

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

Annette Mikula
INITIATED BY

County Board
Staff Committee
SUBMITTED BY



Amy Spoden, Asst. Human Resource Director
DRAFTED BY

October 9, 2020
DATE DRAFTED

AMENDING THE COUNTY'S PERSONNEL ORDINANCE

1 WHEREAS, Rock County has an established Personnel Ordinance; and,
2
3 WHEREAS, it is good practice to review the personnel ordinance language on an annual basis; and
4
5 WHEREAS, certain additional changes have been suggested by Employees and Department Managers; and,
6
7 WHEREAS, the County wants to incorporate these additional changes to the Personnel Ordinance effective
8 December 17, 2020

9
10 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors assembled this 17th
11 day of December, 2020 does hereby amend Chapter XVIII, the County's Personnel Ordinance as
12 follows:
13

Section 3: Recruitment and Selection

Probationary Period
18.306

20-11C-117

19
20 Except for Department Heads and the County Administrator, original appointments to all positions shall
21 be made with a Probationary Period of one (1) calendar year.

22
23 The length of the Probationary Period shall be specified in the written offer of employment, which will be
24 written by the Human Resources Department.

- 25 (1) Regular status begins on the first workday following completion of the
26 Probationary Period.
- 27
28 (2) The Probationary Period may be extended for a period of time not to exceed
29 six (6) months, with prior approval of the Human Resources Director. This
30 request must be made in writing citing the reason for the request.
- 31
32 (3) An employee shall automatically be appointed at the end of the prescribed
33 Probationary Period, unless the appointing authority, with approval of the
34 Human Resources Director, notifies the probationary employee of the
35 extension, or the unsuccessful completion of the Probationary Period at
36 which time the employee shall have their Probationary Period extended or
37 be dismissed.
- 38
39 (4) Dismissal of an employee during the initial Probationary Period shall be at the
40 sole discretion of the employer and without recourse to the grievance
41 procedures herein provided.
- 42
43 (5) An employee appointed to a position in an acting capacity by the County
44 Administrator and subsequently selected as the regular employee in that
45 position shall have his/her total time of continuous employment, including
46 the time spent in an interim capacity, counted for seniority purposes, but
47 shall serve at least a six month Probationary Period after regular
48

- 49 appointment. When an employee is in an acting capacity, the employee will
 50 continue to receive step increases as provided under Section 18.405.
 51
 52 (6) Probationary employees, with the exception of Pool Staff, Relief Staff, and
 53 Project Staff, will not be permitted to apply for other positions until they
 54 have completed twelve months of employment. An employee who has
 55 completed at least six months of their probationary period, may sign for a
 56 lateral transfer in the same classification with in the same division. In
 57 unusual circumstances, this requirement may be waived in advance and in
 58 writing by the current Department Head and Human Resources Director.
 59
 60 (7) Completion of the Probationary period does not guarantee continued
 61 employment for any specified period of time, nor does it modify or change the
 62 employee's at will status.
 63
 64 (8) Probationary employees, who have not completed their initial twelve (12)
 65 month probationary period, who are either promoted or, demoted, or accept a
 66 lateral transfer to another position, which results in a change of duties, will be
 67 required to serve a new one year probationary period starting from the date of
 68 their new position.
 69
 70
 71

72 **Section 5: Fringe Benefits**

73 Holidays
 74 18.501
 75

76
 77 The following holidays are observed by the County and shall be granted to regular employees with pay
 78 and to temporary employees without pay, unless such employees are required to be on scheduled work:
 79

- 80 (a) New Year's Day
 81 (b) Martin Luther King Jr. Day
 82 (bc) Spring Holiday to be observed the Friday immediately preceding
 83 Easter
 84 (ed) Memorial Day
 85 (de) July 4th
 86 (ef) Labor Day
 87 (fg) Thanksgiving Day
 88 (gh) Friday following Thanksgiving
 89 (hi) Day before Christmas
 90 (ij) Christmas Day
 91 (jk) One Floating Holiday
 92 (kl) Any additional holiday granted by the County Board.
 93 (lm) The County Administrator may designate additional holidays in
 94 unusual circumstances with the approval of the County Board
 95 Chair and/or Vice Chair.
 96

97 For employees working the standard work schedule, when a holiday falls on Saturday, it shall be
 98 observed on the preceding Friday. When a holiday falls on a Sunday, the following Monday shall be
 99 observed.

100
 101 For employees not working the standard work schedule see the HR Policies and Procedures.

102
 103 Floating holidays must be taken in whole day increments (pro-rated for part-time employees).

104
 105 The floating holiday shall accrue to the employee effective any work shift starting on or after 4 a.m. of
 106 January 1st of each year. Employees need to use the floating holiday on or before December 31 of each
 107 calendar year. If the floating holiday is not used by December 31, the floating holiday will be
 108 forfeited. During their first year of employment, Employees hired after November 30, will have until
 109 January 31 of the following year to use their floater from the previous year.
 110

111 The floating holiday may be taken upon at least 7 days advance notice. The floating holiday request
 112 will normally be approved, however, it may be denied by the Department Head, even with a 7 day

113 advance notice, if granting the request would put the department, division, unit, or shift below the
 114 minimum staffing needs of the department, division, unit or shift. A floating holiday with less than 7
 115 day notice may be granted in an emergency circumstance at the discretion of the Department Head or
 116 his/her designee. Employees are strongly encouraged to use their floating holiday prior to the last
 117 payroll period of the calendar year.

Vacation
18.506

121
 122 (a) Unilateral employees hired prior to January 1, 2008, shall earn ten days paid vacation after
 123 one year of continuous service. Thereafter, he/she shall earn one additional day per year
 124 for each year of continuous employment to a maximum of twenty two days. Employees
 125 shall continue to earn vacation until the employee's length of service would provide
 126 additional vacation under paragraph (b) below, at which time they shall be placed on that
 127 schedule.

128
 129 (b) Unilateral employees hired after January 1, 2008, shall earn vacation according to the
 130 following schedule:
 131

Completed Years of Service	Unilateral A & B	Unilateral C
1 year	10 Days	15 Days
2 Years	11 Days	15 Days
3 Years	12 Days	15 Days
4 Years	13 Days	15 Days
5 Years	14 Days	20 Days
6 Years	15 Days	"
7 Years	16 Days	"
8 Years	17 Days	"
9 Years	18 Days	"
10 Years	19 Days	25 Days
11 Years	20 Days	"
12 Years	21 Days	"
13 Years	22 Days	"
14 Years	22 Days	"
15 Years	22 Days	"
16 Years	22 Days	"
17 Years	23 Days	"
18 Years	24 Days	"
19 Years	25 Days	"

132
 133 Unilateral A & B Employees may use up to 5 of their 10 days after they have been with the County for six
 134 months. Unilateral C employees may use 7.5 of their 15 days after they have been with the County for six
 135 months. Any time used between six (6) months and one year, will result in a
 136 reduction of the days available after one year. (Example: a Unilateral B employee uses 2 days after six
 137 months but prior to his one year anniversary date, that person would have 8 days to use after completing
 138 one year of service. $10 - 2 = 8$.)

139
 140 (c) Vacation schedules for non unilateral unilateral employees are contained in the HR Policies
 141 and Procedures manual.

142
 143 (d) Credit for years of service may be awarded to an employee based on years of prior related
 144 experience plus years of service with the County. Prior related experience shall be
 145 determined by the Human Resources Director and the Corporation Counsel, and will only
 146 be awarded for service in jobs that are substantially related to the work performed for the
 147 County. This service credit shall be awarded at the time of initial employment, or at the time
 148 promoted into a new employee group.

149
 150 (e) An employee shall take earned vacation time within the twelve month period immediately
 151 following eligibility. Earned vacation time not taken within the designated twelve month
 152 period shall be forfeited, unless the Department Head and Human Resources Director
 153 specifically approves the carryover of an employee's vacation, in writing, due to an inability

- 154 of the employee to utilize the time requested to be carried over because of work
155 requirements or other legitimate reasons; or paid out according to HR Policy and
156 Procedures. Vacation deferral or carry over of one (1) hour or more shall be requested by
157 the employee in writing prior to his or her anniversary date, or within ten weeks of his or
158 her anniversary date, and shall state with specificity the reason for the request. Failure to
159 make a timely request shall result in the vacation being forfeited.
- 160
- 161 (f) The amount of vacation days deferred shall not exceed the number of vacation days that
162 the employee earns on that anniversary date. Vacation may be granted in advance only
163 upon the approval of the Department Head and the Human Resources Director.
- 164
- 165 Department Heads shall establish work and vacation schedules with the first consideration
166 to be given to the efficient operation of the department. Senior employees in terms of length
167 of service shall be given vacation schedule preferences when practicable. Deferral of
168 vacation for the County Administrator shall be at the discretion of the County Board Staff
169 Committee.
- 170
- 171 (g) Part-time employees whose regular workweek is sixteen hours or more shall earn vacation
172 time on a pro rata basis directly proportionate to the amount of time worked in relation to
173 the normal full time employment period. Part-time employees whose regular workweek is
174 less than sixteen hours shall not earn vacation credits.
- 175
- 176 (h) In the event an employee is on authorized sick leave and has insufficient sick leave credits
177 to cover the period of absence, earned vacation time may be used for this purpose if the
178 employee or employer so elects.
- 179
- 180 (i) Upon separation, an employee shall be paid for the unused portion of his/her
181 accrued vacation credits provided the employee has completed twelve consecutive months
182 of service, except as modified by the rules governing resignation without
183 sufficient notice.
- 184
- 185 (j) An employee who moves from one position to another in the County service, by
186 transfer, promotion or re-assignment, shall be credited with his/her accumulated vacation
187 leave in the new position.
- 188
- 189 (k) An employee who moves from one an employee group to another employee group in the
190 County service, by transfer, promotion or re-assignment, will have their vacation
191 entitlement determined by a number of factors (i.e. years of service, FTE previously
192 worked, entitlement under new employee group, etc.).
- 193
- 194 (l) An employee, whose appointment status is changed from temporary to regular
195 status without a break in service, shall receive vacation credits from the date of his/her
196 original appointment to temporary status.
- 197
- 198 (m) No credit for vacation leave shall be granted for time worked by an employee in
199 excess of his/her normal workweek.
- 200
- 201 (n) Vacation credits shall not be earned by an employee during a leave of absence
202 without pay, a suspension without pay, or when the employee is otherwise in a non-
203 compensable status, should such period without pay exceed thirty working days in any
204 calendar year.
- 205
- 206 (o) There shall be charged against accrued vacation only those days on which an
207 employee normally would have worked. In the event a legal holiday falls within the
208 vacation period, the holiday shall not be charged against vacation.
- 209
- 210 (p) Use of vacation time must be approved in advance by the Department Head or his
211 or her designee. Use of vacation by appointed Department Heads must be
212 approved in advance by the County Administrator.
- 213
- 214 (q) All vacation shall be utilized in not less than thirty minute increments.
- 215

216 (r) Unilateral "C" employees whose position has been moved to Unilateral "A" will have their
217 vacation allotment frozen at current level until the employee's length of service would
218 provide additional vacation under the Unilateral "A" schedule.

219
220 Bereavement Leave
221 18.509

222
223 In the event of a death an employee may be excused from work without loss of pay for up to a maximum
224 of thirty-two (32) hours annually for the purpose of attending a person's wake, visitation, memorial
225 service, funeral, or make necessary arrangements regarding the person's death, within a reasonable time
226 after the occurrence.

227
228 No more than (32) hours can be used for the same decedent.

229
230 If additional time is required beyond the thirty-two (32) hours annually, an employee may request to use
231 accumulated vacation, holiday or comp-time. Sick leave cannot be used.

232
233 Bereavement leave cannot be accrued from one year to the next.

234
235 Bereavement leave can be used in increments of quarter hours.

236
237 A second or third shift employee may be excused from work the scheduled shift before or after the event,
238 provided the shift begin or ends on the same calendar date of the event.

239
240 All leaves under this section shall be prorated based upon the employee's FTE.

Respectfully Submitted,

COUNTY BOARD STAFF COMMITTEE

/s/ Kara Purviance
Kara Purviance, Chair

/s/ Alan Sweeney
Alan Sweeney

/s/ Rich Bostwick
Rich Bostwick, Vice Chair

Absent
Bob Yeomans

/s/ Tom Brien
Tom Brien

/s/ Mary Beaver
Mary Beaver

/s/ Kevin Leavy
Kevin Leavy

LEGAL NOTE:

/s/ Louis Peer
Louis Peer

The County Board is authorized to take this action by Wisconsin Statutes §§ 59.03 and 59.52(8).

/s/ J. Russell Podzilni
J. Russell Podzilni

/s/ Richard Greenlee

FISCAL NOTE:

Richard Greenlee
Corporation Counsel

The cost of adding Martin Luther King, Jr Day as a holiday is mainly staff productivity. The County pays approximately \$325,000 per workday for salary and benefits (FICA and WRS), which would be paid whether the day is a holiday or not. However, staff in 24/7 operations that work on the actual holiday are paid a premium for working. Adding an additional holiday would cost the County approximately \$22,500 (includes FICA and WRS) in holiday premium pay.

ADMINISTRATIVE NOTE:

Recommended.

/s/ Josh Smith

/s/ Sherry Oja

Josh Smith
County Administrator

Sherry Oja
Finance Director

Executive Summary

Rock County has a Personnel Ordinance that establishes a uniform personnel program for Rock County. The ordinance is reviewed annually and suggestions for modifications are brought forward to the County Board Staff Committee and the County Board.

It is important to give our workforce a voice in the process, and in 2020 a survey was sent to managers and employees to solicit input into suggestions for modifications to the current personnel ordinances and for suggestions for new ordinances. Overall there were 37 employee responses. The Human Resources Department identified several areas that were brought to their attention during 2020.

A draft of the proposed changes was reviewed with the County Administrator. There were some additional suggestions offered and a final version of proposed changes was compiled.

These changes are summarized below and a full version of the Ordinance language is included with the resolution.

Proposed Personnel Ordinance Changes

- **18.306 – Probationary Period**

Updates probationary period to include a lateral transfer made during an employee's probationary period, which results in a change of duties, serve a new one year probationary period.

- **18.501 – Holidays**

Adds Martin Luther King Jr. Day as a paid County holiday.

- **18.506 Vacation**

Correct a typo.

- **18.509 – Bereavement**

Clarifies language that you cannot use more than 32 hours for the same decedent.