

VILLAGE OF ROCHESTER

Employee Manual

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Subsequent Amendments:

Policy 304: September 12, 2011

Policies 201, 301, 310, 314 & 315: March 14, 2016

“Clerk-Treasurer” title reference amended to “Administrator-Treasurer”

effective: January 1, 2019

Welcome to the Village of Rochester

We are pleased that you have chosen our Village as the place you wish to work. Every job in this organization is important. Each employee's position plays a vital role in making the Village of Rochester an outstanding community. In order to provide Village services in the most professional manner and with the highest ethical standards, it is important for each employee of the Village of Rochester to understand their responsibilities and obligations, as well as the benefits of employment with the Village.

The Village of Rochester is devoted to producing the best quality of life for its residents. We need your help to keep the quality of our community at a high standard. Please remember as you read this guidebook and as you perform your job with the Village, that you play a very important part in making these things come true. Your work will determine your future and the Village's future. This manual has been prepared to assist you in becoming acquainted with the employment policies and procedures of the Village. Please take time to read the manual thoroughly.

We are confident that you will progress and achieve success at the Village of Rochester and we hope your experience with us will be satisfying and beneficial both to you and to our village. If you have any questions, about this handbook or any other aspect of your employment at the Village of Rochester, please do not hesitate to ask your supervisor, the Administrator-Treasurer, or any member of the Village Board.

The policies and procedures summarized in the manual are presented as information only and are not conditions of employment. The Village of Rochester reserves the right to modify, suspend, revoke, terminate or change in whole or in part, any of its policies, procedures, practices or benefits at any time with or without notice. The language used in this manual is not intended to create, nor is it to be construed to constitute, a contract between the Village of Rochester and any one or all of its employees. No representative of the Village of Rochester other than the Village Board has any authority to enter into any agreement of employment for any specified period of time.

Our Mission as Public Employees

The primary purpose of local government is to provide service to its citizens. As an employee of the Village of Rochester, your job is to serve and assist the residents of our community and those visiting or doing business here.

Our mission is to work together to effectively and efficiently serve the residents of Rochester. The "team management" concept is necessary with everyone working together, in a trustworthy and loyal manner, to provide the best service possible to our residents.

Our Goals and Service Philosophy

The following long term goals have been established to guide you in providing Village services. It is important that you understand why you are doing your job, you become familiar with these goals, and you always strive to provide services in a manner consistent with them.

- Provide quality, economical, efficient, and effective services in an equitable manner.
- Involve citizens in the decision-making process and be responsive to their input.
- Provide professional management in a fiscally responsive manner with the highest standard of integrity.

Similarly, we recognize a management philosophy that puts the citizen first. Citizens are the focus of all of our services. Therefore, it is important that you support the efforts of the Village Board and the Village Administrator-Treasurer in governing the Village, and always maintain ethical conduct.

About Rochester

The Village of Rochester is located in Western Racine County in the State of Wisconsin. The Village encompasses 17.2 square miles including several pockets of high density residential development, scattered medium density residential subdivisions, scattered rural subdivisions, farms and commercial areas.

Rochester is within easy commuting distance to Milwaukee, Racine, Waukesha and Lake Geneva job markets. To the north of Rochester is the Village of Waterford and to the south is the City of Burlington.

The Fox River runs through Rochester offering ample opportunities for fishing, canoeing, and kayaking. Rochester has five park areas that offer hiking, bicycle trails, baseball and soccer fields, and plenty of room to enjoy nature. State wildlife areas offer an additional 1,023 acres of wildlife preservation and recreation areas.

Village administrative offices are housed in the Rochester Village Hall, 300 W. Spring Street. The Rochester Public Library is located at 208 W. Spring Street. The village has about six general employees and about five library employees.

Rochester contracts with the Racine County Sheriff's Department for police services. An officer is specifically assigned to the Rochester contract. Rochester also contracts with the Rochester Volunteer Fire & Rescue company for fire protection and emergency medical services.

The Village of Rochester maintains 21 miles of road and operates a sanitary sewer system that feeds into the Western Racine County Sewerage plant, located in Rochester on N. River Road just north of State Highway 36. The Western Racine County Sewerage District is responsible for operation of the treatment plant.

Village Government

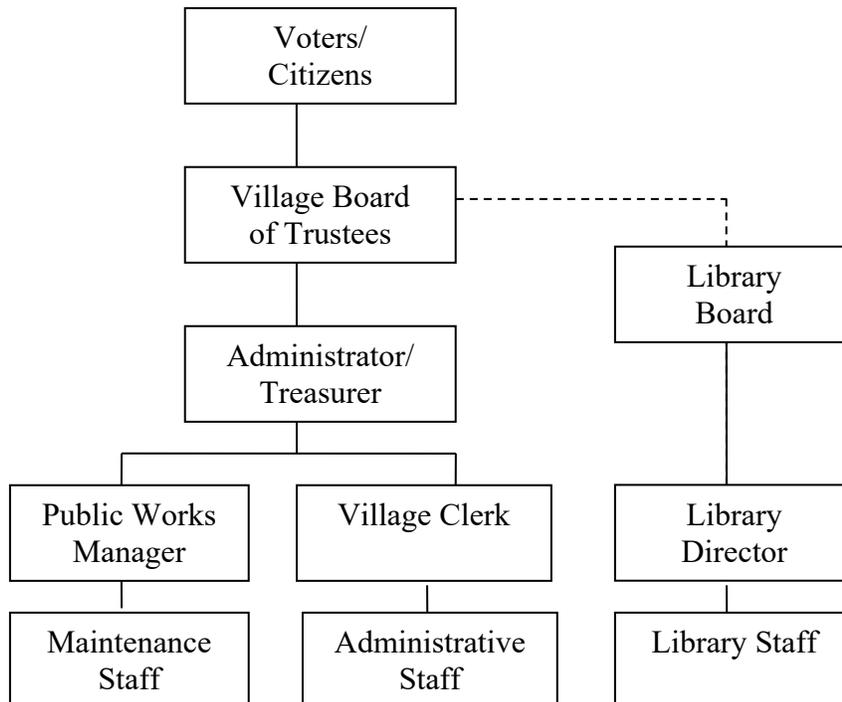
The Village of Rochester operates under a Board of Trustees form of government. There are seven Board members. Each Board member is elected from the Village at-large for overlapping two year terms. Elections are held on a non-partisan basis in April of each year, preceded by a February primary if there are more than two candidates for the same office. Half of the trustees are elected each year to provide continuity to the board. Village voters also choose a president, who by virtue of his or her office is a trustee. That person presides and votes at all meetings of the board, and signs ordinances and other official documents.

The Village Board makes Village policy, adopts the Village budget, and appropriates funds. The Village Board hires a Village Administrator and Treasurer to be responsible for the finances and administration of the Village.

The Village Administrator-Treasurer is responsible for the general administration of all Village business and coordinates the actions of Village employees and/or contracted service providers to provide efficient government service. All Village employees assist the Village Administrator-Treasurer in providing services legislated by the Village Board for the citizens of Rochester.

You are one of these important employees, without whom the Village would be unable to function. Your contribution to this organization is a major factor in the success of the Village to provide the great quality of life Rochester residents have come to expect and appreciate.

Village Organizational Chart



EMPLOYEE ACKNOWLEDGMENT FORM

(Please detach form and return to Administrator-Treasurer)

This employee handbook describes important information about the Village, and I understand that I should consult my supervisor or the Village Administrator-Treasurer regarding any questions not answered in the handbook. I have entered into my employment relationship with the Village voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Village can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law and/or union contract.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Village's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Village Board has the ability to adopt revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S SIGNATURE

DATE

EMPLOYEE'S NAME (TYPED OR PRINTED)

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VILLAGE OF ROCHESTER CODE OF ETHICS

STATEMENT OF POLICY

The Village of Rochester declares that its employees, appointed and elected officials will demonstrate the highest standards of personal integrity, truthfulness and honesty in all public and private activities in order to instill public confidence and trust. In addition, this code will promote and fortify the unique privilege employees and officials have of serving the citizens of the Village of Rochester.

CONFIDENTIAL INFORMATION

No public official will disclose privileged or confidential information of any public nature, including discussions held in closed sessions. Privileged and confidential information will be discussed with colleagues on a need to know basis only.

The Village Administrator-Treasurer is designated as the official spokesperson for the Village and should be consulted relative to the disclosure of information.

STANDARDS OF CONDUCT

The public will be served with respect, concern, courtesy, and responsiveness, recognizing that service to the public is beyond service to one's self. A public official holds his or her position as a public trust, and will not jeopardize that trust in any manner.

Each citizen's questions and concerns will be considered and responded to completely and fairly. Public officials and employees will timely perform all duties of their positions in the manner required by law.

Each public official will be treated with equal respect, courtesy and esteem by his/her employees. Employees and officials should work together in a spirit of harmony and cooperation, in spite of differences of opinion.

Public officials will maintain a healthy, safe, and harassment free workplace, conducive to productive work.

Employees will not, by act of commission or omission, obtain a dishonest advantage for themselves or for others.

The only personal gains a public official should seek are salaries, fringe benefits, respect and recognition for work rendered. Village of Rochester employees and immediate family members will reject money, gifts, favors, loans, promise of future employment, advance, service, forbearance, or anything that might be interpreted as having monetary value.

Village employees will avoid any interest or activity, which is in conflict with the conduct of official duties. Village employees will not receive any additional salary, benefits, or reimbursements of expenses for work when the employee is currently being compensated by the Village.

Village of Rochester Code of Ethics
Continued

Village employees should refrain from excessive social contact with vendors. If work brings them into frequent contact with contractors supplying the Village, the employee or the Village should pay any related expenses.

Village officials and employees will not use Village property, facilities, or resources for private or personal gain for themselves or others. Public officials and employees will not knowingly make any entry in any account, record book, return, certificate, report or statement which is false.

PUBLIC OFFICIAL’S DUTIES

All officials and employees will devote attention to their duties, uphold the law, and conduct Village business with fairness, integrity, and professionalism, with full regard to public trust of the office.

It will be the duty of all Village employees and volunteers to comply with Wisconsin Statutes and Village Ordinances with respect to the proper and appropriate conduct of their positions.

PUBLIC OFFICIAL’S ATTITUDE

Public officials will approach Village government with a positive attitude and will constructively support open communication, creativity, dedication, and compassion. Officials will respect and support federal and state constitutions and other laws which define the relationships among public agencies, employees, clients and all citizens.

ETHIC CODE RULES

Village employees and officials will be made aware of this code, as well as the state laws on conflicts of interest and ethics, at the time of their election, employment or appointment. Incumbents will also be made aware of the code, as well as the state laws on conflicts of interest and ethics. If an action is brought against a Village official for violation of this policy, proper disciplinary action may be assessed.

101 NATURE OF EMPLOYMENT

Employment with the Village is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Village may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state laws.

Policies set forth in this handbook are **not** intended to create a contract, **nor** are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Village and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at the Village's sole discretion.

These provisions supersede all existing policies and practices. These practices may not be amended or added to without the approval of Rochester Village Board.

102 EMPLOYEE RELATIONS

The Village believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other municipal employers. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the Village amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Village of Rochester will be based on merit, qualifications, and abilities. Rochester does not discriminate in employment opportunities or practices on the basis of race; color; religion; sex; national origin; age; disability; sexual orientation; creed; marital status; citizenship status; military service; ancestry; arrest record; conviction record; membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state; use of lawful products while off duty; or any other characteristic protected by law.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Village Administrator-Treasurer's Office. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

105 HIRING OF RELATIVES

The employment of relatives in the same area of an organization may cause conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the Village of Rochester may be hired only if they will not be working directly for or supervising a relative. Current employees shall not be transferred into such a reporting relationship.

In cases where a conflict or the potential for conflict arises, the parties may be separated by reassignment or terminated from employment.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

106 EMPLOYEE MEDICAL EXAMINATIONS

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the Village's expense by a health professional of the Village's choice. The offer of employment and assignment to duties may be contingent upon satisfactory completion of the exam.

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at the Village's expense.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

107 IMMIGRATION LAW COMPLIANCE

The Village of Rochester is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Village within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Village Administrator-Treasurer's Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

108 CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Village of Rochester wishes business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Village Administrator-Treasurer's Office for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Village's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to their supervisor, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Village does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Village.

110 OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the Village. All employees will be judged by the same performance standards and will be subject to the Village's scheduling demands, regardless of any existing outside work requirements.

If the Village determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Village as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Village.

An employee must receive pre-approval from the Village Administrator-Treasurer in the event he/she wishes to obtain outside employment. As a guideline, approval will not be given if the outside work is incompatible with the individual's employment with the village; the work will detract or interfere with the efficiency, effectiveness or productivity of work performed; the outside employment creates a conflict of interest with Village employment; or the outside employment is for a time period when the employee is on a leave of absence (whether paid or unpaid) from Village employment.

112 NON-DISCLOSURE

The protection of confidential business information is vital to the interests and the success of the Village. Such confidential information includes, but is not limited to, the following examples:

- Personnel records
- Negotiations for the purchase of property or service
- The provision of confidential social services

Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information.

114 DISABILITY ACCOMMODATION

The Village of Rochester is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classification, organizational structures, position descriptions, lines of progression, and seniority lists. The Village will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

The Village is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The Village will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The Village is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

201 EMPLOYMENT CATEGORIES

It is the intent of the Village of Rochester to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the Village.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Village management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a minimum of 30 hours per week. Generally, they are eligible for the Village's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR INTRODUCTORY employees are those who are not assigned to a temporary status and who are regularly scheduled to work a minimum of 30 hours per week but have not yet completed six months of service. Generally, they are eligible for the Village's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30 hours per week, but at least 1,200 hours per year. Regular part-time employees are eligible for some benefits sponsored by Village, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 1,200 hours per year. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of Village's other benefit programs.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the Village's other benefit programs.

202 ACCESS TO PERSONNEL FILES

Employees who wish to review their own file should contact the Village Administrator-Treasurer. With reasonable advance notice, employees may review their own personnel files in the Village Administrator-Treasurer's Office and in the presence of an individual appointed by the Village to maintain the files.

203 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join the Village of Rochester are well qualified and have a strong potential to be productive and successful, it is the policy of the Village to check the employment references of all applicants.

The Village Administrator-Treasurer will respond to all employment reference check inquiries from other employers.

204 PERSONAL DATA CHANGES

It is the responsibility of each employee to promptly notify the Village of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed notify the Village Administrator-Treasurer's Office.

205 INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Village uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Village may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 180 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the Village determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other Village-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

208 EMPLOYMENT APPLICATIONS

The Village relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsification, or material omissions in any of this information or data may result in the Village's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

209 PERFORMANCE EVALUATION

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal written performance evaluation will be conducted after 180 days from the date of an employee's initial hiring. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing 12-month cycle, beginning at the anniversary of hire.

Merit-based pay adjustments may be awarded by the Village in an effort to recognize truly superior employee performance. There is nothing in this subsection that would limit the Village Board awarding a merit pay adjustment for an individual who is currently in the introductory period of their employment. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process.

301 EMPLOYEE BENEFITS

Eligible employees at the Village are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Auto Mileage
- Bereavement Leave
- Wisconsin Retirement
- Deferred Compensation Plan
- Family Leave
- Health Insurance
- Dental Insurance
- Vision Insurance
- Short Term Disability, Accident Advantage, and Critical Care Protection Policies (AFLAC)
- Holidays
- Witness Duty Leave
- Jury Duty Leave
- Life Insurance
- Medical Leave
- Vacation Benefits

Some benefit programs require contributions from the employee.

302 MILEAGE REIMBURSEMENT

Village of Rochester employees may be reimbursed the standard IRS mileage reimbursement rate for use of their personal automobiles in the performance of Village functions. The Village does not reimburse employees for mileage involved in reporting to work or returning home.

Employees are responsible for submitting proper mileage verification forms to the Village Administrator-Treasurer's Office.

303 VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full – time employees
- Regular introductory employees

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule.

	Through Dec. 31st after date of hire	Beginning January 1 of first calendar year of service	Beginning January 1 of additional calendar years of service
Vacation Available	One (1) week prorated* for portion of first calendar year of service *3.33 hours per month)	5 Days	+ 1 Day for each additional year / maximum 15 Days

Vacation is available to use before it is earned, therefore, upon termination the remainder of that year’s vacation will be prorated and paid out accordingly. If the vacation has been used, the employee will be required to pay back the prorated amount.

Vacation shall be paid at the employee’s current straight time rate. Vacation shall be taken in four (4) or eight (8) hour increments. Vacation pay shall not be used to pyramid time in any one day.

An employee whose services are being terminated for any reason other than discharge for cause, shall be granted payment for any vacation time to which he/she is entitled.

An employee shall schedule their vacations with their supervisors, at least one (1) week in advance in cases where vacation time taken will exceed three days. In cases of two employees scheduling vacations for the same week, the employee with the most service time shall be given preference.

304 WISCONSIN RETIREMENT

The Village of Rochester provides the opportunity for all regular full-time, regular introductory and regular part-time employees who work over 1,200* hours a year to participate in the Wisconsin Retirement System (WRS). Under the Wisconsin Retirement System, the Village is required to make a contribution based on an employee's eligible earnings. Employer paid Wisconsin Retirement is a benefit in addition to an employee's gross earnings.

Employees are responsible to contribute an "Employee Required Contribution" specified by the Wisconsin Retirement System as a percentage of gross earnings. Employee contributions made prior to July 1, 2011 were considered post-tax and will not be subject to income tax when retirement benefits are drawn from the plan. Contributions made for the first payroll period after July 1, 2011 are considered pre-tax* and are not considered taxable income until such time as the employee begins receiving a retirement annuity from WRS.

Contributions to your WRS account will be deposited into the WRS Fixed Trust, unless you have elected to participate in the variable trust. New participants may elect to have your contributions deposited into the Variable Trust Fund if you complete Form ET-2356 within 30 days of your enrollment. More information regarding the Variable Trust Fund, as well as your Wisconsin Retirement System benefits can be found in ETF publication EP-2119, "Your Benefit Handbook", which you received upon enrollment.

Website: <http://etf.wi.gov>

Toll-Free Call Center: 1-877-533-5020



* Act 32 was passed by the Wisconsin Legislature on June 26, 2011 to enact these changes.

305 HOLIDAYS

The Village will grant holiday time off to all employees on the holidays listed below.

New Years Day
Good Friday
Memorial Day
July 4th
Labor Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Eve
Christmas Day
New Years Eve
One Floating Holiday

Each Department Head has the flexibility to determine holiday schedules for his or her department and when time off will be scheduled so as not to disrupt crucial Village services.

The Village will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classifications(s):

Regular full-time employees
Regular introductory employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's unpaid leave of absence (e.g., vacation, sick leave), the employee will be ineligible for holiday pay.

If eligible nonexempt employees work on a recognized holiday, wages will be paid at one and one-half times their straight-time rate for the hours worked on the holiday.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

306 WORKER'S COMPENSATION INSURANCE

The Village of Rochester provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period as specified by the Wisconsin Department of Industry, Labor and Human Relations.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither the Village nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in an off-duty recreational, social, or athletic activity sponsored by the Village.

307 SICK/ PERSONAL LEAVE BENEFITS

The Village provides paid sick/ personal leave benefits to all eligible employees for periods of temporary absence due to illness or injury, or when non-medical circumstances occur that require an employee to miss work to attend to personal affairs.

Eligible employee classification(s):

Regular full-time employees
Regular introductory employees

Eligible employees are entitled to sick/ personal leave benefits of 3 non-cumulative days per year. Paid sick/personal leave can be used in minimum increments of four hours.

Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household.

Employees who are unable to report to work due to illness or injury should notify their supervisor before the scheduled start of their workday if possible. The supervisor must also be contacted on each additional day of absence.

Eligible employee requests for personal leave must be approved by their supervisor in advance.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

In the case of extended illness or injury, employees may, with their supervisor's approval, use any available paid vacation leave for additional time off as necessary.

Sick/ personal leave benefits will be calculated based on the employee's base pay rate at the time of absence.

The Village may, at its sole discretion, require an employee to provide a physician's statement verifying the employee's illness for an absence of less than three days. The Village also reserves the right to require a written medical release verifying that the employee is medically able to return to work.

309 BEREAVEMENT LEAVE

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately. To be eligible for bereavement leave the employee must attend the funeral of the deceased.

Up to three days of paid leave will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Regular introductory employees

Bereavement pay is calculated based on the pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Such days off with pay shall be taken between the date of death and a period ending one day after the date of the funeral. Employees may, with their supervisor's approval, use any available paid vacation leave for additional time off as necessary.

The Village defines "immediate family" as spouse, parent, child, or sibling of the employee and employee's spouse. One day will be allowed for death of a grandparent, grandchild, aunt or uncle of employee or spouse.

310 LIFE INSURANCE

The Village of Rochester provides employee term life insurance to all regular full-time, regular introductory and regular part-time employees who work over 1,200 hours a year. Eligible employees receive life insurance death benefits equal to the amount of their preceding year's gross salary. Newly hired employees receive life insurance benefits based on their estimated first year gross earnings.

Eligible employees may choose additional insurance options at their own expense. Questions regarding life insurance benefits should be directed to the Village Administrator-Treasurer's Office.

311 JURY DUTY

The Village encourages employees to fulfill their civic responsibilities by serving jury duty when required. Only regular full-time and regular introductory employees are eligible for paid jury duty leave.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence less the amount of compensation received by the employee for jury duty. The employee is responsible for presenting the Village Administrator-Treasurer's Office with the appropriate jury duty pay verification. No overtime will be allowed for jury duty.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either the Village or the employee may request an excuse from jury duty if, in the Village's judgment, the employee's absence would create serious operational difficulties.

Vacation, sick leave, and holiday benefits, will continue to accrue during unpaid jury duty leave.

312 WITNESS DUTY

The Village of Rochester encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the Village, they will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than the Village. Employees are free to use any available paid leave benefit (such as vacation leave) to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

313 BENEFITS CONTINUATION (COBRA)

RESERVED.

314 HEALTH, DENTAL & VISION INSURANCE

The Village provides group health, dental and vision insurance for Regular Full Time employees. Employees who meet the individual plan requirements for eligibility may participate in the insurance benefit programs. The details of these policies are explained in separate booklets issued to you when you become eligible to participate.

Health Insurance. The Village will contribute a portion of the premium, as established by the Village Board. Premium contributions required by participants will be paid by way of payroll deduction only. Because of the rapidly changing circumstances affecting health insurance benefits, including deductible and co-pay amounts, costs and availability, the Village may find it necessary in the future to change benefits or the premium contributions made by the Village for its employees. The current benefits provided and the schedule of deductible limits is contained in the current health insurance benefits booklets and should be reviewed by the employee on a regular basis.

Dental Insurance. Participation is optional for eligible employees. Premium contributions required by participants will be paid by way of payroll deduction only. The Village does not contribute towards this premium.

Vision Insurance. Participation is optional for eligible employees. Premium contributions required by participants will be paid by way of payroll deduction only. The Village does not contribute towards this premium.

315 DEFERRED COMPENSATION

The Village of Rochester offers employees the option of participating in two deferred compensation programs:

- The Wisconsin Deferred Compensation program; and
- The North Shore Bank Deferred Compensation program.

Participation is optional and paid in full by the employee.

The Village Administrator-Treasurer's Office will provide additional information regarding deferred compensation program options upon employee request.

316 TRAINING

Periodic attendance at training opportunities such as workshops, seminars, short courses, and conferences, is encouraged by the Village if shown to be beneficial to job performance and related to the employee's current job duties or a foreseeable-future position within the municipality.

Employees in the following employment categories are eligible for training:

- Regular full-time employees
- Regular part-time employees

Application for Participation. Employees must submit a written request and supplemental information about the training to their Department Manager at least 15 days prior to the registration deadline. Department Managers have the sole discretion to determine whether a course relates to current job duties or foreseeable-future positions. Department Managers may attend and/or authorize training as their budget permits.

Required Training. Employees may be required to attend training due to certification requirements or as warranted by changes in job requirements, individual responsibilities, or technological advances. Employees will be given at least a five-day notice. Those who refuse to attend or participate in training will have this noted in their personnel records. Refusal may be grounds to withhold a promotion and/or for disciplinary action.

Release Time. Where an employee has special scheduling problems, the Department Manager shall have the discretion to release the employee from his or her work schedule to attend classes. The employee must make up the release time as determined by the Department Manager.

Costs Covered. Employee costs for travel, registration, tuition, fees, books, time (at the employee's normal rate), and other direct expenses shall be paid by the Village of Rochester. Out-of-pocket expenses incurred by the employee as a direct result of training attendance will be reimbursed upon submittal of receipts. Refer to Section 512 *Business Travel Expenses* for additional information on eligible costs.

While training is expected to enhance an employee's performance and professional abilities, the Village of Rochester cannot guarantee that participation will entitle the employee to automatic advancement, a different job assignment, or pay increases.

317 Meetings

Department heads and/or their designees who attend meetings shall be compensated for meetings at the same rate as the elected and/or appointed officials attending the same meeting.

Required meetings for each department are as follows:

Assessor- Board of Review.

Administrator-Treasurer - Regular Board, Special Board, Plan Commission, Zoning Board of Appeals, and other committees as necessary.

Village Clerk- Regular Board, Special Board, Historical Preservation Committee, Ordinance Committee, Board of Review and other committees as necessary.

Public Works Manager– Public Works Committee, Regular Board.

Village staff is compensated for attending meetings only when attendance is mandated or specifically requested by the Department Head, Village Board or Committee members.

401 TIMEKEEPING

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and State laws require the Village to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Every exempt and nonexempt employee should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period, as applicable. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

403 PAYDAYS

All employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

The preferred method of payment is direct deposit into the employee's savings and/or checking account. Contact the Administrator-Treasurer for appropriate payroll direct deposit forms. It is the responsibility of each employee to promptly notify the Village of any changes in bank account information.

405 EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any Village, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION – voluntary employment termination initiated by an employee.

DISCHARGE – involuntary employment termination initiated by the Village.

LAYOFF – involuntary employment termination initiated by the Village for non-disciplinary reasons.

RETIREMENT – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the Village.

The Village will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits or return of Village-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with the Village is based on mutual consent, both the employee and Village have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid upon completion of the separation clearance (returning all equipment, keys, etc.).

Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

410 PAY DEDUCTIONS AND SETOFFS

The law requires that the Village make certain deductions from every employee's compensation. Among these are applicable federal and state income taxes. The Village also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The Village matches the amount of Social Security taxes paid by each employee.

The Village offers programs and benefits beyond those required by law. Eligible employees participating in the Wisconsin Retirement System must have the "Employee Required Contribution", specified by the Wisconsin Retirement System as a percentage of gross earnings, deducted from any compensation. Eligible employees participating in voluntary programs may authorize additional deductions from their paycheck to cover the costs of participation.

Pay setoffs are pay deductions taken by the Village, usually to help pay off a debt or obligation to the Village or other parties.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, contact the Village Administrator-Treasurer.

501 SAFETY

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Administrator-Treasurer. Such reports are necessary to comply with laws and initiate insurance and worker's compensation benefits procedures.

502 WORK SCHEDULES

Work schedules for employees vary throughout the Village. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

503 SMOKING

In keeping with the Village of Rochester's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace.

This policy applies equally to all employees, customers, and visitors.

The Village of Rochester is committed to maintaining a smoke-free work environment that ensures the safety, health and efficient performance of all employees. Smoking inside all Village-owned buildings, vehicles, and equipment is prohibited.

The Village of Rochester may designate smoking areas outside of buildings.

504 USE OF PHONE AND MAIL SYSTEMS

Employees should practice discretion in using Village telephones when making local personal calls and may be required to reimburse the Village for any charges resulting from their personal use of the telephone.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

505 ELECTRONIC COMMUNICATION & INFORMATION SYSTEMS POLICY

SECTION 1 - ELECTRONIC COMMUNICATION

1.1 PURPOSE:

To better serve our citizens and give our workforce the best tools to do their jobs, the Village of Rochester (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 media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet, and the World Wide Web.

The Village encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the Village should remember that electronic media and services provided by the Village are Village property and their purpose is to facilitate and support Village business. No expectation of privacy in regards to use of the Village's electronic communication systems should be expected.

This policy cannot lay down 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.

The following procedures apply to all electronic media and services that are:

- *Accessed on or from Village premises
- *Accessed using Village computer equipment or via Village-paid access methods; or
- *Used in a manner that identifies the individual as acting for or on behalf of the Village; or in anyway identifies the Village.

1.2 ORGANIZATIONS AFFECTED:

This policy applies to all Village of Rochester departments, offices, boards, commissions, committees, Village employees and contracted and consulting resources.

1.3 POLICY:

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

1.4 REFERENCES:

Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats. §947.0125; and Public Records Law; §§19.31 – 19.39, Wis. Stats.

1.5 PROCEDURES:

1.5.A ACCESS and AUTHORITY

- 1) Each Department Head shall determine which employees in their department shall have access to the various media and services, based on business practices and necessity and which shall have authority to communicate on behalf of the Village.

- 2) The provisions of this Policy shall apply to the use of Village- owned/provided equipment and/or services from home or other locations off Village premises. Village-owned equipment (e.g. lap tops) may be removed from Village premises solely for Village work related purposes pursuant to prior authorization from the Department Head.

1.5.B PROHIBITED COMMUNICATIONS

- 1) Electronic media cannot be used for knowingly transmitting, retrieving or storing any communication that is:
 - a) Personal business on Village time (e.g. sports pools, games, shopping, correspondence or other non-business-related items), except as otherwise allowed under Sec. 1.5.C;
 - b) Discriminatory or harassing;
 - c) Derogatory to any individual or group;
 - d) Obscene as defined in Wis. Stats. § 944.21;
 - e) Defamatory or threatening; or
 - f) Engaged in for any purpose that is illegal or contrary to the Village's policy or business interests.
- 2) For the protection, integrity and security of the Village's System, electronic media shall not be used to download or transfer software, unless authorized by the Department Head.

1.5.C PERSONAL USE

- 1) Except as otherwise provided, electronic media and services are provided by the Village for employees' business use during Village time. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal non business purposes is permitted as set forth below:
 - a) Personal use is limited to breaks, lunch or immediately before/after work;
 - b) Personal use must not interfere with the productivity of the employee or co-workers;
 - c) Personal use does not involve any prohibited activity (see Section 1.5.B, b-f);
 - d) Personal use does not consume system resources or storage capacity of the Village on an ongoing basis;
 - e) Personal use does not involve large file transfers or otherwise deplete system resources available for business purposes.
- 2) Village telephones and cellular phones are to be used for Village business. However, brief, limited 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 reimbursed to the Village.
- 3) Employees should not have any expectation of privacy with respect to personal use of the Village's electronic media or services.

1.5.D ACCESS TO EMPLOYEE COMMUNICATIONS

- 1) Electronic information created and/or communicated by an employee using e-mail, word processing, utility programs, spreadsheets, voice mail, telephones, Internet and bulletin board systems, desktop faxes, and similar electronic media may be accessed and monitored by the Village. The Village respects its employees' desire to work without surveillance. However, the Village reserves and intends to exercise the right, at its discretion, to review, monitor, intercept,

access and disclose all messages created, received or sent over the electronic communication systems for any purpose including, but not limited to: cost analysis; resource allocation; optimum technical management of information resources; and detecting use which is in violation of Village policies or may constitute illegal activity. Disclosure will not be made except when necessary to enforce the policy, as permitted or required under the law, or for business purposes.

- 2) Any such monitoring, intercepting and accessing shall observe any and all confidentiality regulations under federal and state laws.

1.5.E SECURITY/APPROPRIATE USE

- 1) Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by the Village Administrator-Treasurer, 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 or accounts they are not authorized to use;
 - c) Using other people's log-ins or passwords; and
 - d) Breaching, testing, or monitoring computer or network security measures.
- 2) No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.
- 3) Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
- 4) Anyone obtaining electronic access to other organizations', business', companies', municipalities' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

Employees must understand that the unauthorized use or independent installation of non-standard software or data may cause computers and networks to function erratically, improperly, or cause data loss. Users must never install downloaded software to networked storage devices without the assistance and approval of the Department Manager.

Most of the Village's computing facilities automatically check for viruses before files and data which are transferred into the system from external sources are run or otherwise accessed. 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 Village Administrator-Treasurer.

- 5) Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be privileged, confidential and/or exempt

from disclosure under applicable law. Such privilege and confidentiality shall be respected.

1.5.F ENCRYPTION

Employees should not assume electronic communications are totally private. Employees with a business-need to encrypt messages (e.g. for purposes of safeguarding sensitive or confidential information) shall submit a written request to their supervisor and the Village Administrator-Treasurer. When authorized to use encryption by their supervisor and the Village Administrator-Treasurer, employees shall use encryption software authorized and supplied by the IT 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 and/or encryption keys necessary to access the files.

1.5.G 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 newsgroup devoted to the technical area.
- 3) Employees shall 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 Rochester".
- 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 the Village's systems or Village provided account. Communications must not reveal confidential information and must not otherwise violate this or other Village policies.
- 5) Employees must receive authorization from their Department Heads prior to participating in an on-line forum. The employees shall be required to review the provisions of this section before they receive such authorization.

1.5.H 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 subject to discipline, up to and including termination and may be subject to civil liability and criminal prosecution.

SECTION 2 - E-MAIL POLICY

2.1 PURPOSE:

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 may constitute public records. This policy explains rules governing the appropriate use of e-mail and sets out the Village's rights to access messages on the e-mail system. No expectation of privacy in regards to use of the Village's e-mail system should be expected.

2.2 ORGANIZATIONS AFFECTED:

This policy applies to all Village departments, divisions, offices, boards, commissions, committees, Village employees and contracted and consulting resources.

2.3 POLICY:

It is the policy of the Village to follow this set of procedures for the use of the Village's e-mail system.

2.4 REFERENCES:

Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats. §19.21; Wis. Stats. §947.0125.

2.5 PROCEDURES:

2.5.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 e-mail system. E-mail messages and files, like other types of correspondence and Village documents, can be accessed and read by authorized employees or authorized individuals outside the Village. The Village reserves the right to monitor, review, audit, intercept, access and disclose all messages created, received or sent over the e-mail system. Information contained in the e-mail system will only be disclosed to the extent permitted by law, for business purposes, or as needed to enforce the policy. 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-Treasurer's Office during the course of system maintenance or administration;
 - b) Access approved by the employee, the employee's supervisor, or an officer of the Village when there is an urgent business 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-Treasurer, 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;

- d) Access approved by the Village Administrator-Treasurer 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.
- 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 message might be disclosed to or read by individuals other than the intended recipient(s), since messages can be easily forwarded to other individuals. In addition, while the Village endeavors to maintain the reliability of its e-mail system, employees should be aware that a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of e-mail messages.
- 3) The confidentiality of any message 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 electronic mail is a written form of communication, just like a paper letter. Though electronic mail is relatively spontaneous compared with regular mail, employees should take care to use the same level of discretion and forethought before executing electronic messages.

2.5.B PASSWORDS

Each user accesses the e-mail system by means of a personal log-in name and password, which will be selected by the employee and kept on file with the Department Head and Village Clerk's office.

- 1) Passwords are intended to keep unauthorized individuals from accessing messages stored on the system. From a systems 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 e-mail messages; circulate e-mail 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. (See Section 2.5.A, "Access to Employee E-mail").
- 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, or those of any other employee, to anyone who is not an employee of the Village. Employees also should not disclose their password to other employees, except when required by an urgent business matter (see Section 2.5.A.1(b) of this policy).

2.5.C PERSONAL USE

1) The Village allows limited, occasional, or incidental personal use of its e-mail system during lunch, breaks or immediately before or after work, subject to the following conditions and restrictions:

- a) Personal use must not:
 - i) Involve any prohibited activity (see Section 2.5.D);
 - ii) Interfere with the productivity of the employee or his or her co-workers;

- iii) Consume system resources or storage capacity of the Village on an ongoing basis; or
 - iv) Involve large file transfers or otherwise deplete system resources available for business purposes.
- b) Employees should not have any expectations of privacy with respect to personal e-mail sent or received on the Village's e-mail system. Employees should delete personal messages as soon as they are read or replied to. Employees should not store copies of the personal messages they have sent. Because e-mail is not private, employees should avoid sending personal messages that are sensitive or confidential.

2.5.D PROHIBITED ACTIVITIES

- 1) Employees are strictly prohibited from sending e-mail or otherwise using the e-mail system in connection with any of the following activities:
 - a) Engaging in personal business or entertainment on Village time;
 - b) Engaging in illegal, fraudulent, or malicious activities;
 - c) 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) Sending or storing offensive, disruptive, obscene, or defamatory material. Materials which are considered offensive include, but are not limited to: any materials which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, race, creed, color, sex, ancestry, religious or political beliefs, marital status, national origin or disability;
 - e) Annoying or harassing other individuals;
 - 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 e-mail messages sent to other individuals, without prior authorization from the Village Administrator-Treasurer; or
 - i) Permitting any unauthorized individual to access the Village's e-mail system.

2.5.E CONFIDENTIAL INFORMATION

- 1) All employees are expected and required to protect the Village's confidential information. Employees shall not transmit or forward confidential information to outside individuals or companies without the permission of their supervisor and the Village Administrator-Treasurer. See Section 2.5.G, Encryption.
- 2) The Village also requires its employees to use e-mail in a way that respects the confidential and proprietary information of others. Employees are prohibited from copying or distributing copyrighted material - for example, software, database files, documentation, or articles - using the e-mail system.

2.5.F RECORD RETENTION

- 1) The same rules which apply to record retention for other Village documents apply to e-mail. As a general rule, e-mail is a public record whenever a paper message with the same content would be a public record.
- 2) The specific procedures to be followed with respect to the retention of e-mail records is contained in Section 3 (E-mail Record Retention Policy).

2.5.G ENCRYPTION

Encrypting e-mail messages or attached files sent, stored, or received on the Village's e-mail system is prohibited except where explicitly authorized. Employees are prohibited from using or installing any encryption software without prior permission from the Village Administrator-Treasurer. Employees with a business need to encrypt messages should submit a written request to their supervisor and the Village Administrator-Treasurer. When authorized to use encryption by their supervisor and the Village Administrator-Treasurer, employees shall use encryption software supplied or authorized by the IT Consultant. Employees who use encryption on e-mail stored on a Village computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all the passwords and/or encryption keys necessary to access the e-mail.

2.5.H E-MAIL POLICY VIOLATIONS

Employees violating the Village's e-mail policy are subject to discipline, up to and including termination. Employees using the e-mail system for defamatory, illegal, or fraudulent purposes and employees who break into unauthorized areas of the Village's computer system also are subject to civil liability and criminal prosecution.

SECTION 3 - E-MAIL RECORD RETENTION POLICY

3.1 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 records.

3.2 ORGANIZATIONS AFFECTED:

This policy applies to all Village of Rochester departments, divisions, offices, boards, commissions, committees, Village employees and contracted and consulting resources.

3.3 POLICY:

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

3.4 REFERENCES:

Wis. Stats. §§16.612, 19.21 et. seq., 19.32 and 19.33.

3.5 PROCEDURES:

3.5.A NATURE OF E-MAIL RECORDS

As a general rule, 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.

3.5.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.

3.5.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 shall be archived to an achievable 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.

3.5.D RESPONSIBILITIES FOR E-MAIL RECORDS MANAGEMENT

Legal Custodian. E-mail records of a Village authority having custody of records shall be maintained by the designated Legal Custodian, pursuant to Village ordinance.

3.5.E PUBLIC ACCESS TO E-MAIL RECORDS

If a Department receives a request for release of an e-mail public record, the Legal Custodian of the record shall determine if it is appropriate for public release, 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 shall be provided within a reasonable time.

3.5.F VIOLATION

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

E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES

EMPLOYEE NOTICE

As an employee, elected official, appointed official, contracted individual and/ or consultant of the Village of Rochester, the “Village”, 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 and files are the exclusive property of the Village. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the Village. I agree not to use pass codes, access a file or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the Village Administrator-Treasurer.

I am aware that the Village reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the Village's electronic communications systems at any time. I am aware that the Village may exercise these rights with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy or restrict the Village's right to access electronic communications. 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 and/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, Elected official,
Appointed official, Contracted individual
or Consultant

Date

Signature of Administrator-Treasurer

Date

Copy for Employee, Elected official, Appointed official, Contracted individual or Consultant

506 REST AND MEAL PERIODS

Each workday, employees are provided with a minimum of one rest period of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All employees are provided with one meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and may or may not be compensated for that time depending on the operating procedures of the department.

507 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, regular full-time employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

508 USE OF EQUIPMENT AND VEHICLES

When using Village equipment and vehicles, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify your supervisor if any equipment, machines, tools, or vehicles, appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use of operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

512 BUSINESS TRAVEL EXPENSES

The Village will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Village Administrator-Treasurer and in accordance with the Village's Budget.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Village. Employees are expected to limit expenses to reasonable amounts.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the Village may not be used for personal use without prior approval.

When travel is completed, employees should submit completed travel expense reports within ten days. Reports should be accompanied by receipts for all individual expenses.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

514 VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the Village, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

522 WORKPLACE VIOLENCE PREVENTION

The Village of Rochester is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Village of Rochester has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All Board members and employees, including Department Managers and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from Village premises without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the Racine County Sheriff's Department or any Department Manager. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to the Sheriff's Department or a Department Manager. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workplace, do not try to intercede or see what is happening.

The Village of Rochester will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. To maintain workplace safety and the integrity of its investigation, the Village of Rochester may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Village of Rochester encourages employees to bring their disputes or differences with other employees to the attention of their Department Manager, Village Administrator-Treasurer or Village President before the situation escalates into potential violence. The Village of Rochester is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

601 MEDICAL LEAVE

The Village provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

Regular full-time employees

Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the Village. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within any 12-month period. Any combination of medical leave and family leave may not exceed this maximum limit. If the initial period of approved absence proves insufficient, consideration will be given to a request for an extension. Employees may first use any accrued paid leave time before taking unpaid medical leave.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide the Village with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to report to work promptly at the end of the medical leave, the Village will assume that the employee has resigned.

602 FAMILY LEAVE

The Village provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Employees in the following employment classifications are eligible to request family leave as described in this policy:

Regular full-time employees

Eligible employees may request family leave only after having completed 195 calendar days of service. Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

Employees requesting family leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees must identify the amount of family (or medical) leave which he/she is requesting the Village to provide. The Village has the sole discretion to determine the amount of leave to be provided based on the individual facts and circumstances of each request.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on family leave is requested to provide the Village with at least two weeks advance notice of the date the employee intends to return to work. When a family leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to report to work promptly at the end of the approved leave period, the Village will assume that the employee has resigned.

605 MILITARY LEAVE

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty. The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Vacation, sick leave, and holiday benefits will not accrue during a military leave of absence greater than two weeks, unless required by state or federal law.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on long military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

607 PREGNANCY-RELATED ABSENCES

The Village will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and child care, not related to medical disabilities for those conditions will be considered in the same manner as other requests for unpaid family leave.

701 EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, the Village expects employees to follow rules of conduct that will protect the interest and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- ◆ Theft or inappropriate removal or possession of property
- ◆ Falsification of timekeeping records
- ◆ Working under the influence of alcohol or illegal drugs
- ◆ Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer owned vehicles or equipment
- ◆ Fighting or threatening violence in the workplace
- ◆ Boisterous or disruptive activity in the workplace
- ◆ Negligence or improper conduct leading to damage of employer owned or customer owned property
- ◆ Insubordination or other disrespectful conduct
- ◆ Violation of safety or health rules
- ◆ Smoking in prohibited areas
- ◆ Sexual or other unlawful or unwelcome harassment
- ◆ Possession of dangerous or unauthorized materials, such as explosive or firearms, in the workplace
- ◆ Excessive absenteeism or any absence without notice
- ◆ Unauthorized absence from work station during the workday
- ◆ Unauthorized use of telephones, mail system, or other employer-owned equipment
- ◆ Unauthorized disclosure of confidential information
- ◆ Violation of personnel policies
- ◆ Unsatisfactory performance or conduct

Employment with the Village is at the mutual consent of the Village and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

702 DRUG AND ALCOHOL USE

It is the Village's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Village premises and while conducting business-related activities off Village premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Village Administrator-Treasurer without fear of reprisal.

If the Village has any reason to suspect that an employee is violating this policy, the employee may be asked to immediately submit to a search of his/her vehicle, desk, brief case, purse, wallet, packages, personal possessions, or other items on the premises which he/she has access to, or where circumstances require, to a search of his/her person by a supervisor or manager of the same sex. Disciplinary action or termination will result if an employee is found in violation of this policy. As a condition of employment, all employees are required to abide by the terms of this policy and to notify the Village Administrator-Treasurer of any criminal drug or alcohol statute conviction, municipal citation or conviction, including the guilty or no contest pleas for a violation, occurring on or off duty, in or outside the workplace, no later than five days after such conviction.

703 ANTI-HARASSMENT POLICY

The Village is committed to providing a work environment in which employees are treated with courtesy, respect and dignity. The most productive and satisfying work environment is one in which work is accomplished in a spirit of mutual trust and respect. Harassment is a form of discrimination that is offensive, impairs morale, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of our workplaces.

All employees have a right to work in an environment free from discrimination and harassing conduct, including sexual harassment. Harassment, whether verbal or physical, with regard to an employee's race, color, creed, ancestry, national origin, age disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work, or any other protected characteristics is expressly prohibited under this policy.

Definitions. In general, harassment means persistent and unwelcome conduct or actions on any of the bases set forth above.

Sexual Harassment is one type of harassment and includes unwelcome sexual advances, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. Unwelcome verbal or physical conduct of a sexual nature includes, but is not limited to:

- The repeated making of unsolicited, inappropriate gestures or comments: or
- The display of offensive sexually graphic materials not necessary to our work.

Harassment on any basis (race, sex, age, disability, etc.) exists whenever:

- Submission to harassing conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or
- Submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual; or
- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.

Recognizing Harassment. Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments or criticisms of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. Men can be sexually harassed: men can harass men: women can harass other women. Offenders can be supervisors, co-workers and non-employees such as vendors.

Examples of harassment include:

- Verbal: Jokes, insults and innuendoes (based on race, sex, age, disability, etc.): degrading sexual remarks: referring to someone as a stud, hottie, hunk or babe; whistling; catcalls; comments on a person's body or sex life: or pressure for sexual favors.
- Non-verbal: Gestures; staring; touching; hugging; patting; blocking a person's movement; standing too close; brushing against a person's body; or display of sexually suggestive or degrading pictures; or racist or other derogatory cartoons or drawings.

Complaint Procedure. Any employee who believes he/she is being harassed, or any employee who becomes aware of harassment, should promptly notify his/her supervisor or the Village Administrator-Treasurer. Supervisors shall report all incidents or reports of harassment promptly to the Village

Administrator-Treasurer, Reporting and complaint forms are available from the Village Administrator-Treasurer, along with information on the right to file a state or federal harassment complaint. A supervisor who receives a complaint shall notify the Village Administrator-Treasurer. If the Village Administrator-Treasurer is the person committing the harassment, an employee should notify one of the members of the Board of Trustees of the Village of Rochester.

Investigation Procedure. Upon notification of a harassment complaint, a confidential and impartial investigation will promptly commence and include direct interviews with involved parties and, where necessary, with employees who may be witnesses or have knowledge of matters relating to the complaint. All employees have a duty to cooperate in any investigation conducted pursuant to this policy. The complaint will be kept confidential to the extent that confidentiality is consistent with the Village's obligation and commitment to investigate, and every effort will be made, consistent with the rights of the parties to preserve confidentiality during the course of the investigation.

Retaliation Prohibited. This policy expressly prohibits retaliation of any kind against any employee bringing a complaint or assisting in the investigation of a complaint. Such employees may not be adversely affected in any manner related to their employment.

Appropriate Action Will Be Taken. The Village views harassment and retaliation to be among the most serious breaches of work place behavior. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination of employment, will result from a violation of this policy.

704 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the Village expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Village. In the rare instance when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

705 PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness contribute to the morale of all employees and affect the business image the Village presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

706 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all Village property immediately upon request or upon termination of employment.

708 RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with the Village. Although advance notice is not required, the Village requests and appreciates at least two weeks written resignation notice from all employees.

714 DRUG & ALCOHOL POLICY

Purpose.

The Village of Rochester recognizes that the use and/or abuse of controlled substances and/or alcohol, as well as the abuse of prescribed medications, can have a significant impact on the workplace in terms of safety, worker's compensation claims, sick pay benefits, absenteeism and productivity. The Village also recognizes the legal duty to provide a safe workplace. Moreover, the Village is concerned about the health and well-being of those employees who use and/or abuse drugs and/or alcohol.

Scope.

This policy applies to all departments, all employees and all job applicants.

Types of Testing.

1. Pre-Employment Testing - Every applicant for employment, whether full time, part time, or seasonal, will be required to undergo and pass a drug test before he/she may commence employment at the Village of Rochester. Each job applicant will be advised that a drug test will be required as a part of a pre-placement examination and that any job offer is contingent upon, among other things, successful passage of that test.
2. Reasonable Suspicion Testing - If at any time, the Village determines, there is reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the employee will be required to submit to a drug and/or alcohol test. Reasonable suspicion means observations of objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration, demeanor, appearance, smell, ability to walk and stand and marked changes in behavior.
3. Post-Accident Testing - If an employee is involved in an accident and it appears the employee is at fault or the accident cannot be explained to the satisfaction of Village representatives, or in the case of an employee operating a Village vehicle in which the employee is involved in an accident, the employee shall be required to submit to a drug and/or alcohol test. This section shall apply to both the injured employee and any other employee whose actions may have contributed to the occurrence of the accident.

Disciplinary Procedures.

Any employee who tests positive for any illegal drugs or controlled substances, except medication taken as prescribed, will be subject to discipline up to and including discharge. The Village, in its sole discretion, may offer an employee the opportunity to enter a rehabilitation program.

Rehabilitation.

The Village may, at its sole discretion, reinstate an individual after completing a Village approved rehabilitation program. Prior to entering rehabilitation, the employee will be required to sign a form consenting to the release by the treatment center of information regarding the progress and results of rehabilitation. Failure to sign this consent form will result in the Village's inability to assess the employee's rehabilitation and the employee will remain unqualified for return to employment.

Employee Consent to Testing.

Each employee/applicant directed for testing will be required to complete and sign a form by which he/she consents to and authorizes testing and disclosure of test results to the Village. If the employee refuses to complete and sign the consent/authorization form, or the chain of custody form at the collection site, or if the employee refuses to provide a specimen for testing, such refusal will constitute grounds for termination. Providing an adulterated sample will result in immediate termination.

Prescription Medications.

Nothing in this policy prohibits the appropriate use of prescription medication legally prescribed by a licensed physician. However, it is the employee's duty to discuss any effects which that medication may have on his/her ability to safely perform his/her job and to inform his/her supervisor of any adverse effects. Failure to do so may result in discipline up to and including discharge.

Confidentiality.

Results of all drug/alcohol tests will be kept separate from personnel files and treated as confidential information and access to such results shall be limited. Results will not be communicated to others outside of the employee's direct supervisory chain except where necessary in connection with any rehabilitation.

716 PROGRESSIVE DISCIPLINE

The purpose of this policy is to state the Village's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Village's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the Village is based on mutual consent and both the employee and Village have the right to terminate employment at will, with or without cause or advance notice, the Village may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps – verbal warning, written warning, suspension with or without pay, or termination of employment – depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

The Village recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

718 PROBLEM RESOLUTION

The Village is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Village supervisors and management.

The Village strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

No employee will be penalized, formally, or informally, for voicing a complaint with the Village in a reasonable, business-like manner.

719 COMPLAINT & GREIVANCE POLICY.

GRIEVANCE PROCEDURE FOR DISCIPLINE, TERMINATION AND WORKPLACE SAFETY ISSUES

Grievances. This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, "workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

A written grievance must contain the name and position of the employee filing it, a statement of the grievance, the issue involved, the relief sought, the date the event giving rise to the grievance took place, the employees steps to orally review the matter with the employee's supervisor and the employee's signature and the date.

Step 1 - Written Grievance Filed with Village Administrator-Treasurer. The employee must prepare and file a written grievance with the Village Administrator-Treasurer within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The Village Administrator-Treasurer will investigate the facts giving rise to the grievance and inform the employee of his or her decision, if possible, within ten (10) business days of receipt of the grievance. In the event the grievance is against the Village Administrator-Treasurer, the grievance shall be filed with the Village President.

Step 2 - Impartial Hearing Officer. If the grievance is not settled at Step 1 the employee may request in writing, within five (5) business days following receipt of the Village Administrator-Treasurer's decision, a request for written review by an impartial hearing officer. The Village shall select the impartial hearing officer, but it will not be a Village employee. The impartial hearing officer shall hold a hearing on the matter and determine whether the supervisor or manager has acted in an arbitrary and capricious manner. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer shall provide a written decision, which may be appealed to the full Village Board of Trustees.

Step 3 - Review by Village Board. If the grievance is not settled after decision by an impartial hearing officer, the employee shall request within five (5) business days of receipt of the written opinion of the impartial hearing officer, a written review by the Village Board. The Village Board shall not take testimony or evidence: it may only determine whether the hearing officer reached an arbitrary or incorrect result. The matter will be scheduled for the Village Board's next regular meeting. The Village Board will inform the employee of its findings and decision in writing within ten (10) business days of the Board meeting. The Village Board shall decide the matter by majority vote and this decision shall be final and binding.

If either party fails to meet the deadlines set forth, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the item will be reviewed at the next possible meeting.