

RESOLUTION 21-07

**AMENDMENT OF POLICY 302 – BENEFIT ADMINISTRATION FOR THE  
NON-REPRESENTED EMPLOYEES**

**WHEREAS**, Polk County believes in maintaining competitive and fair benefit programs for it's Non-Represented employees;

**WHEREAS**, the last revision of Policy 302 – Benefit Administration for the Non-Represented Employees which addressed a revision in Non-Represented employee benefits was May 17, 2005, and;

**WHEREAS**, the Personnel Committee is desirous of adopting changes to the rules governing benefits for Non-Represented Employees;

**NOW THEREFORE BE IT RESOLVED** that Policy 302 is hereby amended as indicated in the attachments hereto which are made a part of this resolution.

**Submitted at the request of the Personnel Committee.**

Funding Amount: N/A

Funding Source: N/A

Date Finance Committee Advised: N/A      Effective Date: Upon passage

Approved as to form: *Jeffrey B. Fuge*  
Jeffrey B Fuge

Date Submitted to County Board 3/20/07

County Board Action Adopted

*Russell E. Arnold*

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*Paul W. Merrill*

**Polk County Wisconsin**

**BENEFIT ADMINISTRATION FOR THE NON-REPRESENTED EMPLOYEES**

**Policy 302**

**Effective Date: 05-16-2000** ——— **Revision Date: 01-15-02, 5-17-05, 6-20-2006, 3-20-2007**

This policy constitutes the entire benefit package for employees covered under the Non-Represented Employee Benefit Plan.

**ELIGIBILITY FOR BENEFITS**

Regular Full-Time Employees

An employee who is scheduled to work the full hourly work day and work week in a permanent position. This employee is eligible to receive benefits as outlined in this policy at a one hundred percent (100%) rate.

Regular Part-Time Employees

An employee who is scheduled to work 1,020 hours annually, or more, in a permanent position, and who is not a regular full-time employee. This employee is entitled to receive fringe benefits granted by this policy on a prorated basis.

Limited Part-Time Employees

An employee who is scheduled to work less than 1,020 annual hours in a permanent position. This employee is not entitled to any fringe benefits granted by this Agreement except participation in the Wisconsin Retirement Fund if they work a minimum of 600 annually scheduled hours.

Limited Positions

These employees are not entitled to any fringe benefits. If a limited position becomes a regular part time/full time position, the employee will accrue benefits under the classification.

**PAYROLL DIRECT DEPOSIT**

All employees covered under this policy must receive their payroll checks in the form of a direct deposit of funds to their bank account. These employees shall complete all necessary requirements of the Department of Administration and their financial institution prior to receiving their first payroll/direct deposit.

## **BASIS OF BENEFIT ACCRUAL AND USAGE**

For purposes of the following benefits as they pertain to regular part time employees: Sick Leave and Vacation, the accrual of benefits shall be according to the amount of hours paid an employee per pay period, excluding overtime and shift differential pay except for employees regularly employed on a shift which requires shift differential pay. Employees working less than fulltime shall accrue benefits equivalent to the percentage of hours paid.

An employee who works less than 1,020 hours annually is not entitled to any fringe benefits granted by this Agreement except participation in the Wisconsin Retirement Fund if they work a minimum of 600 annually scheduled hours.

Employees entitled to benefits for Vacation, Funeral Leave and Holidays shall receive pay prorated based on the average amount of time paid in the six months previous to March 31 and September 30. Once established on these dates, the amount of hours paid will remain the same for the future six-month period when it will be re-evaluated. To utilize Funeral Leave benefits, the employee must be scheduled to work.

## **SICK LEAVE**

### **Definition of Sick Leave**

Sick leave shall be considered to be an excused absence from work with pay due to illness or injury that occurs outside of the employment of the County and not covered by the Worker's Compensation Act.

Consecutive sick leave claimed in excess of three days shall be counted towards an employee's annual Family and Medical Leave Benefit, retroactive to the first day.

### **Accrual Rate and Maximum Accrual**

Employees shall accumulate sick leave as follows:

- A. All regular full-time employees shall earn sick leave at the rate of one (1) day for each month of employment.
- B. Unused sick leave shall carry over and be added to the next year's accumulation until a maximum of 960 hours of unused sick leave has accumulated.
- C. Sick leave for regular part-time employees and regular seasonal employees shall be computed on a prorated basis.

### Sick Leave Payout on Retirement

Upon retirement, forced retirement due to disability or in the event of death, the employee or his/her estate shall receive one lump sum payment for one-half (1/2) of the remaining unused sick leave in the employee's account, not to exceed a total of 360 hours.

In lieu of the above lump sum payment, employees may elect to have up to 67% of their accumulated sick leave cash equivalent applied towards the payment of health insurance premiums if they choose to stay on the County's insurance plan.

Employees who have accrued the maximum allowable number of sick leave hours, and who have not used more than 20 hours in the previous twelve months are allowed an additional 19 hours bonus payout of accumulated sick leave cash equivalent applied towards the payment of health insurance premiums. Usage of sick leave in subsequent years in excess of 20 hours shall not result in the loss of bonuses previously earned. The employer shall provide employees with an annual statement of their sick leave account and payout options during the month of March.

In the event of the death of the employee before the cash payment equivalent is exhausted, the remaining portion shall be paid to the estate of the employee, or used to purchase continuing health insurance protection with the County, at the family's option.

### Notification Requirements

In order to qualify for such sick leave, an employee must report that he/she is sick to their immediate supervisor not later than one half (1/2) hour before the earliest time for which he/she is to report to work. In the event an employee becomes sick during the working hours, he/she shall notify his/her supervisor before leaving work. Employees may use sick leave for minor children up to age eighteen (18). Employees may use sick leave for dependent handicapped children and for spouse's illness with a doctor's statement.

### Proof of Illness

Each employee on sick leave is subject to a visit by a County representative. A doctor's statement of illness may be requested for the third consecutive day of illness and if requested, must be furnished before sick leave is paid.

### Discipline for Sick Leave Abuse

An employee who abuses sick leave is subject to discipline by the Employer.

### Prior Notification of Extended Sick Leave Absence

Employees who have reason to anticipate the use of sick leave such as elective surgery, shall whenever possible, give at least two (2) weeks notice. Such notice shall give an estimated length of absence from duty.

### **FUNERAL LEAVE**

#### Funeral Leave Benefit

In the event of a death of a member of the employee's immediate family, he/she shall receive three (3) days leave with pay at his/her regular rate of pay. Immediate family shall be defined as husband, wife, mother, father, step-parents, children, stepchildren, sister, brother, grandparents, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law and grandchildren. In the event of a death of an employee's aunt or uncle, he/she shall receive one (1) day leave with pay at their regular rate of pay.

#### Additional Leave of Absence

Additional time off may be applied for as a leave of absence.

#### Pallbearer Service

Employees will be allowed the necessary time off on the day of the funeral, with pay, to serve as a pallbearer. The employee shall notify the Department Head one (1) day prior to the funeral of his/her pending absence.

### **JURY DUTY**

When an employee is required to serve on jury duty they will be given the time off without loss of pay and benefits, provided:

- A. The jury duty fees received, less the mileage reimbursement, are turned over to the employing department; and
- B. The employee shall report to work and/or return to work when not required to be present in court for jury duty with an appropriate time allowance for driving and clothes change.

The employer may request verification from the Clerk of Courts regarding the dismissal time of jurors.

## **FAMILY AND MEDICAL LEAVES OF ABSENCE**

This article shall only govern those leaves of absence which are medically related or which meet the statutory definitions of leaves under the state and federal Family and Medical Leave Acts.

### **Request for Medical LOA**

Applications for a leave of absence for family or medical reasons shall be made to the employee's Department Head or in the case of Department Heads to the Human Resources Director. Approval for leaves as provided for under the Family and Medical Leave Acts shall be given by the Department Head or the Human Resources Director for up to twelve (12) weeks per calendar year in accordance with Federal and/or State law. Employees shall, with the approval of the governing committee of the department, be granted a leave of absence without pay for a period of up to two (2) years for serious illness or injury after the employee has exhausted accrued sick leave and vacation benefits. No fringe benefits shall be earned during such leave of absence.

Leaves of absence will not be unreasonably withheld.

### **Notice of Intent/Reports to Employer**

Employees shall, as soon as possible, furnish the Employer with notice of their intent to use leave for family or medical purposes. For absences of three or more consecutive days, employees may be required to provide certification from their physician. Upon request of the Employer, they shall furnish like information every thirty (30) to forty-five (45) days. Employees may be required to obtain return to work permission from their physician.

Employees may elect to use accumulated sick leave or vacation benefits during leaves of absence for family or medical reasons.

Employees shall document FMLA requests utilizing forms obtained from the Human Resources personnel, and coordinated through their Department Head and the Human Resources Director.

## **LEAVES OF ABSENCE**

This article shall only govern those leaves of absence which are not medically related or which do not meet the statutory definitions of leaves under the state and federal Family and Medical Leave Acts.

### Request for LOA

Applications for a leave of absence for personal reasons shall be made to the employee's Department Head or in the case of Department Heads to the Governing Committee. The Department Head or Governing Committee may grant a leave of absence for thirty (30) days or less. All leaves of more than such time must be brought before the appropriate governing committee. Leaves of absence will not be unreasonably withheld.

### Pay and Benefits During LOA

All leaves of absence shall be without pay. No fringe benefits shall be earned during a leave of absence. No leave of absence shall be granted to seek other employment. Individuals on a leave of absence for five (5) days or less per anniversary year will not be prorated for sick leave, vacation or insurance.

### Military LOA

Annual military leave with pay will be granted as follows: A differential between the employee's regular and military pay. Such military leave shall be for no more than thirty (30) days per year, based upon actual military orders. It shall be the duty of the employee on such leave to furnish the Department of Administration satisfactory evidence showing the length of military leave and military pay during such leave. Seniority shall accrue throughout military leave.

### Payment of Health Insurance While on LOA

Employees shall make their own arrangements in advance for payment of health insurance for any full calendar month they are on leave of absence.

### Educational Leave

Educational leave without pay up to thirty (30) days may, at the discretion of the Department Head (in the case of Department Heads, to the Governing Committee), be granted for educational leaves of absence, off-the-job and on-the-job development activities and devices that are conducted as part of or associated with the County which increases the knowledge, skill and general competency of an employee. Longer leaves must have additional approval of the governing committee and the Personnel Committee.

Expenses shall be reimbursed to the employee in accordance with the applicable Polk County resolutions or ordinances to the current budgeted limit per employee.

## **WORKER'S COMPENSATION BENEFITS**

### **Supplemental Worker's Compensation Pay**

In the event an employee is injured on the job and as a result of such injury receives Worker's Compensation disability pay, such employee shall suffer no loss in wages for that period of time while disability paychecks are being received.

The County shall pay the employee's full gross salary ( before taxes and deductions) for the period of time the employee is receiving temporary partial or temporary total disability paychecks for a period of time not to exceed the equivalent of six (6) months total pay. In order to be able to receive this supplemental Worker's Compensation pay, the employee must turn over all Worker's Compensation payments for lost work time to the employer.

In calculating the supplemental worker's compensation pay provided for in this section, the employer shall not be required to make the employee whole for any reduction in worker's compensation benefits pursuant to Chapter 102.58, Wis. Statutes. This provision shall not adversely affect the accrual of fringe benefits except as otherwise provided for in this policy.

By way of example:

Employee's regular net pay- 100% of W/C regular contribution = employer's net contribution towards the employee's gross pay.

### **Disputed Claims Procedure**

In the event a claim is contested, full pay to the employee will be held up until an award is made by the Industrial Relations Commission, at which time the employee will be paid in one lump sum an amount equal to his/her full salary as spelled out in Section 1 above. In no event will the total amount paid an employee by both the disability paycheck and Employer's share be more than his/her full salary based on the normal work day and work week.

## **WISCONSIN RETIREMENT**

### **County Payment of Employee Contribution**

The County agrees to pay the Wisconsin Retirement Fund plan, employee and employer share.

## HOLIDAYS

### Definition of Holidays

- A. All employees covered by the terms of this policy shall receive the following named holidays with pay at their regular rate of pay,: New Year's Day, Memorial Day, Fourth of July, Thanksgiving Day, Labor Day, Veteran's Day, Christmas Eve, Christmas Day, Good Friday. Employees of the Polk County Recycling Center shall receive the day after Thanksgiving in lieu of Veteran's Day.

Employees at the Polk County Sheriff's department covered by this policy shall receive the following named holidays with pay at their regular rate of pay: New Year's Day, Memorial Day, Forth of July, Thanksgiving Day, Labor Day, Veterans Day, Presidents Day, Christmas Day, and Easter Day.

- B. Non represented employees shall be allowed to voluntarily trade any fixed holiday for which they are required to work a full day, for a floating holiday, which must be used within 30 calendar days or be forfeited.
- C. Any and all benefit for floating holidays shall terminate on the beginning of the pay period following the revision date of this policy (5-22-05). Any eligible floating holidays will be converted to vacation hours up to the maximum allowable.

### Eligibility for Holiday Pay

In order to be eligible for the above listed paid holidays, the employee must be in pay status the work day preceding and first work day following the paid holiday. In pay status shall include employees on vacation, sick leave, Worker's Compensation, and any employee that may have been excused for compelling personal reasons the workday preceding and the first work day following the paid holiday. The Employer agrees that no employee will be laid off during the two-week period in which a holiday falls just to avoid holiday pay for that employee.

### Substitution for Holiday Falling on a Day Off

Should any of the above listed holidays fall on an employee's day off, the nearest scheduled workday will be considered to be the holiday.

### Premium Pay for Hours Worked on Holidays

If an hourly employee (as defined by the FLSA), except as otherwise provided, is required to work on any named holidays for their respective departments, they shall be

compensated, in addition to their regular holiday pay, at the rate of one and one-half (1 – 1/2) times the regular rate of pay.

## **VACATIONS**

### **Accrual Rate of Vacation Benefit**

After May 22, 2005, salaried and hourly employees in the Non-Represented Employee Pay Plan shall earn vacation as follows:

<b>Year</b>	<b>Accrual Rate</b>
1	10 days
2	11 days
3	12 days
4	13 days
5	14 days
6	15 days
7	16 days
8	17 days
9	18 days
10	19 days
11	20 days
12	21 days
13	22 days
14	23 days
15	24 days
16	25 days

### **Payment of Vacation Benefit Upon Retirement/Resignation**

The County agrees to pay all accrued vacation benefits, including the current year's benefits, upon retirement.

The balance of accrued, but unused vacation will be paid upon resignation if two weeks notice of resignation is given. If two weeks notice is not given, the balance of vacation owed will be forfeited.

### **Use of Accrued Vacation/Forfeiture for Non-Use**

Upon completion of the initial probationary period, employees will be allowed to take their earned vacations as approved by their immediate supervisor. Employees may not exceed 300 hours at the end of the anniversary year.

### Scheduling and Prior Approval

All vacation requests must be in writing and must be approved by the employee's supervising authority.

### INSURANCE

#### Employer/Employee Contribution

Fulltime employees choosing health insurance coverage, the employer agrees to contribute ninety percent (90%) of the cost of such coverage.

Regular Part-time employees entitled to health insurance benefits will receive full insurance benefits. Future premiums will be prorated based on the average amount of time paid in the six months previous to March 31 and September 30. Once established on these dates, Health Insurance premiums will remain the same for the future six-month period when it will be re-evaluated.

#### Enrollment Requirements

If the County receives the employees health insurance application within 30 days after the employee becomes eligible, coverage for the employee and their covered dependents shall start on the first day of the month following the waiting period. (See the Comprehensive Major Medical Health Care Plan for details.)

#### Group Life Insurance

The County shall pay the Employer's and the employee's share of the Wisconsin State Group Life Insurance program available for eligible employees.

#### Flexible Spending Accounts

A Section 125 Plan with a medical flexible spending account option shall be made available to employees. The employer shall pay all administrative costs associated with the plan.

#### Long Term Disability Insurance

A Long Term Disability Insurance plan will be made available to eligible employees for their participation on a voluntary basis and at the employee's expense.

### Other Health Insurance Plans

In addition, the County may make other insurance plans available to employees for their participation on a voluntary basis. No action on the part of the county in this regard shall be construed as creating an obligation to provide such plans in any future years.

## **MISCELLANEOUS PROVISIONS**

### Employment Physical and Psychological Examinations

If required by the County, as a condition of employment, an applicant for employment with the County must satisfactorily pass a complete physical and/or psychological examination before being accepted for employment. The County shall assume the cost of the physical examination and the prospective employee must use a doctor of the County's choice. The County shall furnish a list of doctors from which the applicant shall select one to conduct the examination.

When necessary and required by department policy for additional lab testing or chest x-rays to be done, the costs incurred by employees for the required tests shall be reimbursed. Prior to County reimbursement, the bill for said testing shall be submitted to the employee's health insurance carrier first and the County shall only be responsible for reimbursement for that portion of the testing costs not covered by insurance.

If an annual physical examination is a condition of employment, the County shall assume the cost of said annual physical examination. If any lab work is required by the Employer as part of said annual physical examination, the County shall pay the cost provided, however, that the employee must submit the charges for lab work to his/her health insurance carrier first, and the County will pay the portion not covered by insurance.

### Safety Equipment

Safety equipment mandated by the employer shall be provided to employees at no cost.

### Uniform Allowance

Governing Committees may, with the approval of the Personnel Committee, provide for a uniform allowance for employees covered under this policy.

### Relocation Expense Allowance

As part of the employee recruitment and selection process, the Human Resources Director shall have the authority to negotiate with prospective employees regarding reimbursement of relocation expenses in consultation with the Department Head. The Personnel Committee must approve all relocation expense offers. The Departmental Budget that is

charged with the payroll expense for the position being filled shall fund any relocation expense offer made by the Human Resources Director. The Finance Committee must approve any offer that cannot be funded through the hiring department's approved budget. Any offer in excess of five thousand dollars (\$5,000) must be approved by the full County Board.