work schedule (with advance approval from their Department Head or Supervisor) within the hours of 7 am-5:30 pm. For departments with different hours of operation, the flex schedule shall be 1 hour prior to and after the standard hours of operation for the department.

For occasional use of flextime, the employee must also seek approval from their supervisor for these variations prior to the event. Example: An employee is normally scheduled to work 8 am-4:30 pm but has a 2-hour medical appointment and needs to be gone from 12 pm-2 pm that day. The Supervisor could instead

approve a 7 am start time, allow a two-hour absence for the medical appointment from 12 pm–2 pm, and then allow return to work at 2 pm to work until 5 pm. This would allow the employee to meet the 8 -hour workday requirement.

2. Compressed Work Week –an employee may be allowed to compress the workweek into fewer days by working longer hours each workday. The employee would still need to work a set number of hours per week, but the employee would be afforded flexibility in how many days per week are required to meet the hourly obligation. A compressed work week schedule would be a set schedule for the employee and would not change regularly. An employee desiring a compressed work week schedule would need to discuss this with their supervisor before submitting the Schedule Change Request form.

Examples: A 40-hour workweek employee works 10 hours per workday, reducing their workweek to four days per week, or alternatively, works four 9-hour and one 4-hour workdays per week.

(c) **Overtime**

Department Heads or supervisors should assign overtime work only when emergencies or other compelling circumstances prevent the reasonable accommodation of additional work through the reassignment of work priorities or through the rescheduling of hours within the same work week. Overtime will be scheduled as fairly and equally as practical among the employees based on their qualifications to perform the job.

16.02 Meal and Break Periods

(a) **Meal Periods**

Meal periods are scheduled by mutual agreement of the employee and the Department Head and may vary between no less than thirty (30) minutes, to sixty (60) minutes in length. Meal periods are unpaid for all non-exempt employees, except public safety employees who are required to remain available for call during that portion of their shift. No work may be performed during the lunch period. Employees may choose to not take a lunch period and adjust their work hours accordingly only with the prior approval of their Department Head or Supervisor.

(b) **Breaks**

Non-exempt employees who work a full eight (8) hour shift are allowed a total of 30 minutes of paid break time during that shift. Break time will normally be taken in two (2) separate 15-minute periods, the scheduling of which will be subject to approval by the supervisor. Employees are required to stay on-site during their paid break periods.

Employees who work at least three (3) hours but less than a full eight (8) hour shift on a day are allowed a total of 15 minutes of paid break time during that shift.

Break time that is not taken during a work shift is forfeited.

(c) Scheduling

Employees may be required to take their breaks at varying times, as departmental operations may dictate. The scheduling of lunch periods and breaks must be arranged between the employee and the supervisor or Department Head. Since Village offices remain open continuously on normal workdays between 8:00 a.m. and 4:30 p.m. (and longer in the case of the Police Department), it is the responsibility of the Department Head to assure that lunch periods and breaks are scheduled in a manner that provides adequate staff coverage at all times. Meal periods shall not be regularly scheduled at the beginning or end of a work shift. An exception, as determined by the supervisor, may be when an employee is directed to work during the normal meal period.

Lunch periods and breaks may generally not be accumulated or lumped together for the purpose of extending lunch periods, shortening a workday or accrual of compensatory time.

On occasion, at the express direction of or approval by the supervisor or Department Head, an employee may be required to work during a scheduled lunch period or break period due to peak workloads, staffing shortages, or emergencies.

16.03 Time and Attendance Reporting

- (a) The Village must keep accurate records of employees' working hours to meet requirements under federal and state law, to ensure paychecks are written for the correct amounts, to adjust employees' accrued leave balances and other benefit accounts dependent on employees' earnings or hours worked and to allocate costs to appropriate Village accounts. Accordingly, all employees must keep accurate records of their working hours and report those hours in accordance with this policy.
- (b) The electronic timekeeping system for hourly employees is the primary record for reporting the hours that each employee works or is absent and for computing the amount of compensation due. It is the joint responsibility of the employee and the employee's supervisor or Department Head to ensure that regular hours worked, overtime hours worked, compensatory time used and the number of hours to be charged to various kinds of absences (sick leave, vacation, holiday, etc.) for which an employee is entitled to compensation are accurately and truthfully reported in the electronic timekeeping system.
- (c) A non-exempt employee must maintain a record of the total hours worked each day. Each employee must verify that the reported hours worked are complete and accurate. Unless

authorized by a supervisor, an employee should not work any hours that are not authorized.

- (d) Employees are prohibited from performing any “off-the-clock” work. “Off-the-clock” work means hours worked but not reported including but not limited to starting early, finishing late, working during meal periods, or answering emails and working hours that are not de minimis in nature. . Any employee who fails to report or inaccurately reports any hours worked may be subject to disciplinary action, up to and including termination.
- (e) The accurate recording of working hours is a serious matter. Employees who falsify information relating to their working hours or who assist other employees in the falsification of time are subject to discipline, up to and including termination of employment.
- (f) At the end of each payroll period, each employee and the supervisor, must electronically verify the employee’s time record is an accurate reflection of hours worked. All overtime hours, vacation, paid time off or personal time taken will be reflected on the paystub. It is the joint responsibility of the employee and the employee's supervisor or Department Head to ensure that regular hours worked, overtime hours worked, and the number of hours to be charged to various kinds of absences (sick leave, vacation, holiday, etc.) for which an employee is entitled to compensation are accurately and truthfully reported.
- (g) An employee will not be expected to submit when absent from work during the entire pay period or is unable to submit the sheet because of an unexpected absence such as illness or injury. The completed and approved time sheet is to be submitted via the electronic time keeping system by 10:00 a.m. on the Monday before the payday, unless otherwise specified due to holidays.

16.04 Payroll and Direct Deposit

- (a) The payroll week runs from 12:01 a.m. Sunday until midnight the following Saturday. Each payroll period then ends at midnight the Saturday preceding payday.
- (b) Automatic payroll deposit is required for all employees.
- (c) Employees are paid biweekly every other Friday. If payday falls on a paid holiday, then employees are paid on the workday immediately preceding holiday. No early paychecks will be issued, and no advances on paychecks will be given.
- (d) Employees can access a statement of earnings each payday, listing their pay and itemized payroll deductions, through the online payroll self-service system. Paper copies will be distributed only as required by state law.

16.05 Overtime Pay

(a) Definition of Overtime

Overtime for non-exempt employees is defined as hours worked in excess of forty (40) hours per workweek, except for employees engaging in the performance of fire protection or law enforcement activities, wherein the Village may designate a longer work period of up to 28 calendar days, and overtime due under the law is based on time worked during that designated work period. An established work period may be changed at any time based on the needs of the Village and as permitted by law.

The Village also provides certain premium rates of pay for certain hours worked when overtime is not required by law. These premium rates of pay are classified as extra compensation and are not included in the employee's regular rate of pay when determining overtime due under state and federal law. Such premium rates of pay may serve as a credit against any overtime pay requirements.

(b) Overtime Eligibility

Non- Exempt Employees: State and federal law considers employees to be non-exempt unless they meet legal criteria to be exempt. Non-exempt employees must be paid overtime or may alternatively accrue compensatory time in accordance with Village rules and the law, at the rate of time and one half (i.e., 1½ times) their regular rate of pay for all overtime hours worked in a workweek, in accordance with applicable laws. ***Employees must have prior supervisor approval before working overtime.***

1. Exempt Employees: Department Heads and salaried persons in exempt executive, administrative, or professional positions are ineligible for overtime or compensatory time for additional hours worked but may be allowed to vary their work schedules to accommodate fluctuations in their workload. Exceptions to this general rule may be made by the Village Board, such as when the Village is reimbursed on a pre-arranged basis from outside sources for the overtime worked by the exempt employee.
2. Employees will be classified as exempt or non-exempt at the beginning of employment. Employees whose position changes as a result of a promotion, transfer, or otherwise will be notified of any change in their classification status and of any resulting change in benefits as a result of that change in status. Employees with questions regarding their employment classifications or exemption status should contact the Human Resource designee or the Deputy Village Administrator.

(c) Compensation

An hourly non-exempt employee who is not employed in a protective services position will generally be paid overtime hours in pay status, except for compensatory time used, which are in excess of their regularly scheduled workday, or in excess of forty (40) hours per workweek in accordance with Wisconsin and Federal law. As stated above, non-exempt protective services employees will be paid overtime for hours in pay status in excess of the Village's designated work period of up to twenty-eight days. Additionally, some non-exempt employees may be eligible for additional overtime defined by their respective collective bargaining agreements or Village policy that allows employees to be paid overtime for hours in pay status in excess of their regularly scheduled workday. Within the limits set by Section 16.04 below, employees may request that rather than being paid out, overtime be accumulated as compensatory time at the rate of one and one-half hours of compensation, for each hour of overtime worked.

1. Minimum Call-in Pay

Any non-exempt employee who is required to report to work at any time when the employee is not regularly scheduled to work, and such time is not directly before or after their regularly scheduled work hours, will be compensated for a minimum of two (2) hours, at the rate of time and one half (1 ½) of their regular hourly rate of pay, or for all hours worked at time-and-one-half (1 ½) their regular hourly rate of pay, whichever is greater. On specified holidays, Minimum Call-In Pay will be paid at two (2) times the non-exempt employee's regular hourly rate of pay.

2. Court time.

- i. Any non-exempt employee who is required to report to testify outside of their regularly scheduled hours will be paid time and one-half (1 ½) at their regular hourly rate or accrue compensatory time at time and one-half (1 ½). A minimum of three (3) hours will be paid at a rate of time and one-half (1 ½) if Circuit Court is cancelled less than twenty-four (24) hours before the scheduled court time.
- ii. Any non-exempt Employee who is required to report for Municipal Court duty outside of their regularly scheduled hours will be paid time and one-half (1 ½) at their regular hourly rate or accrue compensatory time at time and one-half (1 ½). A minimum of two (2) hours will be paid at the rate of time and one-half (1 ½) if Municipal Court is cancelled less than twenty-four (24) hours before the scheduled court time.
- iii. Between twenty-four (24) hours and thirty-five (35) hours before the scheduled court duty, employees must confirm with their immediate Supervisor their need to appear in court.

3. On-Call Pay

- i. Employees may be assigned to serve in an on-call capacity to respond to an unforeseen circumstance and/or emergency situation and, if such circumstance/emergency situation arises, to report to work outside of their regularly scheduled shift(s).
- ii. Employees are expected to remain within a reasonable distance of the Village while assigned to on-call duty. An employee who is on call is to respond as quickly as possible to the unforeseen circumstance and/or emergency situation. Unless extraordinary circumstances such as weather prevent otherwise, Employees are expected to respond within 30 minutes upon receiving notification of the unforeseen circumstance and/or emergency situation that requires them to report for work.
- iii. Employees assigned to on-call duty by their Supervisor are required to comply with all Village policies including the Village's drug and alcohol policy.
- iv. Any non-exempt Employee who is assigned to be on call shall be paid one (1) additional hour of compensation at time and one-half (1 ½) the Employee's regular rate of pay per 24-hour period they are assigned to be on call. This payment shall occur regardless of whether the non-exempt Employee is actually required to report to work while assigned in an on-call capacity.
- v. Compensation shall be provided at two (2) times the non-exempt Employee regular hourly rate of pay for the one (1) additional hour of compensation paid when assigned on call if the 24-hour period falls on a holiday.
- vi. Employees who are unable to report for the regularly scheduled workday due to illness or injury shall have their on-call duties reassigned by their supervisor until they are well enough to return to work.

16.06 Compensatory Time

Eligible employees who choose to receive compensatory time in lieu of cash payment for overtime worked may accumulate and use compensatory time subject to the following restrictions:

- (a) The maximum allowable accumulation of compensatory time will be forty (40) hours. Any overtime hours accumulated in excess of the maximum must be taken in the form of overtime pay unless authorized by the Administrator due to special circumstances. Compensatory time used or paid will not generate additional overtime payment to the employee and will not count as hours worked or hours paid for overtime calculation purposes.

- (b) Any accumulated compensatory time within the allowable forty (40) hours that remains unused at the end of the calendar year will automatically be rolled over to the following year. The Village reserves its right to payout compensatory time at any time.
- (c) An employee must obtain prior approval of the supervisor or Department Head in order to use compensatory time off. A supervisor or Department Head may deny a request as permitted under the law, if the employee's absence will clearly impair the department's ability to meet its responsibilities or requires other employees to work overtime.
- (d) As noted above, employees must record compensatory time used during each payroll period. Employees must also specify which overtime hours the employee would like to accrue as comp time in any week that overtime is earned. The Administration Department will maintain records of the running compensatory time balances of each employee.

16.02 Night Shift Differential

Any non-exempt employee may be paid night shift differential at the following rates, for the following regularly scheduled shifts:

- (a) 2 pm to 10 pm - \$0.50 per hour
- (b) 10 pm to 6 am - \$0.50 per hour

16.07 Payroll Deductions

It is Village policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. In order to ensure employees are paid properly for all time worked and that no improper deductions are made, employees must record all work time and review their paychecks promptly to identify and to report all errors. Employees should not engage in off-the-clock or unrecorded work.

The Village makes every effort to pay employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the Village's attention, the Village will promptly make any correction necessary. Employees should review their pay report to make sure it is correct. If it appears a mistake has occurred or if there are questions, the reporting procedure described below should be used.

It is a violation of Village policy for any employee to falsify time entry or to alter another employee's time records. It is also a serious violation of policy for any employee to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time records to under- or over- report hours worked.

Exempt salaried employees will receive a salary which is intended to compensate for all hours that worked for the Village. While salaries may be subject to review and modification from time to time, such as during salary review times, a salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

However, under state and federal law, a salary is subject to certain deductions. For example, absent contrary state law requirements, a salary can be reduced for the following reasons:

- Full-day absences for which approved leave time is not used.
- Full-day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others).
- To offset amounts received as payment for jury and witness fees or military pay.
- Unpaid disciplinary suspensions of ≥ 1 full days for significant infractions of major workplace conduct rules.
- The first or last week of employment in the event the employees works less than a full week.

If an employee has questions or concerns about deductions from their pay, the employee should contact Payroll. If they believe their wages have been subject to any improper deductions or their pay does not accurately reflect all hours worked, the employee should report their concerns to a supervisor immediately. If a supervisor is not available or if it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply), you should contact the Human Resources designee or the Deputy Village Administrator.

Every report will be fully investigated and corrective action will be taken where appropriate. In addition, the Village prohibits any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, March 14, 2023

SECTION: Business

DEPARTMENT: Administration

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

AGENDA ITEM: Discussion and recommendation on amendment of Chapter 32, Electronic Communications and Information Systems Policy, of the Personnel Policy Manual.

PREVIOUS ACTION:

ISSUE SUMMARY:

In moving through updates to the Personnel Policy Manual, staff, the Village's labor attorney, and the Village's contracted IT services consultant reviewed Chapter 32, Electronic Communications and Information Systems Policy, of the Personnel Policy Manual. It is of note that this section of the manual has not been updated in some time. The focus of the changes to this chapter aim to bring the policy up to date with current industry standard practices, equipment, and procedures. The only other substantial change is the removal of the employee consent agreement regarding electronic communications and the separate password policy. The information on both these forms is included directly in the chapter and employees are required to read and acknowledge that manual as part of their new hire orientation.

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 amendment of Chapter 32, Electronic Communications and Information Systems Policy, of the Personnel Policy Manual.

ATTACHMENTS:

1. PPM Chapter 32 - Electronic Communications - Final Draft 03.07.2023

CHAPTER 32 - ELECTRONIC COMMUNICATION AND INFORMATION SYSTEMS POLICY

32.01 Electronic Communications

(1) Purpose

To better serve our citizens and give our workforce the best tools to do their jobs, the Village continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic devices, media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, wireless devices, ~~paggers,~~ voice-mail, fax machines, external electronic bulletin boards, wire services, on-line services, the ~~I~~Internet, text messaging, and all forms of social media (collectively referred to, where appropriate, as “electronic communications,” “electronic communications systems” or “electronic communications devices”).

The Village encourages the use of electronic communications for Village business purposes, because these devices, media, and services can make communication more efficient and effective, and because they are valuable sources of information. However, each person subject to this Policy must remember that electronic communications provided by the Village are Village property and their purpose is to facilitate and support Village business and the Village’s interests as an employer. It is the responsibility of all employees to ensure these resources are used in an efficient, ethical, and lawful manner in the interests of the Village. No expectation of privacy ~~in regards to~~ regarding use of the Village’s electronic communication systems exists ~~nor~~ should be expected by the employee in any respect related to accessing, transmitting, sorting, or communicating information.

This policy cannot identify specific rules to cover every possible situation. The purpose of this policy is to express the Village’s philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the Village’s intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the Village. Traditional high expectations of professionalism, full regard for the Village’s best interest, and decorum serve as sound and appropriate guidelines when an employee may identify a concern regarding use.

(1) Applicability

This policy applies to all officers, employees, volunteers, and contracted and consulting resources. Each person is responsible for complying with this policy. Department Heads and supervisors are responsible for the implementation of and adherence to this policy within their departments.

This policy applies to all electronic communications that are:

- (a) Created, transmitted or accessed on or from Village premises;

- (b) Created, transmitted or accessed using Village equipment or Village-paid access methods;
- (c) Used in a manner that identifies the individual as acting for or on behalf of the Village; or
- ~~(d)~~ (d) in any way identifies the Village.

(2) Policy

It is the policy of the Village to follow this set of procedures for the use of electronic communication media and services.

Reference: Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 – 2711); Wis. Stats. §947.0125.

(34) Procedures

(a) Access and Authority

1. Each Department Head will determine which employees in their department will have access to the various electronic communications, based on business practices and necessity, and which employees will have authority to communicate on behalf of the Village, if any.
2. This Policy applies to the use of Village-owned or provided equipment from home or other locations off Village premises, and to personal equipment used for Village-business purposes. Village-owned equipment (e.g., laptops, cell phones, etc.) may be removed from Village premises solely for Village work-related purposes and only with prior authorization from the Department Head.

(b) Prohibited Use

1. Electronic communications cannot be used for transmitting, retrieving, or storing any communication that is:
 - a. Personal use on Village time (e.g. shopping, personnel correspondence or other non-Village-business-related communications), except as otherwise allowed under Section 4(c) below;
 - b. Obscene as defined in Wis. Stats. § 944.21;

- c. Illegal, including engaging in the unlawful use of the e-mail system as set forth in Section 947.0125 of the Wisconsin Statutes (Unlawful use of computerized communication systems);
 - d. Contrary to the Village's policies, rules, expectations, or best interest;
 - e. Offensive, annoying, harassing, disruptive, obscene, or defamatory material, including, but are not limited to any materials which contain profanity, sexual information, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's protected status, including age, race, creed, color, sex, gender, ancestry, religious or political beliefs, marital status, national origin, -disability or sexual orientation;
 - f. Using another individual's account or identity without explicit authorization;
 - g. Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
 - h. Accessing, retrieving, or reading any communications sent to other individuals, without prior authorization from the Administration Department; or
 - i. Permitting any unauthorized individual to access the Village's e-mail system and other electronic communications
2. For the protection, integrity, and security of the Village's system, electronic communications will not be used to download or transfer software unless authorized by the ~~Administration Department~~Communications & Technology Department.
 3. Employees must comply with existing federal, ~~state~~state, or local laws and regulations regarding usage of electronic communications devices. ~~Employees whose job responsibilities include regular or occasional driving or the operation of equipment are discouraged from using electronic communications devices while driving or operating equipment. Regardless of the circumstances, including slow or stopped traffic, employees are expected to pull off to the side of the road and safely stop before using the device.~~
 4. Use of picture technology or any other camera or recording device technology that may capture video, picture or audio recordings in restrooms, locker rooms, sleeping facilities, and other areas where one may have a reasonable expectation of privacy is strictly prohibited.

~~(d)~~(e) Personal Use

1. Except as otherwise provided, electronic communications are provided by the Village for the Village's business use during Village time. Limited, occasional, or incidental use of electronic communications (sending or receiving) for personal ~~nonpecuniary~~ or nonbusiness purposes is permitted as set forth below:
 - a. Personal use is limited to designated breaks, unpaid lunch, or 15 minutes before or after designated work hours;
 - b. Personal use must not interfere with the productivity of the employee or ~~his or her~~ their coworkers;
 - c. Personal use does not involve any prohibited use or activity;
 - d. Personal use does not consume system resources or storage capacity on an ongoing basis;
 - e. Personal use does not involve large file transfers or otherwise deplete system resources available for Village purposes.
2. Village telephones, cellular phones, printers, and fax machines are to be used for Village business. However, brief, limited, and infrequent personal use is permitted during the work-day. ~~Personal long-distance calls are only permitted with the use of a personal 1-800 calling card, or with the understanding that such calls must be reported to the Village and all costs reimbursed to the Village.~~
3. Employees should not have any expectation of privacy with respect to personal use of electronic communications.

~~(e)~~(f) Access to Employee Communications

1. Electronic information created or communicated by an employee can be accessed and monitored by the Village at any time and for any lawful reason. The Village respects its employees' desire to work without surveillance. However, the Village reserves and exercises the right, at its discretion, to review, monitor, intercept, access and disclose all ~~messages~~ data created, received or sent over the electronic communication systems for any lawful purpose including, but not limited to system security; cost analysis; resource allocation; optimum technical management of information resources; records retention; public records compliance; litigation compliance; detecting use which is in violation of Village policies or may constitute illegal activity; and any other reasons as determined by

the Village. Disclosure will be decided by the Village, but will generally not be made except when necessary to enforce the policy, as permitted or required under the law, or for other Village purposes.

2. Any such monitoring, intercepting, and accessing will observe and comply with any confidentiality regulations under federal and state laws.

~~(f)~~(g) Confidentiality/Security/Appropriate Use

1. Many electronic communications containing sensitive information are transmitted by the Village and its employees. Employees must respect the confidentiality of all electronic communications—particularly since an individual employee may not know whether the communication is confidential, is intended to be confidential, or contains confidential information. Except in cases in which explicit authorization has been granted by the Administration Department, employees are prohibited from engaging in, or attempting to engage in:
 - a. Monitoring or intercepting the files or electronic communications of other employees or third parties;
 - b. Hacking or obtaining access to systems, files, or accounts they are not authorized to access;
 - c. Using other people's log-in information or passwords without authorization;
 - d. Breaching, testing, or monitoring computer or network security measures; and
 - e. Compromising the confidentiality of or disclosing communications to persons or employees who have no legitimate Village interest as determined by the Village.
2. No e-mail or other electronic communications can be sent that hides or attempts to hide the identity of the sender or represent the sender as someone else.
3. Electronic communications should not be used in a manner that is likely to cause network security issues, network congestion or that hampers the ability of other people to access and use the system.
4. Anyone obtaining electronic access to another organization's, business', municipality's, or individual's materials must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

5. Employees must understand that the unauthorized use or installation of non-authorized or non-standard software or data may cause computers and networks to function erratically, improperly, or cause data insecurity or loss. Therefore, before installing any new software or data, users should seek authorization of the ~~Administration Department~~Communications & Technology Department or Information Technology Consultant. Users cannot install or download software to networked storage devices without the assistance and approval of the ~~Administration Communication & Technology~~ Department or Information Technology Consultant.
6. Most of the Village's computing systems automatically check for viruses before files and data are transferred into the system from external sources. On computers where virus scanning takes place automatically, the virus scanning software must not be disabled, modified, uninstalled, or otherwise inactivated. If you are uncertain as to whether the workstation you are using is capable of detecting viruses automatically, or you are unsure whether the data has been adequately checked for viruses, you should contact the ~~Administration Department~~Information Technology Consultant.
7. Anyone receiving an electronic communication in error must notify the sender immediately. The communication may be privileged, confidential or exempt from disclosure under applicable law. Such privilege and confidentiality must be respected.
8. Employees may not knowingly violate software licenses or copyrights during the course of their job duties or at any time while using Village equipment or software. Employees are responsible for producing proof of license for any non-Village software installed on their Village-supplied device. Software that is licensed to the Village may not be installed on employee-owned devices unless it will be utilized for Village-related business or as allowed by the software vendor.
9. Employees may not knowingly allow unauthorized persons access to Village data by sharing their login, ~~or~~ password or network access.
10. Employees who leave their computers running while unattended must password protect (screen lock) or shut down their desktop if there is potential for access by others. Department Heads and Supervisors shall have the authority to perform this function for subordinates who fail to do so.
11. Any device containing Village data must be totally erased or rendered unreadable before it is disposed of.
12. Employees must take appropriate measures to secure portable devices including radios, pagers, portable devices, laptop computers, tablets,

cellular phones and other electronic communications devices when unattended. ~~Each department will develop appropriate security policies for portable devices based on the circumstances and risks presented by their usage.~~

13. Damage to a Villagen electronic communications device must be reported to the employee's supervisor. Lost or stolen Village electronic communications devices used in any manner for Village business must be reported immediately to the employee's supervisor. When permitted by law, an employee may be financially responsible for the replacement if the equipment is lost or damaged while in the care of an employee as a result of the employee's negligence or intentional damage, the equipment is not returned within 24 hours by an employee upon request of the Village or at separation of employment, or is found to be damaged upon its return, or the equipment is damaged due to failure to adhere to safety, maintenance, or operational policies. The Village assumes no responsibility for the loss, theft, or damage of a personal device. Repair and replacement is at the sole expense and discretion of the user or owner of the personal device.
14. The Village has the right to send a remote wipe to a Village electronic communications device whenever it is believed that the electronic communications device has been compromised or could be compromised. All information on the device may be eliminated including photos, videos, emails, contacts, and other stored information. Employees are responsible for backing up any personal information they do not want subject to a remote wipe.
15. Employees who use their personal device or service for Village business agree to, in exchange for being able to use their personal equipment in lieu of using Village-provided equipment, cooperate with and assist the Village in obtaining records from the employee's device or service provider for legitimate Village interests, including, but not limited to, work-related use, public records law compliance, preserving records for litigation involving the Village, or conducting an investigation. The employee must cooperate with the Village to obtain these records, to maintain these records, and consent to the release of these records, regardless of whether the employee receives a stipend for the device.

(g)(h) Encryption

Employees should not assume electronic communications are private or secure. Employees with a business-need to encrypt messages (e.g. for purposes of safeguarding sensitive or confidential information) will submit a written request to their supervisor and the Administration Department. When authorized to use encryption by their supervisor and the Administration Department, employees must use encryption software supplied to them by the Administration

~~Department~~Information Technology Consultant. Employees who use encryption on files stored on a Village computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all ~~of~~ the passwords or encryption keys necessary to access the files. All passwords and encryption keys are the sole property of the Village.

~~(h)~~(i) Participation in on-line forums

1. Employees should remember that any messages or information sent on Village-provided facilities to one or more individuals via an electronic network (for example, Internet mailing lists, bulletin boards, and on-line services) are statements identifiable and attributable to the Village.
2. The Village recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a group devoted to the technical area.
3. Employees will include the following disclaimer in all of their postings to public forums: *"The views, opinions, and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by the Village of McFarland."*
4. Employees should note that even with a disclaimer, a connection with the Village exists and a statement could be imputed legally to the Village. Therefore, employees should not rely on disclaimers as a way of insulating the Village from the comments and opinions they contribute to forums. Instead, employees must limit their discussion to matters of fact and avoid expressing opinions while using electronic communications systems or a Village-provided account. Communications must not reveal confidential information and must not otherwise violate Village policies.
5. Employees must receive authorization from their Department Head prior to participating in an on-line forum. The employees will be required to review the provisions of this section before they receive such authorization.

~~(h)~~(j) Policy Violations

Employees who abuse the privilege of Village-facilitated access to electronic media or services risk having the privilege removed for themselves and possibly other employees, ~~are~~may be subject to discipline, up to and including discharge, and may be subject to civil liability and criminal prosecution.

~~(45)~~ **E-Mail**

~~The Village provides certain employees with systems to send and receive electronic mail (e-mail) so they can work more productively. E-mail gives employees a useful way to exchange ideas,~~

~~share files, and keep in touch with colleagues, whether they are located in the next room, another Village building, or thousands of miles away.~~

~~The Village's e-mail system is a valuable business asset.~~ The messages sent and received on the e-mail system, like memos, purchase orders, letters, or other documents created by employees in the course of their workday, are the property of the Village and are subject to disclosure under Wisconsin Public Records Law. This policy explains rules governing the appropriate use of e-mail and affirms the Village's rights to monitor and access messages on the email system. No expectation of privacy in regards to use of the Village's e-mail system should be expected by the employee in any respect.

(a) Access to employee e-mail

1. Employees should not have any expectation of privacy with respect to messages or files sent, received, or stored on the Village's electronic communications systems. E-mail and files, like other types of correspondence and Village documents, can be accessed and read by authorized employees or individuals. Authorized access to employee e-mail by other employees or outside individuals includes, but is not limited to, the following:
 - a. Access by the Village Administrator's office during the course of system maintenance, monitoring, or administration;
 - b. Access approved by the employee, the employee's supervisor, or an officer of the Village when there is a legitimate work-related reason to access the employee's mailbox (for example, if an employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business is located in the employee's mailbox);
 - c. Access approved by the employee's supervisor, the Village Administrator, or an officer of the Village -when there is reason to believe the employee is using e-mail in violation of the Village's policies or applicable law;
 - d. Access approved by the Village Administrator or the Village Attorney in response to the Village's receipt of a court order or request from law enforcement officials for disclosure of an employee's e-mail messages.
 - e. Access by the Information Technology Consultant to randomly check for appropriate usage.
2. Except as otherwise noted herein, e-mail should not be used to communicate sensitive or confidential information. Employees should anticipate that an

e-mail might be disclosed to or read by individuals other than the intended recipient(s), since e-mail can be easily forwarded to other individuals. In addition, while the Village endeavors to maintain the reliability of its electronic communications systems, employees should be aware that a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of e-mail.

3. The confidentiality of any e-mail should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message.
4. Employees should understand that e-mail is a written form of communication, just like a paper letter. Though e-mail is relatively spontaneous compared with regular mail, employees should take care to use the same level of professionalism, discretion, and forethought before executing e-mail.

(b) Passwords

Each user accesses electronic communications systems by means of a personal login name and password, which will be selected by the Village or employee. ~~and disclosed to the Village.~~ Passwords and login information are the property of the Village.

1. Passwords are intended to keep unauthorized individuals from accessing the system. From a systems security perspective and from the perspective of an e-mail recipient, passwords also establish the identity of the person sending an e-mail message. The failure to keep passwords confidential can allow unauthorized individuals to read, modify, or delete email messages; circulate email forgeries; and download or manipulate files on other systems.
2. The practice of using passwords should not lead employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality.
3. Passwords should never be given out over the phone, included in e-mail messages, posted, or kept within public view.
4. Employees are prohibited from disclosing their password except when required by the Employee's supervisor or authorized Village representative. Employees also should not disclose their password to other employees, except when required for Village business purposes.
5. ~~*Addition to consider (wording can be changed):~~ The Village recommends employees utilize a password management software recommendation of a password management software is highly encouraged for all staff to use to meet the appropriate protocols of Village email and security.

32.02 Electronic and E-mail Record Retention Policy

(1) Purpose

The purpose of this policy is to emphasize that certain types of e-mail as defined in Wis. Stats. §19.32(2) are public records. The same rules which apply to record retention and disclosure for other Village documents apply to such electronic records.

(2) Applicability

This policy applies to all officers, employees, volunteers, and to contracted and consulting resources. Department Heads and supervisors are responsible for the implementation of and adherence to this policy within their departments.

(3) Policy

It is the policy of the Village to follow this set of procedures for electronic and e-mail record retention.

(4) Procedures

(a) Nature of electronic and e-mail records

As a general rule, an electronic record or e-mail is a public record whenever a paper message with the same content would be a public record. See Wis. Stats. §19.32(2) for definition of a record.

(b) Components of an e-mail record

The e-mail record is defined to include the message, the identities of the sender and all recipients, the date, and any non-archived attachments to the e-mail message. Any return receipt indicating the message was received by the sender is also considered to be part of the record.

(c) Saving and indexing e-mail records

Initially the custodian (that officer, department head, division head, or employee of the Village who keeps or is in possession of an e-mail) bears the responsibility for determining whether ~~or not~~ a particular e-mail record is a public record which should be saved and ensuring the record is properly indexed and forwarded for retention as a public record. E-mail which is subject to records retention must be saved and should be indexed so that it is linked to the related records in other media (for example, paper) so that a complete record can be accessed when needed. E-mail records to be retained will be archived to an archivable media, network drive or printed out and saved in the appropriate file. Any officer, department head,

division head, or employee of the Village may request assistance from the Legal Custodian of records (the Village Clerk or the Clerk's designee, except that the Chief of Police is Legal Custodian of Police Department records) in determining whether an e-mail is a public record.

(d) Responsibilities for e-mail records management

1. Legal Custodian. E-mail records of a Village authority having custody of records will be maintained by the designated Legal Custodian, pursuant to Village policy.
2. Information Technology Consultant. If e-mail is maintained in an on-line data base, it is the responsibility of the Village's network service provider to provide technical support for the Legal Custodian as needed. When equipment is updated, the Administration Department will ensure that the ability to reproduce e-mail in a readable form is maintained. The ~~Administration Department~~ Communication & Technology Department will assure that e-mail programs are properly set up to archive e-mail.

(e) Public access to e-mail records

If a ~~d~~Department receives a request for release of an e-mail public record, the Legal Custodian of the record will determine if ~~public~~ release is prohibited by law, in whole or in part, pursuant to law, consulting the Village Attorney, if necessary. As with other records, access to or electronic copies of disclosable records will be provided as soon as practicable and without delay.

(f) Violation

Employees violating this policy ~~are~~ may be subject to discipline up to and including discharge. In addition, violations of this policy may be referred for civil and/or criminal prosecution, where appropriate.

~~**32.03 Employee Consent Agreement**~~

~~The Village will require employees to read and signify acceptance of the terms of this policy by signing the following Consent Agreement before making electronic communications and information systems available.~~

**~~E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES – EMPLOYEE
CONSENT AGREEMENT~~**

~~As an employee of the Village of McFarland, I recognize and understand that the Village’s electronic communication systems are provided for conducting the Village’s business. However, Village policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages, accounts, files, and passwords are the exclusive property of the Village. I agree not to use the electronic communication systems in a way that is in violation of Village policies, rules, or expectations or professionalism, or that is illegal, disruptive, offensive, illegal, or harmful to others or to the Village. I agree not to use passwords, access a file or retrieve any stored communication other than with authorization. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the Administration Department.~~

~~I am aware that the Village reserves and may exercise its right to monitor, review, audit, intercept, access and disclose all matters on the Village’s electronic communications systems at any time and in the Village’s sole discretion. I am aware that the Village exercises these rights with or without employee notice, at any time. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy, or restrict the Villages’ right to access electronic communications. I consent to the review, access and release of Village information and records on my personal devices that I use for Village-related purposes, and I will fully cooperate with the Village to ensure full disclosure of Village information and records to the Village for its use and disclosure in its discretion. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil or criminal liability.~~

~~I acknowledge that I have read and that I understand the Village’s policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.~~

~~_____
Signature of Employee _____ Date~~

~~_____
Signature of Supervisor _____ Date~~

PASSWORD PROTECTION POLICY—EMPLOYEE CONSENT AGREEMENT

Password Protection Policy

I, _____, understand that every 90 days from the receipt of my
(print name)
initially assigned password, I must create a new password in order to access Village e-mail and computer systems.

~~* Complexity requirements: eight characters consisting of a combination of at least three lower and upper case alphabetic characters plus a combination of at least three numeric characters and/or special characters (-!@#\$\$%^&*)~~

~~* At least 10 days prior to the password expiration date, notification of the pending expiration date will appear during computer login. If you do not change your password by the expiration date, computer access will be denied by the system.~~

~~* Your password will not be accepted unless it has been changed from a previous password and meets the complexity requirements listed above.~~

I have read, understand, and will comply with the Password Protection Standards listed below;

I am the sole authorized user of this password;

I am responsible for keeping my password secure;

I am not to share my password with anyone;

I will password protect any file on the computer system containing any passwords;

I acknowledge that the Village may impose disciplinary sanctions on employees who violate this policy.

Date

Signature

Password Protection Standards

~~Do not share your Village of McFarland passwords with anyone.~~

~~All passwords are to be treated as sensitive and confidential Village of McFarland information.~~

~~Do not:~~

- ~~1. Reveal a password over the telephone to anyone.~~
- ~~2. Reveal a password in an e-mail message.~~
- ~~3. Talk about the password in front of others.~~
- ~~4. Hint at the format of a password (e.g., "my family name").~~
- ~~5. Reveal a password on a questionnaire or security form.~~
- ~~6. Share a password with family members.~~
- ~~7. Reveal a password to co-workers while on vacation.~~

~~8. Write passwords down and store them openly in your office.~~

~~If someone demands a password, refer them to this document or have them contact the Village Administrator or Village Clerk.~~

~~If an account or password is suspected to have been compromised, report the incident to the Village Administrator or Village Clerk.~~

Instructions for Changing Password

~~Complexity requirements: eight characters consisting of a combination of at least three lower and upper case alphabetic characters plus a combination of at least three numeric characters and/or special characters (~!@#\$\$%^&*)~~

- ~~1. Log on to your computer.~~
- ~~2. Hold down the **Ctrl**, **Alt**, and **Delete** keys on your computer pad.~~
- ~~3. Click on **C**hange password.~~
- ~~4. Complete the fields shown (**Old Password:**, **New Password:**, and **Confirm New Password:**).~~
- ~~5. Click on **OK**.~~

~~Please note that your old password is required in order to enter your new password. If do not have your old password, please contact the Village Clerk.~~


VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Tuesday, March 14, 2023

SECTION: Business

DEPARTMENT: Administration

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

AGENDA ITEM: Discussion on final approval of the updated Personnel Policy Manual.

PREVIOUS ACTION:

The Compensation, Classification and Future staffing plan was accepted by the Village Board on November of 2021. In May of 2022, the Village Board referred updating and combining the Personnel Policy Manual and the Compensation and Benefits manual. Through this process, staff created the Employee Engagement Committee recommended in the study and used both the Committee and Department Heads to work through updates and recommendations from the study.

ISSUE SUMMARY:

The four policies on the Personnel Agenda conclude the work of updating and combining the Village's Personnel Policy Manual and Compensation and Benefits Manual. These final four policies will be submitted to the Village Board on March 28th. Staff will then place the updated, complete manual on the April 11th Village Board agenda for discussion and possible adoption.

We would like to thank all of the employees who participated in the Compensation and Classification study and provided feedback through the survey. Additionally, a big thank you to the Employee Engagement Committee, as well as Department Heads, both of which helped provide insight and feedback. The updated manual achieves the objective of offering one manual to employees, and also contains updates and revisions that are responsive to employee's feedback. The Village seeks to be a destination employer that creates policies and benefits that support that idea.

Also, a big thanks to the Personnel Committee for taking on a tremendous amount of work to review and complete the project.

FINANCIAL/BUDGET IMPACT:

N/A

VILLAGE PLAN REFERENCE:

None

ORDINANCE REFERENCE:

N/A



BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

None