

**LANGLADE COUNTY  
PERSONNEL COMMITTEE REPORT**

**Meeting Date: 3/08/2016**

**Time: 9:00 a.m.**

**CHAIRMAN:** Doug Nonnenmacher

**MEMBERS PRESENT:** Doug Nonnenmacher, Arlene Bonacci, Dave Solin, Richard Hurlbert, Jim Jansen

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Gary Olsen, RJ Weitz, Pete Pennington, Erik Rantala, Chief Deputy John Schunke and Becky Rank

The meeting was called to order at 9:00 a.m. by Chairman Nonnenmacher in the Wolf River Room, Resource Center.

**Pledge of Allegiance.**

**Approve/amend Minutes of February 4, 2016.** Motion by Hurlbert, second by Jansen to approve the Amended Minutes of February 4, 2016, all ayes, motion carried.

Public comment on agenda items, and consideration of requests for items to be added to future meeting agendas. None

**Review request from Forestry Department Committee to increase the Clothing Allowance for Forestry Department Staff for 2017.** Erik Rantala, Forest Administrator, requested the uniform allowance for the Forestry Department be increased from \$125 to \$225 starting in 2017.

Review changes to Employee Handbook, including uniform allowances.

John Schunke, Chief Deputy, Sheriff's Department, addressed the Personnel Committee requesting the Sheriff's Department including the Sheriff, Chief Deputy, Jail Administrator and the Office Manager of the Sheriff's Department each continue to receive the Uniform Allowance to maintain a professional appearance.

Motion by Hurlbert, second by Bonacci to approve the increase in the Forestry Department's Uniform Allowance and keep the Sheriff's Department the same including the Sheriff, Chief Deputy, Jail Administrator and the Office Manger, all ayes, except Nonnenmacher voted nay, 4-1, motion carried.

**Review request to create a Permanent Part-Time Clerical Floater Position.** RJ Weitz, Human Resource Director, stated that a request has been made for a Full-Time Bailiff/Uniformed Deputy for the Courthouse. RJ stated that due to security liability reasons this position may be in a greater need than the Clerical Floater Position. It was recommended to the Personnel Committee that the Part-Time Clerical Floater Position be put on hold until the Executive Committee and Personnel Committee have more time to discuss. Personnel asked that this be brought back to the Personnel Committee after Executive Committee has discussed and Gary Olsen, Finance Director, will compile financial costs on both positions.

**Discuss proposed membership of the Handbook Advisory Committee.** RJ Weitz, Human Resource Director, requested that Gary Olsen, Finance Director be added to the Handbook Advisory

Committee as a non-voting member. All names for the Committee were not presented. The Personnel Committee requested that RJ bring this back to April's Personnel Committee meeting.

**Review and revise Personnel Policies.** RJ, Human Resource Director, presented the proposed revisions to the current Employee Handbook.

Employment, Hours of Work and Pay:

- Initial Employment (Probationary Period): See attachment.

Motion by Solin, second by Bonacci to approve the proposed change to the Employment, Hours of Work and Pay Policy, all ayes, motion carried.

Insurance:

- Health Insurance: See attachment.

Motion by Hurlbert, second by Bonacci to approve the proposed change to the Insurance Policy, all ayes, motion carried.

Temporary Work Assignments: See attachment.

Compensation Plan: See attachment.

Motion by Hurlbert, second by Jansen to approve the proposed change to remove the one-time payment for Temporary Work Assignments and remove. Consider request to revise compensation for existing positions per the Compensation Plan Policies, all ayes, motion carried.

Educational Reimbursement Expense Reimbursement Policy: Ron Barger, Social Services and Health Director, addressed the Personnel Committee and requested the adjustments be made to the Educational Reimbursement Expense Reimbursement Policy to help with the retention of employees. See attachment.

- Eligibility:
- Requested Education and Training:
- Conditions of Reimbursement:

Motion by Solin, second by Bonacci to approve the proposed change in the Educational Reimbursement Expense Reimbursement Policy, all ayes, motion carried.

Alcohol and Drug Free Workplace Policy, 2. See attachment.

Motion by Solin, second by Hurlbert to approve the proposed change of the Alcohol and Drug Free Workplace Policy, 2, all ayes, motion carried.

Langlade County Family and Medical Leave Policy:

- Substitution of Paid Leave: See attachment.

Motion by Jansen, second by Bonacci to approve the proposed changes to the Langlade County Family and Medical Leave Policy, Substitution of Paid Leave, all ayes, motion carried.

Recruitment and Selection of Employee Policy: See attachment.

Motion by Jansen, second by Hurlbert to approve the proposed changes to the Recruitment and Selection of Employee Policy, all ayes, motion carried.

Government Accountability and Complaint Resolution Policy: See attachment.

Motion by Hurlbert, second by Jansen to approve the Government Accountability and Complaint Resolution Policy and send onto County Board for adoption, all ayes, motion carried.

**Other Business:** Ron Barger, Director of Health/Social Services, Robin Stowe, Corporation Counsel and RJ Weitz, Human Resources Director approved a "Return to Work Plan" for an employee to work from home. The employee worked from home February 11, 2016 through February 25, 2016. The employee returned to work full-time on February 25, 2016. Return to Work Plans are reviewed based on departmental operational, business needs, and on a case-by-case basis. Discussion only.

Employee Recognition: RJ Weitz, Human Resources Director, conducted a survey regarding what employee's would prefer as employee recognition. The majority requested gift cards based on years of service. Years of service would be as follows. 10, 20, 30, 40, 50. May cap years of service at 40 or 50. Committee approved gift card (Chamber Bucks) for employee recognition and moved proposal for review by Finance Committee.

Motion by Solin, second by Nonnenmacher to approve gift card (Chamber Bucks) for employee recognition and forward this proposal to Finance Committee for review, all ayes, motion carried.

**Review monthly bills for Corporation Counsel, Circuit Court, Clerk of Circuit Court, Probate/Juvenile, Register of Deeds and District Attorney.**

**Adjourn the Meeting.** Motion by Hurlbert, second by Jansen to adjourn the March 8, 2016 Personnel Committee meeting, all ayes, motion carried.

**Set date for next meeting.** Thursday, April 7, 2016 at 9:00 a.m.  
Resource Center, Wolf River Room

Respectfully Submitted,  
Becky Rank, Recording Secretary

## Revisions to Employee Handbook and Appendix Policies:

### **HANDBOOK LANGUAGE REVISIONS:**

#### **N. UNIFORM ALLOWANCE**

The Sheriff and Chief Deputy positions shall receive an annual clothing allowance of \$650.00. The Jail Administrator position shall receive a clothing allowance of \$350.00. The Administrative Assistant position shall receive a clothing allowance of \$300.00.

#### **Forestry Department**

Forestry department staff shall receive an annual clothing allowance of \$225.00 for 2017 which can be used for the purchase of boots, blue jeans, work shirts, safety shoes, etc.

## **II. EMPLOYMENT, HOURS OF WORK AND PAY**

### **A. INITIAL EMPLOYMENT (PROBATIONARY PERIOD)**

5. Upon completion of six (6) months of the probationary period, the employee's *PTO* account shall be credited with the appropriate accruals. Upon completion of six (6) months of the probationary period, the employee is entitled to and may use the following fringe benefits: life insurance and accrued *PTO*. To be eligible for health insurance employees must be permanent full-time or permanent part-time. A permanent full-time or permanent part-time employee will be eligible for insurance the first month after sixty (60) days of employment with the County. ~~and have completed ninety (90) days of employment.~~

### **J. INSURANCE**

#### **Health Insurance**

With the exception of FMLA, should an employee be on unpaid leave for ten (10) work days out of a thirty (30) day calendar period or work day period, the employee shall be required to pay one-half (1/2) of his/her insurance premium. Should an employee be on unpaid leave for thirty (30) work days, the employee shall be required to pay the full monthly premium.

### **L. TEMPORARY WORK ASSIGNMENTS**

~~An employee may receive a one time payment for a temporary work assignment (which is not added to the compensation for the position) if all the following conditions apply: 1) the temporary work assignment is a substantial increase in job responsibilities; 2) the work was assigned because of a vacancy that occurred in another position; and 3) unexpended funds are available from the compensation of the vacant position for the one time payment. If all the following apply, then:~~

~~A one-time payment of less than \$2,500 may be approved by the Oversight Committee, Personnel and Finance Committees;~~

~~A one-time payment of more than \$2,500 may be approved by the County Board.~~

Temporary assignments for hourly employees shall be a minimum of six (6) months in duration. After the expiration of six (6) months, the temporary assignment will be reviewed by the department head to determine the appropriate operational needs of the department, which could include elimination of the temporary duties, permanently assigning the temporary duties to a full-time position or developing a budget proposal for a permanent part-time or full-time position. Temporary assignments for hourly employees shall be governed by the Fair Labor Standards Act (FLSA). An hourly employee who works over forty (40) hours in a work week shall be compensated equal to one and one-half (1 ½) times the hours worked in excess of forty (40) hours in a work week.

Per Section III. EMPLOYEE LEAVE AND BENEFITS, C. COMPENSATORY TIME hourly employees are also eligible for this benefit.

Additional compensation for an interim appointment to a department head position: the oversight committee may approve additional compensation at the rate of up to \$300 per month, not to exceed the top pay for the Department Head position. **An interim appointment is defined as an appointment of one (1) year or less.** All other interim appointments **of one (1) year or more,** the oversight committee may approve additional compensation at the next highest compensation rate established for the vacant position.

A department head appointed to fill a vacant position on a permanent basis shall be compensated at the appropriate level of the vacant position he/she is permanently assigned based on the minimum qualifications of the permanently assigned position and the department head's education, experience, and skills sets that he/she brings to the position.

#### **M. COMPENSATION PLAN**

~~Consider requests to revise compensation for existing positions:~~

~~A request for additional compensation may be considered apart from the five year review period for the Compensation Matrix when additional duties are permanently assigned to an existing position which result in a substantial change in job responsibilities, and the nature and character of the new job duties warrants a review of the compensation for the position. The request shall be submitted in the format established by the Committee. When considering requests to revise compensation for existing positions, the Committee may also request that a job audit be completed.~~

~~—The designation of new compensation on the Compensation Matrix for additional services shall require the review and approval of the Oversight Committee, Matrix Committee, and Personnel Committee prior to submission to the County Board for its review and approval. As approved, the additional compensation may be incorporated within the range for the existing position or specific compensation for the additional duties may be added to the Matrix.~~

#### **APPENDIX-POLICY LANGUAGE REVISIONS:**

##### **Appendix R. Educational Reimbursement Expense Reimbursement Policy:**

###### **I. ELIGIBILITY**

Any person who has satisfied their probationary period **or upon approval of department head and respective oversight committee** and is employed in a permanent (full-time or part-time) position.

###### **II. REQUESTED EDUCATION AND TRAINING**

An eligible employee may request reimbursement of educational expenses that would assist the employee in the performance of existing job duties or otherwise enhance the employee's skills, knowledge and abilities as would benefit Lantlade County. Educational expenses that are neither required nor necessary for the employee's current position are not eligible for reimbursement. The appropriate oversight committee may approve reimbursement of up to \$1,000 **\$2,000** per year of the eligible employee's educational expenses (limited to tuition and books only) subject to the following conditions:

###### **V. CONDITIONS OF REIMBURSEMENT**

Reimbursement shall not be made until after the educational courses are completed. **The employee must receive a passing grade of "C" or above to receive the educational reimbursement.**

**Appendix C. Alcohol and Drug Free Workplace Policy, 2. Statement:**

An employee is not required to disclose to the employer the lawful use of prescribed medications. However, if an employee is prescribed medication that may impair his/her ability to safely operate equipment in the workplace, or inhibit the employee's ability to fully and safely perform essential job functions, or create a reasonable suspicion that the employee is under the influence of a substance in violation of the County's Alcohol/Drug Free Workplace Policy, or result in a positive drug test result for a banned substance, that at the sole discretion of the employee, the employee may disclose to his or her Department Head, or to the Human Resources Director, that he/she has been prescribed medications that can have certain side effects that affect cognitive or physical functioning (such as opiate-based medications). Any information disclosed by the employee regarding prescribed medications will be kept confidential by the employer and not further disclosed. If the employee decides not to disclose to the employer the use of prescribed medications in the workplace, then the employer is not required to consider these mitigating factors when addressing concerns about employee safety, workplace conduct and job performance.

**Langlade County Family and Medical Leave Policy:**

**IV. Substitution of Paid Leave**

Employees may use, or may be required to use (to the extent permitted by law or as otherwise permitted under the Collective Bargaining Agreement), accrued paid leave during a period of unpaid FMLA leave. Only after an employee uses 2 weeks of FMLA in a calendar year (6 weeks for child rearing) can the employer (County) force substitution of PTO. This paid leave includes vacation, sick, extended leave and/or PTO. Paid leave is only available for substitution for unpaid periods of leave if the employee has accrued a current right to the benefit. To accrue a right to a benefit, the employee must meet all eligibility requirements needed to receive the benefit, as defined under the terms of the benefit policy, and have a present right to the benefit. Contingent or discretionary benefits or paid leave is not accrued leave for purposes of substitution. Paid time used will not be available later for use by the employee. Extensions of leave will not be permitted, except as required by law or an applicable Collective Bargaining Agreement.

**Recruitment and Selection of Employee Policy:**

**Policy Statement:**

It shall be the policy of Langlade County to recruit and select the best qualified persons for employment with Langlade County government. It is the goal of Langlade County to recruit and select qualified candidates based on objective criteria for employment in an affirmative manner to ensure open competition, provide equal employment opportunity and prohibit discrimination because on the basis of race, creed, color, national origin, ancestry, handicap, sex, age or sexual preference, except where sex or age is a bona fide occupational qualification, or other legally protected classification.

The Oversight Committee for each County Department and ~~elective~~ Department Heads (including County Elected Officers), hereinafter collectively referred to as the "Hiring Body", shall be responsible for coordinating all recruitment and selection using a process that is consistent with the goals set forth in this Policy. ~~Elective Department Heads may request the assistance of the applicable Oversight Committee or, if none, the Personnel Committee, in completing the hiring process.~~ The Oversight Committee may delegate to ~~non-elective~~ Department Heads the responsibility for coordinating all recruitment and selection using a process that is consistent with the goals set forth in this Policy.

This Policy is intended as a guide for the recruitment and selection for employment with Langlade County. In addition to this policy, other employment rules and regulations may apply to specific employment positions, such as grant-funded positions and union positions. ~~and~~

Department Heads are advised to consult with the Human Resources Department regarding any special rules that may apply to a particular position as may be established by any applicable enabling statute, grant awards condition, or union contract prior to recruitment.

If, after consultation with the Human Resources Director, the Department Head and Oversight Committee cannot agree on the recruitment and selection method for a specific position, then the matter shall be submitted to the Executive Committee for resolution.

### **I. Recruitment and Selection Process for Permanent Positions of Employment:**

The preferred selection process is outlined as follows. This process shall be followed as closely as practical, and any deviations from this preferred selection process must be approved in advance by the Hiring Body or the Personnel Committee. This process does not apply if the Hiring Body is utilizing another recognized selection method under this policy (i.e., recruitment using a state-certified equal opportunity recruitment process).

Before engaging in the recruitment for a position of County employment, all necessary approvals to create or fill a position must be obtained. In the event that the recruitment process is undertaken prior to obtaining any necessary approvals, then any final offer of employment is shall be contingent upon such approval. Applications for employment will not be accepted unless the application references an active recruitment of a position of employment or active recruitment to establish an eligibility list to fill a specific position whenever a vacancy exists.

B. Internal Recruitment. Upon the decision of the hiring body, the recruitment process may be limited to the pool of existing County employees only. ~~If an internal recruitment process is utilized, then the job opportunity will be announced in a manner that provides reasonable notice. The hiring body shall determine what application materials and/or testing may be required in addition to "posting" for the position.~~ The position shall be posted internally for all eligible employees who meet the minimum requirements of the position to apply. All eligible employees shall complete the Langlade County Internal Employment Application for Promotions and Transfers. The application will be forwarded to the Human Resources Department. The Hiring Body and Human Resources Department shall develop interview questions. Interviews will be scheduled for those eligible employees who meet the minimum requirements of the position. The most qualified candidate will be selected based upon his/her education, work experience, skills sets, and interview results.

### **III. Transfers and Promotions:**

Appointments to positions requiring the transfer of an employee from one County Department to another shall not take effect until 45 days after the affected Department Head has been notified of the requested transfer. Upon mutual agreement of the applicable Department Heads, transfers between departments may take effect before the expiration of the 45 day time period.

### **Application Process:**

In order to be eligible for consideration for a employment opportunity, an applicant must provide all the required information identified in the job announcement prior to the deadline, including but not limited to the official Langlade County Employment Application Form. All applications shall be filed with the Human Resources Director. *The HR Director may contact applicants who submit incomplete applications as a courtesy, but is not required to do so in all cases.*

~~Each individual applying for a County position shall submit an application form approved by the Personnel Committee. The most current form of the employment application must be completed. All employment applications and materials must be received by the Finance Department. Any~~

~~applications received directly by the hiring body or any other department shall be immediately forwarded to the Finance Department or returned to the candidate with instructions to file the application with the Finance Department. Departments that utilize an applicable state certified equal opportunity recruitment process are exempt from the requirements of this policy (such as the Sheriff's Department hiring of law enforcement personnel). Upon receipt of the applications, the corporation counsel shall be consulted if any questions arise regarding any applicant's eligibility for employment (i.e. nepotism, citizenship, etc.). After the application deadline, the Finance Department shall forward the copied employment application material to the hiring body (without the personally identifiable information).~~

### **Selection Process:**

All applications are received by the Human Resources Department. The Human Resources Department redacts personally identifiable information from the original applications creating two separate application files (redacted and original).

The redacted applications are pre-screened by a representative of the Hiring Body, Department Head and/or the Human Resources Director to rank the applications solely on the basis of the qualifications identified from the application materials.

After pre-screening the redacted applications, the Hiring Body screens the original application materials in their entirety and selects the number of candidates that will be offered to participate in the next screening step in the selection process.

After screening the applications, the additional screening tools may include, but need not be limited to, one or more of the following:

- Responses to written questions.
- Performance of job related work.
- Physical testing for ability to perform essential job functions.
- Psychological testing if required for the position.
- Responses to interview questions.
- Background and reference checks.

~~Departments that utilize an applicable state certified equal opportunity recruitment process are exempt from the requirements of this policy (such as the Sheriff's Department hiring of law enforcement personnel). Upon receipt of the applications, the corporation counsel shall be consulted if any questions arise regarding any applicant's eligibility for employment (i.e. nepotism, citizenship, etc.). After the application deadline, the Finance Department shall forward the copied employment application material to the hiring body (without the personally identifiable information).~~

### **Interview Process:**

Each of the final applicants who are interviewed and not hired shall be given proper notice of their standing from the body conducting the interviews as a courtesy.

### **Hiring Process:**

The Hiring Body or designee shall make the final selection. Any offer of employment may be contingent on an applicant's completion of a physical and psychological examination and background check. The Hiring Body shall secure the approval of the oversight committee chairman and the board chairman before any offer of employment is made. In the event that these approvals can not be secured, the Personnel Committee has the authority to approve any offer of employment. The Hiring Body shall be responsible to notify the Finance Department and the Human Resources Department regarding any new hire.

Drug testing.

~~An offer of employment to a candidate may be conditioned on the candidate successfully completing a physical and/or psychological examination. Such examinations shall be requested and conducted only after the offer of employment has been made. The elements of such examinations shall be related to the job duties of the position in question and will may be paid for by the County.~~

Starting Pay. New employees shall be hired at the 1st step of pay, range or grade (level) for the job classification unless the hiring body authorizes a salary or hourly wage at any level up to the full rate of the job classification based upon the minimum requirements of the position and the candidate's education, work experience, and skills sets for the position.

Background Check. All new employees must have a background check by the Sheriff's Department.

~~\_\_\_\_\_ A. \_\_\_\_\_~~

~~\_\_\_\_\_ B. Applications. Each individual applying for a County position shall submit an application form approved by the Personnel Committee. The most current form of the employment application must be completed. All employment applications and materials must be received by the Finance Department. Any applications received directly by the hiring body or any other department shall be immediately forwarded to the Finance Department or returned to the candidate with instructions to file the application with the Finance Department. Departments that utilize an applicable state-certified equal opportunity recruitment process are exempt from the requirements of this policy (such as the Sheriff's Department hiring of law enforcement personnel). Upon receipt of the applications, the corporation counsel shall be consulted if any questions arise regarding any applicant's eligibility for employment (i.e. nepotism, citizenship, etc.). After the application deadline, the Finance Department shall forward the copied employment application material to the hiring body (without the personally identifiable information).~~

~~\_\_\_\_\_ C. Rank. The hiring body shall first review all qualified applications without personally identifiable information and rank the candidates based upon qualifications set forth in the application materials. After ranking applicants, the hiring body will be provided with the personally identifiable information for those applicants who are still considered candidates for the position. After conducting this first review of applications without personally identifiable information, the hiring body may then review the complete applications for all qualified candidates. Employment applications will be retained in the Finance Department for at least one year for all non-casual positions of employment. The hiring body shall determine the best qualified individuals eligible for additional selection criteria, such as employment-related testing or interviews.~~

~~\_\_\_\_\_ D. Interview Number. Applicants selected for interview in accordance with the selection process should number at least two more than the number of vacancies whenever possible. The standard interview group should consist of 2-6 candidates. A member of the Oversight Committee shall be designated by the Oversight Committee and shall be present during interviews.~~

~~\_\_\_\_\_ E. Pre-Employment Job-Related Exams. Whenever a position is to be filled, the hiring body will determine whether exams (non medical) are required. The hiring body makes this determination based on the nature of the work performed by the position. The exams will be coordinated and scheduled by the hiring body when it has narrowed selection to the final candidates. This may occur prior to or after interviews. Any final offer of employment is contingent upon the results of the exams. The County will pay for any required exams.~~

~~1. Sheriff's Department. Pre-employment examinations of applicants for Deputy Sheriff positions shall be performed by the State of Wisconsin City and County Testing Service with respect to an applicant's qualifications and abilities to perform the job duties of the position. The~~

~~testing shall be conducted following review of the applications and selection of final candidates for the position. The results of such testing shall be provided to the Sheriff of Langlade County and the applicable Oversight Committee. They shall keep such results confidential unless required by state or federal law to disclose the results.~~

### Physical and Psychological Examinations After Employment Offer Has Been Made.

1. ~~Sheriff's Department. Candidates offered a Deputy Sheriff position shall undergo a physical and psychological examination to determine their qualifications and abilities to perform the job duties of the position. The results of such examinations shall be submitted to the Sheriff of Langlade County. The offer of employment shall be contingent upon the results of the examination. The Sheriff shall keep the results confidential unless required by law to disclose the results.~~

G. ~~Appointment.~~

### **III. Recruitment and Selection for Casual Employment Positions:**

A. Definition. Casual employees are defined as persons occupying employment positions with a duration of one calendar year or less with no expectation of continued employment, given that additional one year terms may be granted **based upon budget approval.**

B. Recruitment.

2. Selection of applicant will be based on specific qualifications for each position and conducted in a manner to provide equal employment opportunity and prohibit discrimination. Interviews and testing are permissible. **A published job announcement is not required.**

~~**VII. Initial Employment Probationary Period:** The first twelve (12) months of employment (or longer for selected positions) will serve as an initial employment probationary period. During this time, employees will have an opportunity to get acquainted with their new jobs, fellow employees and County government. Likewise, supervisors will be observing new employees to determine aptitude for the work, how conscientiously they carry through the work assigned, their attitude toward co-workers, their record of punctuality and attendance and all other areas of total job performance.~~

~~**VIII. Reduction in Workforce:** In the event of a reduction in workforce caused by budget limitations or program changes, layoffs will be recommended by the applicable Department Head to the Personnel Committee on the basis of ability, skill and experience and/or the terms of any layoff provision in the relevant Labor Agreement.~~

~~**IX. Employment References:** Employment references on current or former County employees shall be given in a written format and a copy shall be maintained by the Department. All responses to requests for references on behalf of Langlade County shall be provided solely by the appropriate Department Head/Supervisor. Due to time limits, verbal references may be taken with written verification.~~

**X. Compliance with Policy:** All County positions shall be filled in accord with this policy. Positions filled in non-compliance with this policy **have not been properly** ~~are unauthorized~~ and funding for the position may be withdrawn.

**XI. At Will**

LANGLADE COUNTY  
GOVERNMENT ACCOUNTABILITY  
AND  
COMPLAINT RESOLUTION POLICY

Mission Statement.

The primary mission of Langlede County government is to provide essential services in a fiscally responsible manner that protect and promote the health, safety, economic well-being, and environmental stewardship of our community.

Intent and Purpose.

The following policies and procedures are designed to assist Langlede County government in fulfilling its mission by ensuring government accountability and by establishing a process to resolve complaints involving public officials and employees. Langlede County takes all complaints seriously and this policy identifies the following objectives:

- 1) code of conduct for public officials and employees;
- 2) the methods for filing complaints;
- 3) the process for documentation of complaints;
- 4) the chain of command for investigation of complaints;
- 5) the chain of command (decision-making authority) for resolving complaints.

The objectives identified in this policy also represent policy goals and “best practices” and these objectives shall be followed to the greatest extent practicable or feasible.

Code of Conduct.

Langlede County Government is committed to professional standards of conduct by its public officials and employees in the performance of their public duties. When acting in their official capacities, Langlede County public officials and employees shall adhere to all applicable legal requirements and rules of conduct. Langlede County public officials and employees are expected to treat all persons with respect and hold paramount the safety, health and welfare of the public in the performance of job duties. Langlede County public officials and employees shall act in such a manner to uphold and enhance professional honor, integrity and the dignity of public service and to serve the best interests of the residents of Langlede County.

Although it is not possible to list all the forms of behavior that would be considered a violation of the Code of Conduct for Langlede County Government, the following are examples of unacceptable conduct while acting within the scope of employment or elected office of Langlede County government.

- Theft of property belonging to the County or a County employee;
- Willful damage to County property;
- Falsifying reports, records, or information;
- Unauthorized use of County equipment and/or supplies;
- Harassment;
- Engaging in acts of discrimination or violations of civil rights;

Engaging in behavior that a reasonable person would consider offensive, degrading, humiliating, or threatening;  
Fighting or engaging in actions that leads to violence;  
Willful conduct endangering the public health, safety or welfare;  
Possession of dangerous or unauthorized materials, such as explosives, weapons, or firearms in the workplace or on the premises;  
Consuming, possessing, or being under the influence of alcoholic beverages or illegal drugs in the workplace or while on duty;  
Sleeping on duty;  
Gambling on the job;  
Use of tobacco in prohibited areas;  
Violations of County policies;  
Bullying, horseplay and/or practical joking;  
Insubordination and/or refusing to perform work as assigned;  
Inefficiency, such as failing to perform the quantity or quality of work that is expected;  
Conviction of a criminal offense related to job duties;  
Violating safety regulations and/or security protocols;  
Using abusive or profane language;  
Failure to comply with the explicit requirements of the Employee Handbook;  
Tardiness or absenteeism; leaving early without permission;  
Failing to promptly notify supervisor of absence from work;  
Failing to report an injury or incident concerning an employee, visitor, or any other person on County property;  
Disclosure of confidential information without proper authorization;  
Engaging in actions that constitute a violation of the code of ethics for local public officials and employees (Sec. 19.59, Wis. Stats.);  
Soliciting or receiving (directly or indirectly) gifts, favors, free service, money or gratuities in exchange for government services or benefits;  
Unauthorized use of paid time off, medical or personal leave, or unexcused absence from work;  
Failure to report to work as scheduled after an authorized leave;  
Failure to disclose a conflict of interest;  
Failure to report violations of the Code of Conduct to the proper authorities within the County's chain of command;  
Engaging in behavior inconsistent with the County's Mission Statement.

If a public official or employee is uncertain whether contemplated conduct is consistent with this policy, then they should first consult with the Human Resources (HR) Director or the Corporation Counsel.

Violations of the Code of Conduct applicable to public officials may result in sanctions, including but not limited to: private or public reprimand, applying to the Court for remedial action, and requesting removal from office.

Violations of the Code of Conduct applicable to public employees may result in disciplinary action, up to and including, termination of employment.

Application of the Policy.

To the extent that matters covered by this Policy are specifically governed by the terms of a collective bargaining agreement (or an employment contract), or Federal or State Law, then the terms of the employment contract or applicable Federal or State law, rule or regulation shall control.

#### Complaint Procedure.

To the greatest extent practical or feasible, the process of addressing complaints will be divided into two separate and independent stages: an Investigation Stage and a Decision-Making Stage.

#### Objectives:

- > The process to file a complaint will be clearly identified (i.e., posted) and will allow for the filing of anonymous complaints.
- > Complaints will be investigated in a timely, thorough and fair manner.
- > The Human Resources Director shall document any complaints received by or forwarded to Human Resources Department. [See attached Complaint Form] The Human Resources Director shall ensure that a consistent process is used to investigate complaints received by the HR Department.
- > The scope of the investigation and the need to take immediate action (i.e., administrative suspension) will have a rational relationship to the severity of the conduct described within the complaint (i.e., formal investigation with assistance of labor counsel required when complaint creates a potential claim against the County or may result termination of employment).
- > The process maintains the confidentiality of the complainant to greatest practicable extent.
- > The process protects against retaliation for filing legitimate complaints or complaints filed on a "good faith" basis.
- > The process, the findings and any remedial action taken will be documented (i.e., complaint substantiated or unsubstantiated).
- > The process protects privacy rights of all persons involved (i.e., sensitive or protected information is only made available to specific individuals on a "need to know" basis). [See Policy on Access to Personnel Files]
- > The legitimacy of the process is protected by requiring some objective and rational basis for the complaint (i.e., that the complaint is capable of substantiation; that the complaint is not based solely on rumor or hearsay; that the complaint is based upon sufficient and reliable evidence to support a legitimate investigation). To that end, there is no obligation to report, within the chain of command, complaints based solely upon hearsay or rumor.
- > The process includes safeguards against abuses (i.e., by imposing penalties for filing frivolous complaints, unauthorized disclosure of confidential information, and failure to follow the complaint procedures).
- > To the greatest extent practicable or feasible, the complaint process will include follow-up as needed (i.e., with the complainant) to ensure that substantiated complaints have been remedied.

## Chain of Command.

Complaints shall be reported to the appropriate level within County government who possess the authority to investigate a complaint, including the Human Resources (HR) Director.

For non-department head level positions, the HR Director is authorized to investigate the complaint. The HR Director shall report the receipt of a complaint to the Department Head, Corporation Counsel and to the Personnel Committee Chairman. Depending upon the severity of the complaint, the HR Director may seek guidance and assistance from the Personnel Committee, in closed session, in conducting the investigation.

For Department Head positions, the oversight committee in conjunction with the HR Director are authorized to investigate the complaint. Depending upon the severity of the complaint, the oversight committee may delegate this responsibility the Personnel Committee.

The chain of command within departments shall be identified by an organizational (authority) chart with the Department Head at the top of the departmental chain of command. Complaints that reach the level of management/supervisory staff within a department shall be reported to the Human Resources Department.

The chain of command for Department Heads is the oversight committee, then Administrative Coordination Team (composed of the Administrative Coordinator/ Corporation Counsel and the County Board Chairman), then the Executive Committee, and then the County Board.

If a complaint involves either the Human Resources Director or the Corporation Counsel / Administrative Coordinator, then arrangements shall be made to retain services to replace the responsibilities of these positions within the Chain of Command on a “standby” or interim basis.

If a complaint involves a member of the County Board or a standing committee of the County Board, then the matter shall be reported to the Executive Committee and addressed using the procedure outlined in the Rules of the County Board.

Excerpt from Board Rules (proposed).

### RESPONSIBILITIES OF COUNTY BOARD MEMBERS:

#### Rule

16.1 Each member of the Lantada County Board of Supervisors shall:

6. follow applicable policies and procedures adopted by the County Board, including but not limited to the Government Accountability and Complaint Resolution Policy.

### ENFORCEMENT OF RULES:

#### Rule

17.1 These Rules of the Lantada County Board may be enforced in the following manner:

For rules violations observed during a meeting, the Presiding Officer of the meeting shall have the authority to sanction members at the meeting or refer the matter to the Executive Committee for resolution.

For rules violations that occur at all other times, any complaint shall be forwarded to the Executive Committee. The Committee shall meet with the County Board member(s), who is/are the subject of the complaint, in closed session to review the complaint. The Committee shall decide upon the merits of the complaint and render a decision on the appropriate remedy for any violation of these Rules. The Executive Committee's decision may be appealed to the County Board. If the complaint involves a member of the Executive Committee, then that member shall be replaced on the Committee until the complaint is resolved.

17.2 Depending upon the severity of the rules violation, sanctions may include: private reprimand, public reprimand, removal from committee assignment, referral for criminal prosecution, payment of a forfeiture and/or a request for removal from office.

#### Objectives:

> The chain of command represents the most efficient and effective process to resolve the complaint. Therefore, the objective is to resolve a complaint at the lowest possible level within the chain of command whenever possible.

> The complaint is reported or forwarded to the proper step with the chain of command (i.e., who has the authority to investigate the merits of the complaint).

> The chain of command recognizes the limits of authority established by the County Board and by State Statute. Complaints may not be formally considered by a committee or by the County Board until the complaint is first reported to the proper step within the chain of command (i.e., for investigation of the complaint).

> Information about a complaint received outside the proper chain of command shall be forwarded to the proper step within the chain of command. Anyone outside of the chain of command shall not take any action to investigate the complaint, communicate information with the complainant, or otherwise interfere with the conduct of the investigation.

> If the complaint involves an imminent threat to health or safety, then the complaint shall be immediately reported to the law enforcement and/or other appropriate agencies having jurisdiction over the emergency (i.e., Health Department, Emergency Management, etc.).

#### Incorporation of Policies.

The following policies and procedures are incorporated into this Policy by reference:

Policy regarding Access to Personnel Files;  
Job Performance Management and Disciplinary Policy;  
Procedure for Reviewing and Approving Separation Agreements;  
Grievance Procedure

#### Policy Enforcement.

This policy shall be enforced by the Executive Committee.

## JOB PERFORMANCE MANAGEMENT AND DISCIPLINARY POLICY

### I. Intent and Purpose.

The Job Performance Management and Disciplinary Policy establishes general guidelines for department heads and supervisors to follow in managing employee performance and addressing unacceptable job performance or employee misconduct when necessary.

The Job Performance Management Policy is intended to monitor the employee's job performance and to correct or improve unsatisfactory job performance on a timely basis.

The Disciplinary Policy is based upon a progressive approach in which the disciplinary action is related to the scope, duration and nature of the substandard performance or behavior and the ability of the employee to continue to fulfill the requirements of the position. For example, whereas a performance problem such as being tardy to work may warrant a reprimand or warning, habitual tardiness may warrant more progressive disciplinary action, and some behavior may be so offensive, unacceptable or even criminal as to warrant immediate termination of employment (such as: theft, sexual harassment, etc.).

Job performance evaluations and the disciplinary process shall be administered in conformance with the County's Equal Employment Policy.

### II. Job Performance Management.

Supervisors are responsible to monitor the job performance of all positions within their respective departments on a regular basis and to address unsatisfactory job performance in a timely manner. Oversight Committees are responsible to monitor the job performance of the heads of departments that they oversee, on a regular basis.

### III. Disciplinary Process.

To the greatest extent practicable, the supervisor should meet with the employee in a "closed door" setting to discuss the employee's substandard performance or work behavior and the nature of the disciplinary action that will be taken against the employee. It is recommended that a witness be present and if the disciplinary action involves a union employee, that a union representative also be present at the meeting. A disciplinary meeting is not required before disciplinary action can be taken. Such disciplinary meeting may not occur before disciplinary action is taken if in the opinion of the supervisor such meeting is impracticable under the circumstances or would otherwise unduly interfere or interrupt the natural course of business within the department.

Any disciplinary action will be reduced to writing and placed in the employee's personnel file.

Department Heads shall have the independent authority to discipline employees progressively, from an oral reprimand to suspension without pay for up to three (3) five (5) work days. Department Heads also have the independent authority to terminate the employment for any probationary or casual employee. If the Department Head recommends discipline exceeding five (5) working days, then the recommendation must be reported to the County Board Chairman and the Chairman of the respective oversight committee and approved by the Corporation Counsel. If the Department Head and

Corporation Counsel do not agree on disciplinary action exceeding five (5) working days up to and including termination of employment, then the matter shall be submitted to the Personnel Committee.

Oversight Committees shall have the authority to discipline Department Heads that the Committee is delegated the responsibility to oversee by the County Board. The Administrative Coordinator may also discipline employees pursuant to the specific delegation of such authority by the County Board.

Disciplinary action for eligible employees that would result in a leave of absence without pay for more than five (5) work days may be subject to review pursuant to the County's Grievance Procedure.

Illustration of Appointment and Removal (Disciplinary) Authority:

	Appointment	Removal
Casual Employee	Dept Head*	Dept Head
Permanent Employee	Hiring Body	Dept Head + Admin Coord
Department Heads (non-elected)	Hiring Body	Oversight
Admin Coord	County Board	County Board
Corporation Counsel	County Board	County Board
Social Services Director	County Board	County Board
Highway Commissioner	County Board	County Board
Veterans Service Officer	County Board	County Board
County Board Supervisor	Elected	County Board
County Clerk	Elected	County Board
Treasurer	Elected	County Board
Clerk of Court	Elected	Circuit Court Judge
Register of Deeds	Elected	Governor
Sheriff	Elected	Governor
Coroner	Elected	Governor
District Attorney	Elected	Governor
Circuit Court Judge	Elected	Wisconsin Supreme Court
UW-Extension Agents	UW-Ext + Ag & Ext	Office Chair or Ag & Ext

\*The identification of "Dept Head" also includes Elected Officials that also are responsible to supervise positions of employment within Langlade County government.

Note: the positions (appointed and elected by the County Board) for which the County Board serves as the removal authority do not have the ability to file a grievance under the County's Grievance Procedure.

## PROCEDURE FOR REVIEWING AND APPROVING SEPARATION AGREEMENTS

The Separation Agreement shall be reviewed by the Human Resources Director and approved by the Corporation Counsel, County Board Chairman and the Personnel Committee. The Department Head will be consulted during this review process. Additionally, if the Agreement obligates the County to remit any monetary amounts, then approval of the Finance Committee is also required. County Board approval is required for any Separation Agreements requiring the allocation of funds from the General Fund or obligating County funds in an amount beyond the authority granted to the Finance Committee.

## Required Minimum Provisions of Separation Agreements

All Separation Agreements must include a full and complete release of any and all claims against Langlade County, (its officials, officers, employees and agents), and acknowledge that by entering into such agreement Langlade County is not admitting any allegations of wrongdoing.

## GRIEVANCE PROCEDURE

### PURPOSE

This grievance procedure is established pursuant to Section 66.0509(1m), Wisconsin Statutes. Eligible employees shall use the procedure to resolve qualifying disputes regarding covered employee termination, discipline or workplace safety issues.

This policy is not a guarantee of employment, a guarantee of any rights or benefits, does not create or grant covered employees with a property interest in their employment or tenure rights of any kind and does not constitute a contract of employment, express or implied. Unless specifically required by another statute or code, the County's employment relationship with employees eligible to use this procedure is at will and employment may be terminated at any time for any reason, with or without cause and with or without notice, at the option of the County or the employee. This grievance procedure may be modified or eliminated by the County at any time, with or without prior notice.

### DEFINITIONS

**"Employee"** is defined as, and limited to, an individual who has been actively employed in a regular or permanent part-time position, authorized by the Langlade County Board of Supervisors at a minimum of 900 work hours per calendar year, and who has satisfied the initial probationary period of twelve (12) months.

"Employee" does not include, without limitation, any of the following: elected officials, part-time employees, temporary employees, contract employees, limited term employees, contractors or their respective employees, employees covered by a collective bargaining agreement containing a grievance procedure or any employees for whom a separate statutory procedure for discipline and removal applies.

Any employee in a position for which the County Board serves as the removal authority shall not be eligible for this Grievance Procedure.

**"Discipline"** is defined as any of the following adverse employment actions: disciplinary suspension of employment for a period of greater than five (5) days without pay; or reduction in base pay as a result of disciplinary action.

"Discipline" does not include, without limitation, any of the following actions: layoffs or workforce reduction activities; suspensions for a period of ~~three (3)~~ five (5) days or less without pay; non-disciplinary wage, benefit or salary adjustments or reductions; plans of correction or performance improvement; performance evaluations or reviews; documentation of employee acts or omissions in an employment file; oral or written reprimands; administrative suspensions with or without pay pending investigation of misconduct or nonperformance of assigned duties; change in job assignments or work locations, change in base pay is not reduced; adverse employment actions

based upon a testing process or a result of medical tests (physical, psychological, neurological, etc.) performed by an independent contractor.

**“Termination”** is defined as an involuntary separation of employment initiated by the County as a result of disciplinary action.

"Termination" does not include, without limitation, any of the following actions: separation of the employment relationship initiated by the employee; separation of employment initiated by the County for non-disciplinary reasons, such as: by a reduction in workforce, restructuring how government services are provided; failure to satisfy probationary period; failure to satisfy terms of corrective action plan or performance improvement plan; or based upon a testing process or a result of medical tests (physical, psychological, neurological, etc.) performed by an independent contractor.

**“Workplace safety”** is defined as and limited to any federal or state safety standard that applies to a workplace operated by and under the control of Langlade County government. Workplace safety standards include Chapter Comm 32 of the Wisconsin Administrative Code.

## GRIEVANCE PROCEDURE FOR DISCIPLINE AND TERMINATION

### Filing Procedure

A grievance may only be filed by the Employee who is the subject of the Discipline or Termination. An Employee may initiate a grievance relating to Discipline or Termination by presenting a written grievance on the approved form to the Human Resources Director within ten (10) working days of the event giving rise to the grievance.

Within ten (10) working days of receiving the grievance, the Human Resources Director will issue a written response to the grievance which may include, without limitation, the following: the terms and conditions of any agreements to resolve the grievance; findings and recommendations regarding the disposition of the grievance.

Within five (5) working days from receipt of the County’s response to the grievance, the Employee may request a hearing before ~~the~~ an impartial hearing officer. The impartial hearing officer will be selected by the County. Failure to submit a written request for hearing within five (5) working days of the County’s response shall constitute an abandonment of the grievance.

Failure of the County to respond within the time periods set forth in this Policy shall not be deemed as an approval of the grievance.

### Hearing Procedure

The impartial hearing officer shall schedule a hearing within thirty (30) working days. Once a hearing date is scheduled it may be adjourned only upon written request by the Employee or the County to the impartial hearing officer and a finding by the impartial hearing officer that there is “good cause” for an adjournment. The decision of the impartial hearing officer regarding a request for adjournment shall be final, binding and not subject to any appeal.

The Employee and the County shall exchange a list of witnesses they intend to call at the hearing and any documents relating to the Discipline/Termination which they intend to introduce no less than three (3) working days before the hearing.

The parties shall provide a copy of the witness list and documents to the impartial hearing officer. Each party may file a pre-hearing statement of no more than three (3) type written single space pages outlining their respective positions.

The hearing before the impartial hearing officer will be digitally recorded. The digital recording of the hearing shall be maintained by the County for one (1) year following the completion of the hearing after which time it may be destroyed. The hearing shall be closed to the public.

The Employee may be represented by an attorney at the hearing. Neither party shall be responsible for the attorneys' fees of the other party.

The Employee shall call witnesses and present testimony and exhibits that are relevant to the grievance. The Employee may call one or more County witnesses in the Employee's case and question the County witnesses. At the close of the Employee's case, the County shall call its witnesses and present testimony and exhibits that are relevant to the grievance. The parties may cross-examine witnesses presented by the other party. Cross-examination shall be limited to ten (10) minutes per witness unless extended by the impartial hearing officer.

The impartial hearing officer shall not be bound by the statutory rules of evidence. The impartial hearing officer shall have the discretion to admit all evidence that the impartial hearing officer determines is relevant and shall exclude immaterial, irrelevant or unduly repetitious testimony or evidence. During the hearing, the impartial hearing officer may ask questions as the impartial hearing officer deems necessary. Any defects in the proceedings that do not substantially affect the rights of the parties shall be disregarded by the hearing officer. Notwithstanding the foregoing, the impartial hearing officer may not base any finding or conclusion based solely on hearsay evidence.

After the Employee and the County have finished introducing evidence, the impartial hearing officer shall close the record. The parties shall have no right to file briefs or position statements.

## Decision Standards

The Employee bears the burden of proof by clear, convincing and satisfactory evidence that the County's decision to Discipline/Terminate the Employee did not have a rational basis. If the Employee does not meet his or her burden of proof, the impartial hearing officer shall deny the grievance.

The impartial hearing officer shall issue a written decision within ten (10) business days of the close of evidence. The decision of the impartial hearing officer shall, at a minimum, contain: a description of the grievance, statement of issues under review, and the officer's findings and conclusions.

If the grievance is approved, the impartial hearing officer may recommend, without limitation, the following: reinstatement; a lesser adverse employment action including, suspension of employment, reduction in base pay, demotion, oral or written reprimand or performance improvement plan; documentation of officer's findings placed in an employment file; restitution of pay and lost benefits.

## GRIEVANCE PROCEDURE – WORKPLACE SAFETY

### Report Of An Unsafe Condition

An employee may not file a grievance relating to a condition that the Employee believes constitutes a Workplace Safety violation unless the employee has first reported the condition to the Human Resources Director in writing. A grievance may only be filed by an "Employee." The Employee need not be personally impacted by a condition alleged to constitute a Workplace Safety violation.

#### Filing Procedure

Upon receiving a written report of an alleged Workplace Safety violation from an Employee, the County shall have ten (10) working days in which to investigate the condition and advise the employee in writing of the County's findings and recommendations.

If the County advises the employee in writing within ten (10) working days that it is taking corrective action to address the workplace safety issue as may be required by law, an Employee may not initiate a Workplace Safety grievance.

An Employee may initiate a grievance relating to Workplace Safety by presenting a written grievance to the Human Resources Director. Upon receipt of the grievance, the County shall have ten (10) working days to provide a written response to the Employee. Failure to timely file a grievance with the ~~Office of the County~~ Human Resources Director within ten (10) working days of the County's response shall constitute a waiver of the right to use the grievance procedure and an abandonment of the grievance.

#### Hearing Procedure

An employee shall have five (5) working days from receipt of the County's response to file a written request with the Human Resources Director for a hearing before the impartial hearing officer. Failure to submit a request for a hearing shall constitute an abandonment of the grievance.

The same hearing procedure shall be utilized as set forth in the Discipline/Termination Hearing Procedure of this Policy.

#### Decision Standards

The County bears the burden of proving by a preponderance of the evidence that the condition identified by the Employee does not constitute a Workplace Safety violation and that no corrective action is required. If the County does not meet its burden of proof, the impartial hearing officer shall uphold the grievance.

The impartial hearing officer shall issue a written decision within ten (10) business days of the close of evidence. The decision of the impartial hearing officer shall, at a minimum, contain: a description of the alleged unsafe condition and the County's response; the standard of review; the provisions of Wis. Admin. Code Chap. Comm. 32 that are implicated by the Workplace Safety grievance; the officer's findings of fact and conclusions.

If the grievance is sustained, then the impartial hearing officer may recommend that the County take corrective action to address the Workplace Safety violation. The impartial hearing officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation.

#### APPEAL TO THE COUNTY BOARD

## Who May File An Appeal

An appeal of the impartial hearing officer's decision may be filed by the Employee or by the County Executive Committee.

An appeal may be initiated to the County Board by filing an appeal with the Human Resources Director on the approved form within ten (10) working days of the date of the impartial hearing officer's decision. Failure to file a written appeal by the filing deadline will result in the waiver of the right to an appeal and the outcome of the proceedings before the hearing officer shall be final.

A timely request for appeal shall be forwarded to the Chair of the County Board along with a copy of hearing record including the digitally recorded hearing and any exhibits introduced at the grievance hearing. The Chair shall schedule a meeting of the County Board no later than sixty (60) days from the receipt of the request to review the hearing record and the impartial hearing officer's decision.

## Standard Of Review

The County Board's review shall be limited to the decision made by the hearing officer and therefore, the Board will not accept additional testimony, evidence, written or oral arguments or otherwise conduct a hearing of any sort in relation to an appeal. The Board shall not overturn or otherwise modify the impartial hearing officer's decision unless, upon two-thirds (2/3) vote of the members present and eligible, the decision is found to be arbitrary, oppressive or unreasonable and represented the will of the impartial hearing officer and not its judgment.

The County Board shall deliver a written decision to the Employee no later than ten (10) working days from the date of the County Board meeting. The decision of the County Board shall be final. Any judicial review of the County Board's decision shall be only as provided by law.

**APPENDIX**

<i>Langlade County</i>		
<b>ISSUE DATE</b>	<b>POLICY TITLE:</b>	<b>POLICY NO. RESOLUTION</b>
<b>REVISION</b>	<b>Access to Personnel File and Removal/Redaction of Information Contained in a Personnel File Policy</b>	

The intent of this policy is to provide a formal process and guidance regarding access to personnel files.

**1. STATEMENT**

The official personnel files for Langlade County employees and officials are maintained by the Human Resources Department. The personnel files are confidential, and are property of Langlade County. All employees' official personnel files will be maintained in the Human Resources Department in a locked filed cabinet and secured in the Human Resources Department.

The Human Resources Director is responsible for producing, maintaining personnel files, and the appropriate handling of Langlade County's personnel files. Separate files will be maintained and secured for medical records, worker's compensation, family or medical leave absences, and immigration records by the Human Resources Director. These files may only be accessed in accordance with applicable law (Sec. 19.36 (10), Wis. Stats.) and in accordance with this policy.

Official personnel files are to be reviewed in the Human Resources Department. **Personnel files may not be taken outside of the department. Employees may not remove from the Human Resources Department any part of his or her personnel file.**

**2. Access and Removal of Information Contained in an Employee's Official Personnel File**

**a) access by employee or by employee's representative**

Consistent with § 103.13 Wis. Stats, (2) every employee shall, upon the request of an employee, which the employer may require to make in writing, permit the employee to inspect any personnel documents which are used or which have been used in determining the employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records except as provided in subs. (5) and (6).

An employee may request all or any part of his or her personnel file, except as provided in sub. (6). Langlade County shall grant at least 2 requests by an employee in a calendar year, unless provided in a collective bargaining agreement, to inspect the employee's personnel record as provided under § 103.13 Wis. Stats.

Langlade County shall provide an employee with the opportunity to inspect his or her personnel file within 7 days after the employee makes a written request to the Human Resources Director. The inspection shall take place in the Human Resources Department during normal working hours.

(3) An employee who is involved in a current grievance against Langlade County may designate in writing a representative of the employee's union, collective bargaining unit or other designated representative to inspect the employee's personnel file which may have a bearing on the resolution of the grievance, except as provided in sub (6). Langlade County shall allow the designated representative to inspect the employee's personnel file in the same manner as provided under sub. (2).

(4) If an employee disagrees with any information contained in his or her personnel file, a removal or correction of that information may be mutually agreed upon by the Human Resources Director and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The Human Resources Director shall attach the employee's statement to the disputed portion of the personnel file. The employee's statement shall be included whenever that disputed portion of the personnel file is released to a 3<sup>rd</sup> party as long as the disputed record is part of the personnel file.

(5) The right of the employee or the employee's designated representative under sub. (3) to inspect the personnel file under this section includes the right to inspect any personal medical records concerning the employee in the employer's files. If the Human Resources Director or Corporation Counsel believes that disclosure of an employee's medical records would have a detrimental effect on the employee, the Human Resources Director or Corporation Counsel may release the employee's medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the employee's medical records to the employee or to the employee's immediate family.

(6) The right of the employee or the employee's designated representative under sub. 3 to inspect his or her personnel file does not apply to: (a) Records relating to the investigation of possible criminal offenses committed by the employee. (b) Letters of reference for that employee. (c) Any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document. (d) Materials used by Langlade County for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used by Langlade County for planning purposes. (e) Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy. (f) An employer who does maintain any personnel files. (g) Records relevant to any other pending claim between Langlade County and the employee which may be discovered in a judicial proceeding.

(7) The right of the employee or the employee's representative to inspect personnel files includes the right to copy or receive a copy of the records. Langlade County may charge a reasonable fee for providing copies of the personnel file, which may not exceed the actual cost of reproduction.

#### **b) access by supervisory and administrative staff**

Managers and supervisors of the employee have access to personnel files on a need-to-know basis subject to the approval of the Human Resources Director or Corporation Counsel. A manager or supervisor is defined as any individual in the chain of supervisory or administrative authority above the employee within the organizational structure for Langlade County government.

#### **c) access by authorized County Board officials**

Consistent with the County's Accountability and Complaint Resolution Policy involving the investigation of specific charges, the members of the Personnel Committee, Oversight Committee and Board Chairman may be granted access to personnel files on a need-to-know basis.

### **3. Other Langlade County Departments**

Other than the Human Resources Department, other Langlade County Departments should only maintain departmental copies of an employee's job description, performance evaluations/reviews, supervisor notes, and leave documents. When an employee terminates employment with Langlade County, any staff personnel files maintained by the department should be forwarded to the Human Resources Director.

### **4. Former Employees**

Former employee's who make a timely written request to the Human Resources will be provided a copy of personnel records upon payment of retrieval and copying costs.

**5. Nonemployee Access**

Generally, a nonemployee will be permitted access only as required by law. Normally, a subpoena or a notarized written consent by the employee will be required in order for a nonemployee to gain access to information in a Lantlade County employee's personnel file. Exceptions, such as providing information to state unemployment agencies, and both federal and state investigators, may be made by the Human Resources Director and Corporation Counsel, after the Human Resources Director or Corporation Counsel have confirmed the identity of the agency and individual. Further, applicable law may require disclosure of employee information to government agencies without notifying the employee the disclosure was made.

**6. Record of Access**

A record shall be made of individuals who are granted access to a personnel file (except access by the employee and his or her supervisor) and the record shall be placed in the employee's official personnel file. All records of access shall include the following information:

1. Name of employee
2. Information disclosed (if any)
3. Date of access
4. Purpose of access

The record of access information must be retained for a period of two (2) years. The record of access does not apply to the processing of personnel file information for routine credit reference or for other reporting requirements as required by law.