

PO Box 159  
242 Fredonia Avenue  
Fredonia, WI 53021



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## AGENDA

### **FREDONIA VILLAGE BOARD MEETING THURSDAY, JANUARY 19, 2023 – 7:00 PM** Fredonia Government Center - Board Room 242 Fredonia Avenue, Fredonia, Wisconsin

#### **THE FOLLOWING BUSINESS WILL BE BEFORE THE VILLAGE BOARD FOR INITIATION, DISCUSSION, CONSIDERATION, DELIBERATION AND POSSIBLE FORMAL ACTION**

1. Call to order
2. Pledge of Allegiance / Roll Call
3. Consent agenda:
  - a. Approve minutes of January 5, 2023 Village Board meetings.
  - b. Approve General Fund, Water and Sewer Invoices.
4. Public Comments  
Please note public comments are limited to five minutes per person
5. Presentation
  - a. Village of Fredonia Fire Department 100 Year Anniversary Celebration
6. Report on operations of Village by:
  - a. Village President
  - b. Village Administrator
  - c. Village Marshal
  - d. Fire Chief
  - e. Public Works/Wastewater Treatment Plant
  - f. Clerk/Treasurer
  - g. Ozaukee County District 2 Supervisor
  - h. Plan Commission Public Hearing – D Dohrwardt
  - i. Park and Recreation – D Gehrke
7. Items for Discussion and/or Action:
  - a. Motion to approve a property zoning change from RS-2 Single Family Residential to M-2 Manufacturing: Lots 11, 12, 13, and 14 in Stoney Creek Meadows Subdivision and Parcel 090500516007.

- b. Motion to approve lot division – Lot 6, in block 5 of Assessor's Plat – Fredonia / 415-421 Fredonia Avenue with water and sewer being split and water a water meter being placed at each property.
- c. Motion to approve Resolution 2023-A allowing for three election inspectors at the February 21, 2023 and April 4, 2023 elections.
- d. Motion to reconsider to accept 2022 Election Security Subgrant in the amount of \$1,200. (by Trustee Haas)
- e. Motion to accept 2022 Election Security Subgrant in the amount of \$1,200.
- f. Motion to approve the Village of Fredonia Hall Reservation Form and fees.
- g. Motion to approve Village of Fredonia Employee Handbook.
- h. Motion to approve Village of Fredonia Compensation Plan authorizing employee 2023 pay rates.

8. Correspondence

9. Items for future consideration by Village Board.

10. Adjournment

UPCOMING MEETINGS:

Village Board – February 2

**UPON REASONABLE NOTICE**, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the village clerk at (262) 692-9125.

**VIEW/ATTEND MEETING VIA ZOOM**

The Village of Fredonia will be utilizing ZOOM as a part of the Village Board meetings. All meetings will adhere to Wisconsin Open Meetings Laws and follow guidance provided by the WI Department of Justice. **The public is able to attend public meetings in person.** ZOOM is intended to provide an additional option for the public to join the meeting via computer, iPad, tablet, or telephone.

We ask that you have your microphone muted. The Village reserves the right to mute disruptive attendees.

The Village President will recognize anyone wishing to talk at the appropriate time and ask you to make your comments.

To have the link sent to you, please contact the Village Clerk at: [mdepies@village.fredonia.wi.us](mailto:mdepies@village.fredonia.wi.us)

<https://us02web.zoom.us/j/82748486000?pwd=YUIrTDE4MIEyL2pVbGNxbG8zUWV2dz09>

**VILLAGE OF FREDONIA  
VILLAGE BOARD MEETING MINUTES  
JANUARY 5, 2023**

President Dohrwardt called the Village Board meeting to order at 7:00 p.m. the Pledge of Allegiance followed.

Board members present: Don Dohrwardt, Dan Gehrke, Bill McLarty, Rick Abegglen, Josh Haas, and Bruce Paape.

Staff/Officials present: Village Administrator Christophe Jenkins, Director of Public Works Eric Paulus, Village Clerk/Treasurer Melissa Depies, Marshal Mike Davel, Sargent Eric Leet, Fire Chief Brian Weyker, and Crewperson Mike Kroeger.

Others present: Trustee candidates Tiffany Bartz and Kurt Meyle, and Michelle Johnson via zoom.

**Consent Agenda**

Motion by Trustee Haas, seconded by Trustee Paape, to approve the December 15, 2022 Board of Appeals and December 15, 2022 Village Board meeting minutes, the General Fund, Water and Sewer bills as presented including one additional bill for USPS. Motion carried unanimously.

**Public Comments**

None.

**Report on Operations: Village President**

President Dohrwardt had nothing to report.

**Report on Operations: Village Administrator**

Administrator Jenkins highlighted his report stating that the Statement of Taxes and December 2022 reconciliations are complete. He is currently working on entering the 2023 budget into Workhorse, which includes setting up new accounts and line items to match the new budget layout.

Administrator Jenkins stated that he is working on the Joint EMS Agreement including review with the Attorney and follow up with the County. He has also been working with Strand Associates and Jim Larkin on the developments within the TID Industrial Park.

The new web site is almost complete, there is continued communication with CivicPlus to finalize design. With the new web site and increased use of social media, Administrator Jenkins will be initiating a Business of the Month spotlight, Marshal Monday and Firefighter Fridays to help promote the Village.

Administrator Jenkins handed out a draft version of the Employee Handbook for the board to review. He would like to finalize and adopt the document at the January 19, 2023 meeting.

### **Report on Operations: Village Marshal**

Marshal Davel stated that after a long recovery period from a Workman's Comp injury, Officer Wolff is back to work, Officer Wilde has taken a month vacation to enjoy some sun, and Officer Leet has been promoted to Sargent.

Marshal Davel stated that the revenues reported are not final for 2022. The final revenue numbers will be received from Mid-Moraine in late January or early February.

### **Report on Operations: Fire Chief**

Fire Chief Weyker stated that he will provide a full report next month with final numbers of fire and EMS calls; however it looks like the year is finishing up with about a 12 percent increase over 2021. Chief Weyker stated that he continues to work on the paramedic program.

Trustee Haas thanked Chief Weyker stating that he is doing a phenomenal job and he appreciates everything he does for the Village. President Dohrwardt concurred.

### **Report on Operations: Public Works/Wastewater Treatment Plant**

Director of Public Works Paulus stated that Well 2 will be back on-line as soon as the second safe water sample is received.

### **Report on Operations: Clerk/Treasurer**

Clerk Depies stated that the office has been busy with tax collections and dog licenses in addition to the day-to-day operations.

### **Report by Ozaukee County District 2 Supervisor**

Supervisor Haas had nothing to report.

### **Items for Discussion and/or Action**

#### **Discussion and possible action on Village Trustee vacancy.**

President Dohrwardt stated that Trustee Long has resigned and left a vacant spot on the Village Board. He questioned if the board wanted to leave the spot vacant until the upcoming April election or if they wanted to appoint one of the candidates.

Trustee Haas stated that he is looking forward to working with the new trustees; however did not believe it would be fair to pick one over the other. He encouraged each candidate to continue to come to the meetings.

Trustee Gehrke was concerned about the possibility of a tie vote if neither one was appointed. Trustee Abegglen agreed stating that even though nothing seems controversial right now, pressing, controversial items generally come out of nowhere. Trustee Haas commented that close votes are very rare and there are only five more meetings before the election.

It was the consensus to not appoint either candidate and leave the vacancy on the board until after the April election.

Motion to approve updated Village of Fredonia License/Fee Schedule

Administrator Jenkins stated that Strand Associates has reviewed our License/Fee Schedule and has recommended increases.

In addition to these increases, the Board discussed use and fees for the Fire Department Community Room and Fredonia Government Center. President Dohrwardt stated currently only non-profit groups are allowed to use these facilities. Trustee Haas believed we should allow rental of these facilities, however a fee needs to be determined. Administrator Jenkins suggested establishing a resident and a non-resident rental fee for each facility. A facility use policy and rental fee will need to be drafted.

Motion by Trustee McLarty, seconded by Trustee Gehrke, to approve updated Village of Fredonia License/Fee Schedule as presented. Motion carried unanimously.

Motion to approve a Preventative Maintenance & Technical Service Agreement with Energenecs in the amount of \$2,222.00

Motion by Trustee Gehrke, seconded by Trustee Haas, to approve a Preventative Maintenance & Technical Service Agreement with Energenecs in the amount of \$2,222.00. Motion carried unanimously.

Motion to approve Director of Public Works Eric Paulus to attend Midwest Water & Wastewater Operator Expo in Wisconsin Dells at the Kalahari Resort for a cost of \$178.00 plus food and mileage

Motion by Trustee McLarty, seconded by Trustee Haas, to approve Director of Public Works Eric Paulus to attend Midwest Water & Wastewater Operator Expo in Wisconsin Dells at the Kalahari Resort for a cost of \$178.00 plus food and mileage. Motion carried unanimously.

Motion to accept 2022 Election Security Subgrant in the amount of \$1,200

Motion by Trustee McLarty, seconded by Trustee Abegglen, to accept 2022 Election Security Subgrant in the amount of \$1,200.

President Dohrwardt stated that he was not in favor of accepting this grant. He is concerned about what strings may be attached to this money stating that accepting this grant could get the Village into something they do not want to do.

Trustee Abegglen highlighted what the grant was for:

- Compliant hardware and software
- Professional IT support
- Security training (cyber and physical)
- Security assessment (cyber and physical)
- Physical security improvements for election equipment.

Administrator Jenkins stated that the grant funds will be used for technology. He stated that the Town of Fredonia received the grant and used the funds to purchase him a laptop. Clerk/Treasurer Depies stated that she would like to purchase a laptop with a docking station for both herself and the new Clerk.

Trustee Haas stated that he also was leery of accepting these funds stating that funds from the Federal Government can have consequences.

The motion by to accept 2022 Election Security Subgrant in the amount of \$1,200 failed 3 to 3 – Dohrwardt, Haas, and Paape nay.

**Convene to closed session pursuant to Wisconsin Statutes 19.85(1)(c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Appointment of Village Clerk and Employee Compensation**

Motion by Trustee Abegglen, seconded by Trustee McLarty, to convene to closed session pursuant to Wisconsin Statutes 19.85(1)(c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Appointment of Village Clerk and Employee Compensation. Motion carried unanimously by roll call vote.

The board convened to closed session at 7:47 PM to discuss and approve the applicant for the Village Clerk position as well as employee compensation matters.

**Adjourn closed session and reconvene into open session**

Motion by Trustee McLarty, seconded by Trustee Haas, to reconvene into open session at 8:43 PM. Motion carried unanimously by roll call vote.

**Motion to appoint Village Clerk**

Motion by Trustee McLarty, seconded by Trustee Gehrke, to appoint Village Clerk with wages as discussed in closed session. Motion carried unanimously.

**Motion to approve employee compensation as discussed in closed session.**

Motion by Trustee McLarty, seconded by Trustee Gehrke, to approve employee compensation as discussed in closed session. Motion carried unanimously.

**Review Village Administrator 2023 goals and Objectives**

Administrator Jenkins provided a list of goals and objectives for 2023.

Trustee Haas stated that he liked what he saw on the list. Many of these items have been on the list to be completed for years, it will be good to finally get them done.

President Dohrwardt stated that the list can be adjusted as may be necessary.

Administrator Jenkins stated that a 6 month review would be appropriate.

It was the consensus of the board to accept the list of goals and objectives.

**Correspondence**

None

**Items for Future Consideration by the Village Board**

None

**Adjournment**

Motion by Trustee Abegglen, seconded by Trustee Haas, to adjourn the meeting at 8:49 p.m. Motion carried unanimously.

Respectfully Submitted:

Melissa Depies  
Village Clerk

1/17/2023 11:47 AM

## Check Register - Quick Report - ALL

Page: 1

ALL Checks

ACCT

## GENERAL CHECKING &amp; MONEY MARKET

Dated From:

From Account:

Thru:

Thru Account:

Check Nbr	Check Date	Payee	Amount
18129	1/17/2023	Advance Construction, Inc.	37,661.79
Previous Year Expense		INNOVATION DRIVE	
18130	1/17/2023	AgSource Cooperative Services	296.32
Previous Year Expense		LAB SERVICES	
18131	1/17/2023	BADGER METER, INC.	149.82
Previous Year Expense		BEACON HOSTING NETWORK	
18132	1/17/2023	CARDMEMBER SERVICE	3,652.17
Previous Year Expense		CONSTANT CONTACT	
18133	1/17/2023	CARQUEST AUTO PARTS	95.96
Previous Year Expense		DEF FLUID	
18134	1/17/2023	DIGGERS HOTLINE, INC	17.60
Previous Year Expense		HOTLINES	
18135	1/17/2023	DINGES FIRE COMPANY	16,734.10
Previous Year Expense		FIRE HELMET	
18136	1/17/2023	DREWS TRUE VALUE #0103-2	238.16
Previous Year Expense		THERMOMETER/PLUNGER	
18137	1/17/2023	EVOQUA WATER TECHNOLOGIES LLC	649.15
Previous Year Expense		SDI TANKS	
18138	1/17/2023	FREDONIA WATER & SEWER	41,158.44
Previous Year Expense		4TH QTR WATER	
18139	1/17/2023	Harter's Lakeside Disposal	9,077.16
Previous Year Expense		GARBAGE COLLECTION	
18140	1/17/2023	KEWASKUM, VILLAGE OF	80.00
Previous Year Expense		TSS/PHOSPHORUS/AMMONIA/BIOCHEMICAL	
18141	1/17/2023	KLETZIEN LANDSCAPES & NURSERY	1,035.00
Previous Year Expense		2022 LANDSCAPE MAINTENANCE FGC	
18142	1/17/2023	MILWAUKEE AREA TECHNICAL COLLEGE	1,436.40
Previous Year Expense		A-EMT CLASS	
18143	1/17/2023	MUNICIPAL WELL & PUMP	15,710.00
Previous Year Expense		WELL #2 BOOSTER REPAIRS	
18144	1/17/2023	NAPA PARTS AT RANDOM	156.78
Previous Year Expense		HYDRAULIC FILTER	
18145	1/17/2023	NEUENS FREDONIA LUMBER COMPANY, INC.	85.01
Previous Year Expense		MISC SALES	
18146	1/17/2023	PARKSIDE AUTO CENTER, INC.	48.59
Previous Year Expense		OIL SYNTHETIC	
18147	1/17/2023	SCHNEIDER, KEN	872.25
Previous Year Expense		EMT MILEAGE	

1/17/2023 11:47 AM

Check Register - Quick Report - ALL

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ALL Checks

ACCT

GENERAL CHECKING & MONEY MARKET

Dated From:

From Account:

Thru:

Thru Account:

Check Nbr	Check Date	Payee	Amount
18148	1/17/2023	SUBURBAN LABORATORIES, INC.	2,036.28
Previous Year Expense		SEMI ANNUAL WATER SAMPLING	
18149	1/17/2023	VERIZON	445.32
Previous Year Expense		PHONE	
18150	1/17/2023	WE ENERGIES	9,862.50
Previous Year Expense		PUMP HOUSE 1	
18151	1/17/2023	WPP, LLC	35.00
Previous Year Expense		CHEST PATCH/NAME PATCH	
		Grand Total	141,533.80

1/17/2023 11:47 AM

Check Register - Quick Report - ALL

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ALL Checks

ACCT

GENERAL CHECKING & MONEY MARKET

Dated From:

From Account:

Thru:

Thru Account:

Amount

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Total Expenditure from Fund # 100 - GENERAL FUND	53,983.60
Total Expenditure from Fund # 350 - FIRE DEPARTMENT	22,660.77
Total Expenditure from Fund # 400 - TID NO. 3	37,661.79
Total Expenditure from Fund # 600 - WATER UTILITY	18,156.26
Total Expenditure from Fund # 660 - SEWER UTILITY	9,071.38
Total Expenditure from all Funds	141,533.80

1/17/2023

1:30 PM

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ALL Checks

ACCT

## GENERAL CHECKING &amp; MONEY MARKET

Dated From:

From Account:

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Thru Account:

Check Nbr	Check Date	Payee	Amount
18152	1/17/2023	AIRGAS USA, LLC O2 RENTAL	17.95
18153	1/17/2023	CHARTER COMMUNICATIONS INTERNET	259.79
18154	1/17/2023	DEPIES, MELISSA IP ISSUE	1,934.06
18155	1/17/2023	EMERGENCY MEDICAL PRODUCTS, INC. GLUCLOSE/SMITH MEDICAL PROTECT PLUS	62.69
18156	1/17/2023	ENERGENECS, INC. PREVENTIVE MAINT AGREEMENT	2,222.00
18157	1/17/2023	ESRI GIS ANNUAL SERVICE	700.00
18158	1/17/2023	FRONTIER PHONE	90.47
18159	1/17/2023	HAWKINS, INC. WATER CHMICALS	810.39
18160	1/17/2023	J.F. AHERN CO ANNUAL/QUARTERLY SPRINKLER INSPECTIONS	1,435.00
18161	1/17/2023	MENARDS-WEST BEND CLEANING SUPPLIES	238.61
18162	1/17/2023	MID-MORaine MUNICIPAL ASSOCIATION D DOHRWARDT	30.00
18163	1/17/2023	MIDWEST MAINTENANCE & SHIPPING SUPPLY GLOVES	47.00
18164	1/17/2023	MONROE TRUCK EQUIPMENT, INC. PLOW PUMP	289.71
18165	1/17/2023	MORaine PARK TECHNICAL COLLEGE WATER DISTRIBUTION CLASS-HEINEN	478.05
18166	1/17/2023	PARKSIDE AUTO CENTER, INC. VEHICLE REPAIRS	1,479.59
18167	1/17/2023	PAULUS, ERIC STIPEN-JAN	778.00
18168	1/17/2023	SUN LIFE FINANCIAL LIFE/DISABILITY	477.73
18169	1/17/2023	TIME CLOCK PLUS, LLC ALADTEC ESSENTIAL SUBSCRIPTION ANNUAL	2,664.00
18170	1/17/2023	WEYKER, BRIAN POSTAGE	78.00

1/17/2023

1:30 PM

Check Register - Quick Report - ALL

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ALL Checks

ACCT

GENERAL CHECKING &amp; MONEY MARKET

Dated From:

From Account:

Thru:

Thru Account:

Check Nbr	Check Date	Payee	Amount
18171	1/17/2023	WISCONSIN MUNICIPAL CLERKS ASSOCIATION MEMBERSHIP DUES-DEPIES/JOHNSON	130.00
18172	1/17/2023	ZOLL MEDICAL CORPORATION PACING X SERIES UPGRADE	2,804.00
		Grand Total	17,027.04

1/17/2023

1:30 PM

Check Register - Quick Report - ALL

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ALL Checks

ACCT

GENERAL CHECKING & MONEY MARKET

Dated From:

From Account:

Thru:

Thru Account:

Amount

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Total Expenditure from Fund # 100 - GENERAL FUND	3,790.58
Total Expenditure from Fund # 350 - FIRE DEPARTMENT	4,657.43
Total Expenditure from Fund # 351 - PARAMEDIC	2,664.00
Total Expenditure from Fund # 600 - WATER UTILITY	3,928.23
Total Expenditure from Fund # 660 - SEWER UTILITY	1,986.80
Total Expenditure from all Funds	17,027.04

Fredonia Fire Department  
201 S Milwaukee Street  
PO Box 159  
Fredonia, WI 53021



Chief Brian Weyker  
Phone: 262-692-9973  
bweyker@village.fredonia.wi.us



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## Fredonia Fire Department 100<sup>th</sup> Anniversary Celebration August 19, 2023

### 8:00am - 5k run

Route will be in area south of fire station – South Milwaukee Street, Industrial Park, Meadowlark Rd

### 12:00pm - Parade

Route starting at St. John's Church, Fredonia Avenue to South Milwaukee Street to Park Street - Fire Station (see map)

### 1:00pm – Short Program (Following Parade)

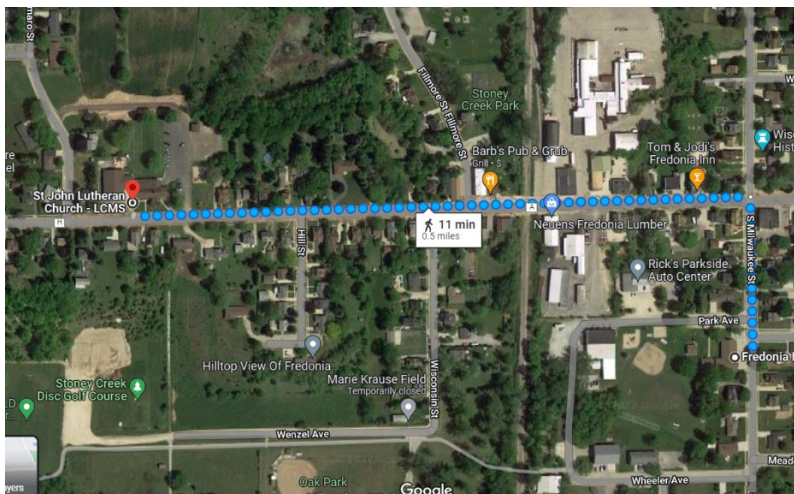
At Fire Station

### 1:30pm -11:00pm - Live music and family activities

At Fireman's Park – DJ, Band #1, and Band #2

### 9:30pm-10:00pm - Fireworks

Safety is our number one concern. Meetings have occurred between Administrator Jenkins, Marshal Davel, DPW Director Paulus, and Chief Weyker and Assistant Chief Schommer and then feedback were brought back to the Fire Department 100<sup>th</sup> Anniversary committee. The committee will make arrangements for intersection safety and traffic control during the morning run and parade - utilizing Fredonia DPW equipment, neighboring DPW equipment, or Ozaukee County Highway Department vehicles to provide spectator safety by blocking intersections with heavy pieces of equipment.



From the Desk of:  
Christophe E. Jenkins  
Village Administrator

**Village Administrator's Report – 1/19/2023**

Village Board of Trustees,

Village Hall offices continued to be busy as we processed quarterly water bills, closed out end-of-year invoices, and continued work on budget formatting for 2023.

I met with each of the Trustees going over the market-based compensation study and implementation recommendation, along with fielding questions for the Employee Handbook. We hope to get these items approved so we can implement for utilization in this new year.

Meetings were held with Chief Weyker and Chief Caswell from Waubeka Fire Department to understand expectations for the villages and towns that will be involved in the Joint EMS Agreement. These conversations have resulted in updates to the draft agreement in preparation for the intergovernmental meeting at the end of the month.

We welcomed a new Public Works crewperson, Jason Laabs, and he was able to dive right in with taking down Christmas decorations, and experiencing a water main break all in one week! Staff was able to mitigate the emergency successfully without major setbacks, and surrounding public and businesses were properly notified.

Staff held our monthly department head meeting and was able to catch up on each other's activities. President Dohrwardt and I visited a local business to award our first Business of the Month. And I also met with the Northern Ozaukee School District Superintendent and Finance Director to get a tour of the campus and learn more about the district. We discussed many ideas for collaboration and ways to continue to grow our community!

Thank you,

**Christophe E. Jenkins**  
**Village Administrator**

A handwritten signature in black ink, appearing to read 'C. Jenkins', written in a cursive style.

**FREDONIA VILLAGE MARSHAL**  
**REPORT TO VILLAGE BOARD**  
**Jan 6, 2023**

SIGNIFICANT EVENTS: Speed signs are in. Due to the upcoming winter and the potential negative effects on the signs, I'm recommending we do not erect them until spring. I'll coordinate with Brandon on the locations (S Milw and Fredonia Ave).

UPCOMING EVENTS:

**AS OF: Dec 31, 2022**

HOURS:	2929.50	2021 TOTAL:	3032.5
AVERAGE PER WEEK:	61	2021 AVERAGE:	63
COMPLAINTS 2022:	730	COMPLAINTS 2021:	828
ARRESTS 2022:	120	ARRESTS 2020:	108

EQUIPMENT ISSUES: None

MISCELLANEOUS: I am hiring one additional officer. There is no significant impact on my budget as I intend to re-arrange my available hours.

Final 2015 revenue:	\$1,777.71
Final 2016 revenue:	\$5559.55
Final 2017 revenue:	\$3762.85
Final 2018 revenue:	\$1190.04
Final 2019 revenue:	\$4900.00
Final 2020 revenue:	\$1094.00
Final 2021 revenue:	\$6500.00
2022 revenue:	\$960.00
The 7 average is:	\$3540.59

**1/19/2023**  
**Report from Director of Public Works**

**Village Operations**

Locates for Diggers Hotline	DNR monthly water report	Squad Maintenance	Well sampling and distribution
Water Main break 225 N Milwaukee St 1-12-1-13	DNR monthly sewer report	Street Sweeping	Sewer lab testing
Plant Maintenance	Water Rounds	Jason has been training for 2 weeks	Clean buildings
Plant analyzer install	Xmas Decorations taken down	Meet with Simon. PT Help	Weekend operations and expectations

**Projects and Other Activities:**

Broken water pipe to firemans concession stand will need to be fixed.  
Outside light at PD  
Outside light at DPW  
Freedom park sidewalk light  
Need space/land to dump water main break spoils

**Ongoing Projects**

- Budgets
- Well 1 update
- Guy & O’Niel 200 building (meter)
- Model impact of proposed developments on water distribution
- Dollar General
- Industrial waste sampling
- Updating emergency plans
- Updating CMOM program

**WASTEWATER TREATMENT PLANT**

Plant operations are good. We are well in compliance with permit conditions. Settling results are good. TSS levels in the aeration basin are good. Bugs in the microscope look good. Test results for permitted constituents are good.

Raw Sewage Pump 1 has a New VFD installed and waiting for electrician/energetics to wire into SCADA. Sabel is waiting for parts to fix the gate

We are working on scheduling diffuser replacements for the digester tank 2. (spring)

Pieper Power is installing the Po4 Analyzer and Energenics is hooking to SCADA

Membranes have been pickup and will be installing in spring.

## Water Department

Sunday the 8<sup>th</sup>, Well 2 booster was put back online with output of 500gpm+. Thursday the 12<sup>th</sup> Mike noticed that the water trend dove down and both wells were running at 6am. At 8:45am Mike received a call at the plant saying there was water coming up in their parking lot. 8 inch main had multiple breaks. Had to cap the main by the Hydrant. Main is not looped through the parking lot. Was a fire off of Clover Valley. Complaint of low water pressure at hydrant. Had a complaint on Pine st for low pressure. Homeowner said it was an internal problem.

## Public Works

With the nice weather, the park garbages where emptied. There was sticks and branches behind the DPW garage and near the creek that where all picked up. Sweeper went through the village. Freedom park is being cleaned up from the xmas decorations. Walkway lights put back to LED. Have one fixture that is broke. Cold patch was done on some of the bad streets. (2 tons used)

## Water Pumped vs Sewage treated 2023

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
WWTP Influent (MGal)												
Water Pumped – Well (MGal)												

## Water Pumped vs Water Metered and Billed 2023

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Water Pumped – Well (MGal)												
Water Metered (MGal)												
% water unaccounted												

Water main breaks in the first quarter. Second Quarter

1 0

Water main breaks in the third quarter. Fourth Quarter

0 0

**REPORT FROM CLERK-TREASURER  
JANUARY 19, 2023**

Summary of activities completed:

- Board & Committee agendas and minutes
- All day to day operations of the Village
- Receipted tax payments
- Issued 15 dog licenses (42 overall)
- Process and mailed 4th Quarter Sewer and Water bills - 854
- Receipted and processed approximately 22 Water and Sewer payments
- Working on all paperwork for enrolling in WRS
- Working with the State regarding Income Continuation Insurance, Deferred Comp and Life Insurance opportunities.

Upcoming events:

Audit – week of February 13th, 2023

**VILLAGE OF FREDONIA  
PLAN COMMISSION MEETING MINUTES  
JANUARY 9, 2023**

Chairman Dohrwardt called the Plan Commission meeting to order at 7:00 p.m.

Board members present: Don Dohrwardt, Dan Wellskopf, Gene Mayer and Troy Bretl.

Board members excused: Gerry Weiland and Jerry Jacque.

Staff/Officials present: Village Clerk Melissa Depies.

Others present: Phil Lundman, David Janik, Scott Tarman, and Bill Stuart – Meissner, Tierney, Fisher & Nicols.

**Approve minutes**

Motion by Troy Bretl, seconded by Dan Wellskopf, to approve the December 5, 2022, Plan Commission meeting minutes as presented. Motion carried unanimously.

**Public Hearing for the purpose of hearing public comment on and reaction to a proposed change to property zoning from RS-2 Single Family Residential to M-2 Manufacturing: Lots 11, 12, 13 and 14 in Stoney Creek Meadows Subdivision and Parcel 090500516007.**

Don Dohrwardt read the statement of Public Hearing.

Don Dohrwardt questioned if there were any questions or comments from those in attendance.

Hearing none the Public Hearing was closed.

**Motion to recommend the Village Board to approve a property zoning change from RS-2 Single Family Residential to M-2 Manufacturing: Lots 11, 12, 13, and 14 in Stoney Creek Meadows Subdivision and Parcel 090500516007.**

Motion by Gene Mayer, seconded by Troy Bretl, to recommend the Village Board approve a property zoning change from RS-2 Single Family Residential to M-2 Manufacturing: Lots 11, 12, 13, and 14 in Stoney Creek Meadows Subdivision and Parcel 090500516007.

Troy Bretl questioned what the long-range plan or vision for these lots was. Phil Lundman responded that he is anticipating that these lots will remain green space and/or parking. He is considering adding on to the building. However, the addition will be between the two existing buildings or to the north.

Don Dohrwardt stated that these lots would not have been desirable for single-family homes as they back up to the manufacturing plant.

Troy Bretl stated that Mark Bartolotta had contacted him and indicated that he has no objection to the zoning change.

The motion to recommend the Village Board approve a property zoning change from RS-2 Single Family Residential to M-2 Manufacturing: Lots 11, 12, 13, and 14 in Stoney Creek Meadows Subdivision and Parcel 090500516007 was carried unanimously.

**Items for future consideration**

None

**Adjournment**

Motion by Gene Mayer, seconded by Troy Bretl, to adjourn the meeting at 7:10 p.m. Motion carried.

DATE: December 15, 2022

FEE: \$150.00



Village of Fredonia

242 Fredonia Avenue P.O. Box 159 Fredonia, WI 53021

Phone (262) 692-9125 Fax (262) 692-2883

[www.village.fredonia.wi.us](http://www.village.fredonia.wi.us)

## ZONING CHANGE APPLICATION

Owner of Property: Lundman Development Corporation Phone: 262-692-3100

Address: Lots 11, 12, 13, and 14 in Stoney Creek Meadows Subdivision and parcel  
with tax key number 090500516007 (please see attached Exhibit A).

Present Use of Property: Vacant lots for residential development

Proposed Use of Property: Become part of 421-435 Wheeler Avenue for potential  
future expansion

Current Zoning District: RS-2 Single Family Residential

Proposed Zoning District: M-2 Manufacturing

Names and Addresses of Adjoining Property Owners:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. **SEE ATTACHED EXHIBIT B**
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

(Use reverse side, if needed)

I certify that the foregoing statements are true and correct, to the best of my knowledge.

**Lundman Development Corporation**

Signature of owner of property: \_\_\_\_\_  
Philip Lundman, President

Address of owner, if different from above: 421 Wheeler Ave, PO Box 340  
Fredonia WI 53021

Fee Paid: \$ 150<sup>-</sup> Check #: 41008 Date: 12-16-22

# **REZONING EXHIBIT**

## **RS-2 Single Family Residential to M-2 Manufacturing**

Lots 11, 12, 13 & 14, in Stoney Creek Meadows Subdivision and part of Lot 16, Block 5, in Assessor's Plat, being a part of the Northeast and Southeast 1/4 of the Northwest 1/4 of Section 35, Township 12 North, Range 21 East, in the Village of Fredonia, Ozaukee County, Wisconsin, bounded and described as follows:

Beginning at the Northwest corner of Lot 11 in Stoney Creek Meadows Subdivision;  
thence North 87° 26' 09" East 121.01 feet to a point;  
thence South 47° 17' 16" East 21.11 feet to a point;  
thence South 02° 00' 41" East 345.59 feet to a point;  
thence Southeasterly 0.87 feet along an arc of a curve whose center lies to the West, whose radius is 574.49 feet, and whose chord bears South 01° 58' 04.5" East 0.87 feet to a point;  
thence South 87° 09' 27" West 136.02 feet to a point;  
thence continuing South 87° 09' 27" West 17.29 feet to a point;  
thence South 02° 06' 10" East 19.09 feet to a point;  
thence South 87° 09' 27" West 288.49 feet to a point;  
thence North 00° 08' 10" West 19.11 feet to a point;  
thence North 87° 09' 27" East 287.83 feet to a point;  
thence continuing North 87° 09' 27" East 17.29 feet to a point;  
thence North 02° 00' 41" West 362.12 feet to the point of beginning.

Said land contains 54,593 square feet or 1.2533 acres

August 29, 2022  
Drawing No. 168846-RMK

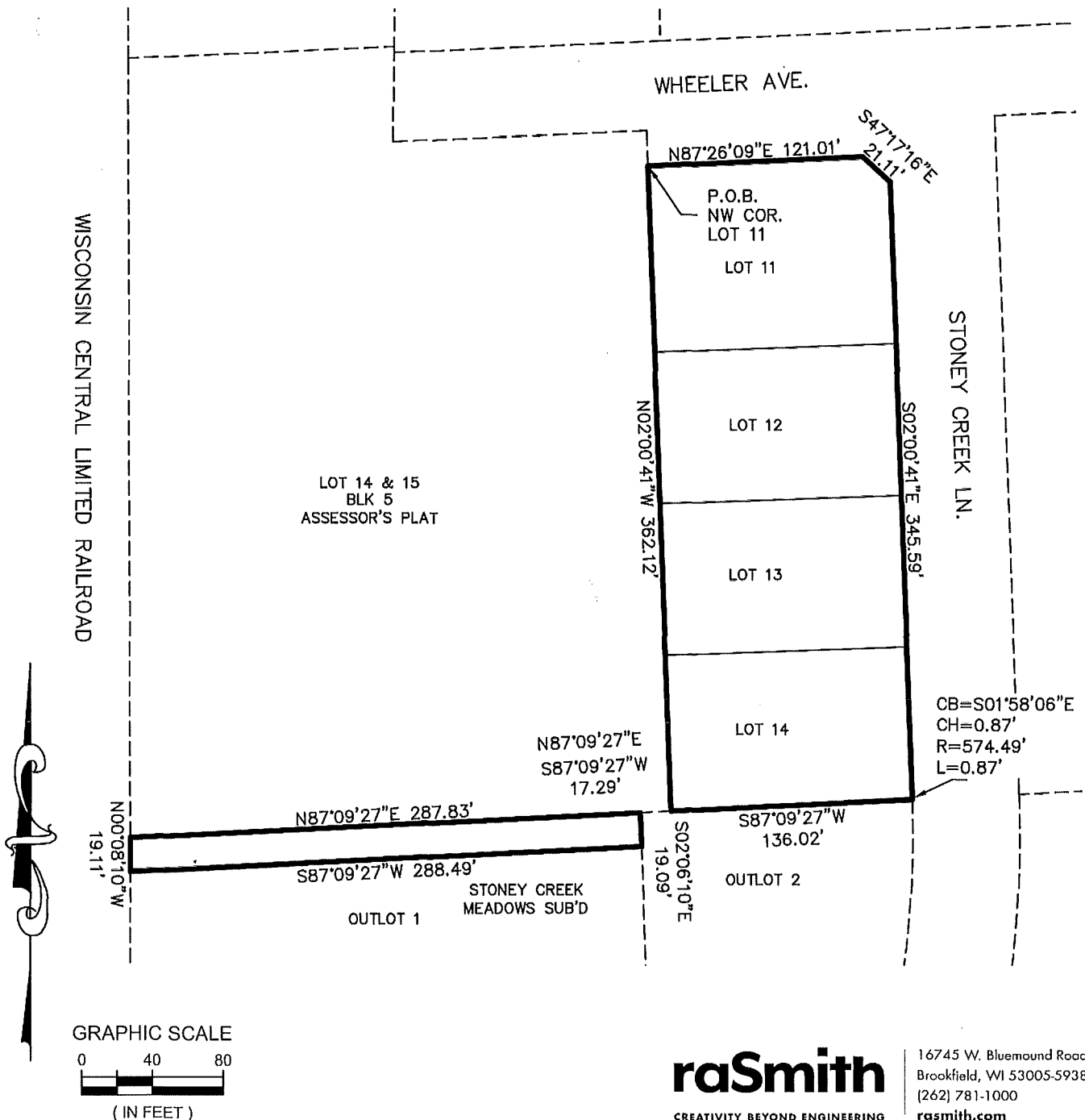
# REZONING EXHIBIT

## RS-2 Single Family Residential to M-2 Manufacturing

Lots 11, 12, 13 & 14, in Stoney Creek Meadows Subdivision and part of Lot 16, Block 5, in Assessor's Plat, being a part of the Northeast and Southeast 1/4 of the Northwest 1/4 of Section 35, Township 12 North, Range 21 East, in the Village of Fredonia, Ozaukee County, Wisconsin.

August 29, 2022

Drawing No. 168846-RMK



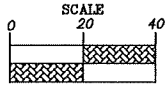
**EXHIBIT B**

<b>Tax Key Number</b>	<b>Property Address</b>	<b>Owner and Mailing Address</b>
090500514017	No property address	David J. Janik, W4680 River Road Fredonia WI 53021
090500514010	305 S. Milwaukee Street	Mary Jo Goodman 305 S. Milwaukee Street Fredonia, WI 53021
090500514018	313 S. Milwaukee Street	Donald G. Dohrwardt 313 S. Milwaukee Street Fredonia, WI 53021
090780010000	322 Stoney Creek Lane	Mark J. Bartolotta, 322 Stoney Creek Lane Fredonia, WI 53021
090500514013 090500514011	420 Wheeler Avenue 422 Wheeler Avenue	Village of Fredonia 242 Fredonia Avenue, Fredonia, WI 53021
090500515001 090780000002	421-435 Wheeler Avenue	Lundman Development Corporation 421 Wheeler Avenue, Fredonia, WI 53021-0340

# CERTIFIED SURVEY MAP #

TO DIVIDE LOT 6, IN BLOCK 5 OF ASSESSOR'S PLAT - FREDONIA, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 NORTH, RANGE 21 EAST, VILLAGE OF FREDONIA, COUNTY OF OZAUKEE, STATE OF WISCONSIN.

PRELIMINARY



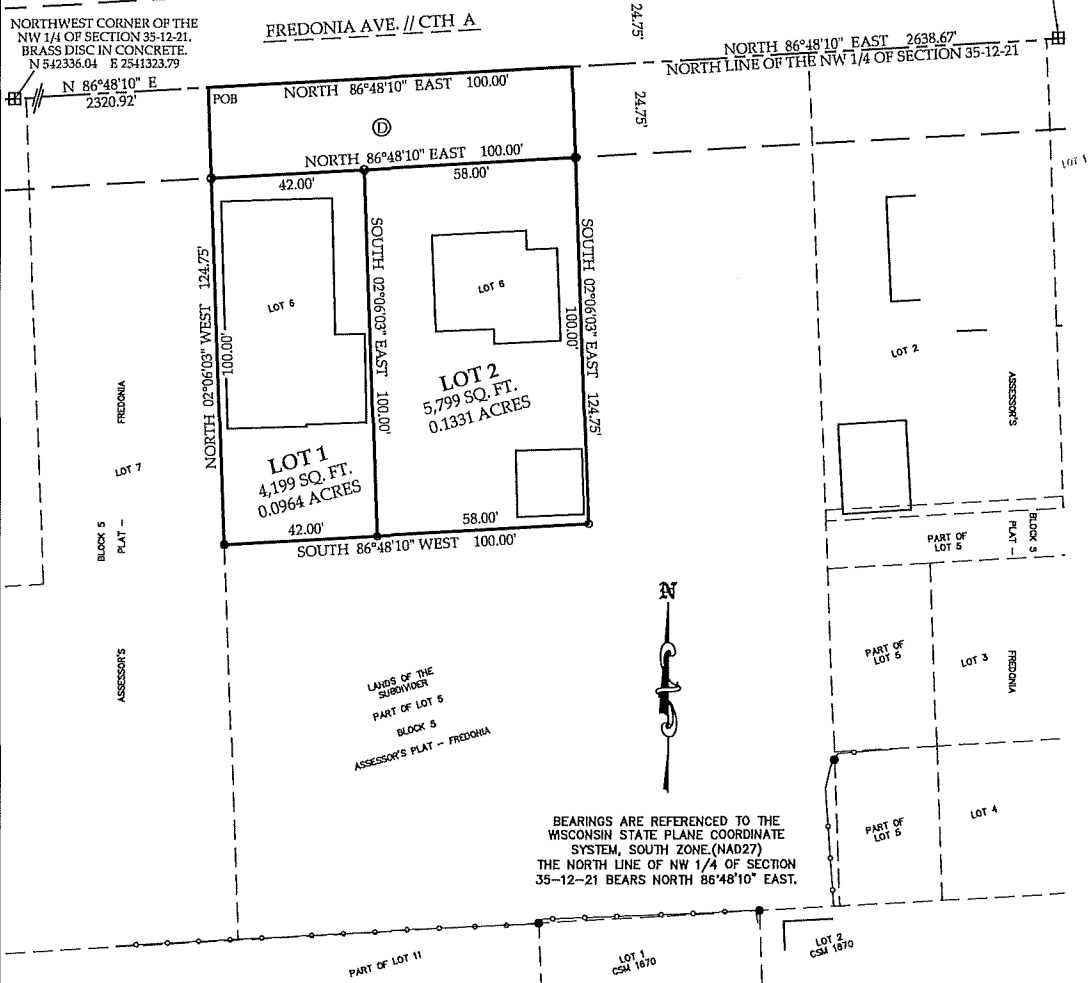
① DEDICATED TO THE PUBLIC FOR ROAD PURPOSES  
2,475 SQ. FT. // 0.0568 ACRES

OWNER:  
CREAM CITY, LLC  
PO BOX 176  
NEWBURG, WI 53060

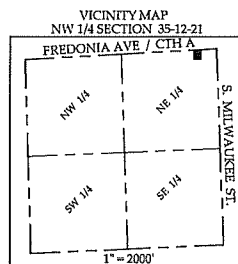
NORTHWEST CORNER OF THE NW 1/4 OF SECTION 35-12-21. BRASS DISC IN CONCRETE. N 542336.04 E 2541323.79

FREDONIA AVE. // CTH A

EAST WITNESS CORNER TO THE NE CORNER OF THE NW 1/4 OF SECTION 35-12-21 BRASS DISC IN CONCRETE. N 5424484.56 E 2543998.01



BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27) THE NORTH LINE OF NW 1/4 OF SECTION 35-12-21 BEARS NORTH 86°48'10" EAST.



## LEGEND

- 1" IRON PIPE FOUND
- 3/4"x18" REBAR WEIGHING 1.13 LBS/FOOT SET.
- ⊗ CROSS CUT SET IN SIDEWALK

PSE

122 Wisconsin Street, West Bend, WI 53095  
262.346.7800 kparish@parishse.com

FN: BF-05-22

Date: 9/19/22

SURVEYED BY JOSEPH W. DAVID  
MAPPED BY J. SCOTT HENKEL, PLS

SHEET 1 OF 3

**CERTIFIED SURVEY MAP # \_\_\_\_\_**

**TO DIVIDE LOT 6, IN BLOCK 5 OF ASSESSOR'S PLAT - FREDONIA,  
BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF  
SECTION 35, TOWNSHIP 12 NORTH, RANGE 21 EAST, VILLAGE OF  
FREDONIA, COUNTY OF OZAUKEE, STATE OF WISCONSIN.**

**SURVEYOR'S CERTIFICATE**

I, J. SCOTT HENKEL, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND  
MAPPED THE FOLLOWING LAND AS DIRECTED BY THE OWNER, CREAM CITY, LLC:

LOT 6 IN BLOCK 5 OF ASSESSOR'S PLAT - FREDONIA, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF  
SECTION 35, TOWNSHIP 12 NORTH, RANGE 21 EAST, IN THE VILLAGE OF FREDONIA, COUNTY OF OZAUKEE, STATE OF  
WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 35;  
THENCE NORTH 86°46'10" EAST, 2320.92 FEET, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 TO THE POINT OF  
BEGINNING OF THIS DESCRIPTION;  
THENCE CONTINUE NORTH 86°46'10" EAST, 100.00 FEET, ALONG SAID NORTH LINE;  
THENCE SOUTH 02°06'03" EAST, 124.75 FEET, ALONG THE EAST LINE OF SAID LOT 6;  
THENCE SOUTH 86°46'10" WEST, 100 FEET, ALONG THE SOUTH LINE OF SAID LOT 6;  
THENCE NORTH 02°06'03" WEST, 124.75 FEET, ALONG THE WEST LINE OF LOT 6 TO THE POINT OF BEGINNING.

CONTAINING 12,473 SQUARE FEET // 0.2863 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT THE MAP PREPARED IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES AS  
SHOWN AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES,  
AND THE VILLAGE OF FREDONIA LAND DIVISION ORDINANCE.

\_\_\_\_\_  
J. SCOTT HENKEL, PLS 2495

**OWNER'S CERTIFICATE**

AS OWNER, CREAM CITY, LLC, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED,  
MAPPED, AND DEDICATED AS REPRESENTED HEREON. I ALSO CERTIFY THAT THIS MAP IS IN ACCORDANCE WITH  
WISCONSIN STATUTES 236.34 AND THE VILLAGE OF FREDONIA REQUIREMENTS FOR CERTIFIED SURVEY MAPS.

\_\_\_\_\_  
BRIAN FEUCHT

STATE OF WISCONSIN \_\_\_\_\_ :SS  
\_\_\_\_\_ COUNTY

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, \_\_\_\_\_  
TO ME KNOWN AS THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN MY COMMISSION EXPIRES: \_\_\_\_\_

**PSE**

122 Wisconsin Street, West Bend, WI 53095  
262.346.7800 kparish@parishse.com  
FN: BF-05-22 Date: 9/19/22

***CERTIFIED SURVEY MAP # \_\_\_\_\_***

TO DIVIDE LOT 6, IN BLOCK 5 OF ASSESSOR'S PLAT - FREDONIA,  
BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF  
SECTION 35, TOWNSHIP 12 NORTH, RANGE 21 EAST, VILLAGE OF  
FREDONIA, COUNTY OF OZAUKEE, STATE OF WISCONSIN.

**VILLAGE OF FREDONIA PLAN COMMISSION APPROVAL**

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF FREDONIA PLAN COMMISSION ON THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
DON DOHRWARDT, CHAIRMAN

\_\_\_\_\_  
MELISSA DEPIES, VILLAGE CLERK

**VILLAGE OF FREDONIA VILLAGE BOARD APPROVAL**

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE BOARD OF THE VILLAGE OF FREDONIA ON THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
DON DOHRWARDT, PRESIDENT

\_\_\_\_\_  
MELISSA DEPIES, VILLAGE CLERK



**PSE**

122 Wisconsin Street, West Bend, WI 53095  
262.346.7800 kparish@parishse.com  
FN: BF-05-22 Date: 9/19/22

EMAIL CONVERSATION BETWEEN KEVIN PARISH – PARISH SURVEY &  
ENGINEERING AND ROGER STROHM – FORMER DIRECTOR OF PUBLIC WORKS

(Copies and put into proper order for easier reading)

---

Hi Rodger,

I have attached the proposed concept land division (Fredonia Aerial) for the property we discussed over the phone.

Both properties are zoned B-1 and that would remain. No rezoning will be requested.

The proposed lot widths and sizes are below.

Lot 1 : 50' x 233' = 11,650 s.f.

Lot 2: 50' x 233' = 11,650 s.f.

Lot 3: 65' x 233' = 15,145 s.f.

Please review and let me know if you see any issues. Otherwise we will plan on submitting September 24<sup>th</sup> for the October 7<sup>th</sup> Plan Commission meeting.

Thanks,

Kevin J. Parish

PSE

PARISH SURVEY & ENGINEERING

---

Kevin,

This conceptual CSM appears to meet our codes for B-1. You can find the zoning requirements on our website, [www.village.fredonia.wi.us](http://www.village.fredonia.wi.us).

There is a curb stop to each existing parcel. I will need to do some research to verify that there is a sewer lateral to each existing parcel. As a minimum you will need to add a water service to one of the properties and likely a sewer lateral but maybe two sewer laterals. We typically prefer a separate connection to the water main for each water service but in this case it may make sense to branch off one of the existing services since the road was repaved in 2015 and the water main is on the north side of the road.

Roger Strohm

---

Hi Roger,

After talking to the Owner of the property we decided to just split the salon and house into two lots. Both new lots will still meet the B-1 zoning requirements.

Is there a CSM application form that needs to be filled out? Do you need hard copies submitted?

Thanks,

Kevin J. Parish

---

Kevin,

No specific form. But follow 500-19 and 500-24 of our ordinances.

Also if feasible, the village may consider allowing you to branch off of existing water service and sewer lateral to the newly created parcel. A curb stop and meter will be necessary for each parcel and an easement will need to be created.

Roger Strohm

**RESOLUTION 2023-B**

**A RESOLUTION ALLOWING FOR THREE ELECTION INSPECTORS  
AT THE FEBRUARY 21, 2023 PRIMARY ELECTION AND  
APRIL 4, 2023 SPRING ELECTION**

**WHEREAS**, the polling place for the Village of Fredonia is normally staffed by five or more election inspectors, and

**WHEREAS**, the spring primary election for 2023 will be held on February 21, 2023, and

**WHEREAS**, the spring election will be held on April 4, 2023, and

**WHEREAS**, past spring primary and spring elections have resulted in light voter turnout,

**NOW THEREFORE**, the Fredonia Village Board authorizes the spring primary to be held on February 21, 2023, and the spring election to be held on April 4, 2023, to be staffed by three election inspectors, or more if deemed necessary by the Village Clerk.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Donald Dohrwardt, Village President

ATTEST:

\_\_\_\_\_  
Village Clerk



# Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984  
(608) 266-8005 | elections@wi.gov | elections.wi.gov

---

## 2022 Election Security Subgrant Program for Municipalities

### Notice of 2022 Election Security Subgrant Award

Wisconsin Elections Commission  
201 West Washington Avenue, 2nd Floor  
PO Box 7984; Madison, WI 53707-7984

**Subgrantee: Village of Fredonia, Ozaukee County**

**Subgrantee UEI/DUNS Number: N/A**

**Date: 12/20/2022**

**Village of Fredonia, Ozaukee County**, has been awarded **\$1,200.00** under the Election Security Subgrant Program for Municipalities, issued by the Wisconsin Elections Commission (WEC). This award is the WEC-approved amount that the municipality requested by signing and submitting the subgrant's Memorandum of Understanding (MOU) in which the municipality has agreed that all subgrant funds being awarded will be exclusively expended for the purpose of increasing the security of the federal elections and in accordance with all the terms and conditions delineated in the MOU. Further, the municipality will certify its compliance with all terms of the MOU by signing and submitting the Subgrant Compliance Form by February 28, 2023, including itemized receipts and invoices to support all expenditures, and returning any unused subgrant funds by that date.

These funds are a subgrant of the 2022 disbursement of the federal HAVA Election Security Grant, **CFDA Number 90.404; Federal Award Identification Number (FAIN) EAC-ELSEC18WI**, authorized by the U.S. Congress under the Consolidated Appropriations Act, 2022 (Public Law 117-103), and issued by the U.S. Election Assistance Commission (Funding Source: EAC1651DB2222XX-61000001-410006-EAC1908000000), for which the Wisconsin Elections Commission was awarded the amended notice of the combined grant on May 17, 2022.

As a sub-recipient, your jurisdiction must adhere to all applicable federal requirements including requirements under the Federal Financial Accountability and Transparency Act (FFATA) and Office of Management and Budget (OMB) guidance: Title 2 C.F.R. Subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. § 200).

*Wisconsin Elections Commissioners*

Don M. Millis, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

---

Administrator  
Meagan Wolfe

## I. PURPOSE AND USE OF FUNDS

This subgrant will financially assist, up to \$1,200 per municipality but not to exceed \$1,000,000 in total for the subgrant program, municipalities who certify they will use the funds to reach baseline security standards and/or for additional eligible election security expenses, as outlined in the MOU and listed below. The purpose of this subgrant is to help improve overall election security of federal elections statewide by providing cities, villages, and towns across the State of Wisconsin with federal election security funds to implement baseline and advanced election security measures. Grants will be approved and disbursed until the program ends or the maximum subgrant disbursement of \$1,000,000 is reached, whichever comes first. Costs must be incurred during the subgrant project period of July 22, 2022 – February 28, 2023.

These subgrant funds must be used exclusively for one or more of the following eligible election security expenses:

1. Compliant hardware and software (including software subscriptions)
2. Professional IT support
3. Security training (cyber or physical)
4. Security assessments (cyber or physical)
5. Physical security improvements for election equipment

## II. DOCUMENTATION AND AUDIT

**DOCUMENTATION:** The receiving jurisdiction shall maintain all documentation of purchases made using subgrant funds provided by the Commission for a minimum of eight years from the date of the expenditure or until the WEC authorizes destruction of said records. A standard inventory list of all items purchased using subgrant funds must be created and maintained by the jurisdiction for purposes of any state or federal audit. Such original purchasing documentation and inventory lists shall be retained by the receiving jurisdiction until the WEC authorizes destruction of said records. Submission of copies of all purchasing documentation is required to support the expenditure of all funds not being returned (See Appendix A of the MOU).

**AUDIT:** All subgrant funds received are subject to audit by the Commission and/or the federal government to ensure funds have been spent appropriately and in accordance with all applicable state and federal laws. Pursuant to Wis. Stat. § 5.05(11), if the federal government objects to the use of any funds provided to a county or municipality under the subgrant, the county or municipality shall repay the amount of the subgrant to the Commission.

### **Julia Billingham, MAcc**

Senior Accountant

WI Elections Commission

201 West Washington Avenue, 2nd Floor

PO Box 7984; Madison, WI 53707-7984

Direct: 608.266.2094; General WEC: 608.266.8005

[julia.billingham@wisconsin.gov](mailto:julia.billingham@wisconsin.gov)

<http://elections.wi.gov>





# **VILLAGE OF FREDONIA – HALL RESERVATION FORM**

242 Fredonia Ave P.O. Box 159 Fredonia, WI 53021  
 mjohnson@village.fredonia.wi.us 262-692-9125

NAME: _____	
ADDRESS: _____	
PHONE NUMBER: _____	E-MAIL ADDRESS: _____
TYPE OF EVENT: _____	# OF GUESTS*: _____ <b>*Please Adhere to Fire Code</b>
DATE OF EVENT: _____	TIME OF EVENT: _____
<b>Please Choose Rental Space:</b>	
<b>Firehouse (Capacity 75)?</b> _____	<b>Village Hall (Capacity 60)?</b> _____
RENTAL FEE: \$50/day	\$
SECURITY DEPOSIT – Returned with Return of Key to Village Clerk's Office:	\$50.00
TOTAL FEE:	\$
BALANCE DUE: (Non-Profit Use is Free of Charge)	\$
RECEIPT NUMBER: _____	
<b>*RENTER FORFEITS THE DOWN PAYMENT IF EVENT IS CANCELLED.</b> <b>*SECURITY DEPOSIT WILL BE RETURNED IF RENTED AREAS ARE CLEAN AND FREE OF DAMAGE.</b> <b>ALL BAGGED GARBAGE MUST BE PLACED IN THE TRASH RECEPTACLES.</b> <b>* NO CONFETTI OR GLITTER. ONLY PAINTERS TAPE TO BE USED ON WALLS &amp; FLOORS.</b> <b>*NO FOOD PREP OR AUDIO-VISUAL EQUIPMENT FOR USE</b>	
RENTER:	DATE:
(Renter Agrees to Hold Harmless Agreement on the Back of this Form)	
VILLAGE CLERK:	DATE:

Available: 24 2x5' Tables + 75 Chairs in Fire Banquet Hall

Please make checks payable to: "Village of Fredonia" 242 Fredonia Ave P.O. Box 159 Fredonia, WI 53021

**\*RENTER FORFEITS THE DOWN PAYMENT IF EVENT IS CANCELLED.**

**\*SECURITY DEPOSIT WILL BE RETURNED IF RENTED AREAS ARE CLEAN AND FREE OF DAMAGE.**

**ALL BAGGED GARBAGE MUST BE PLACED IN THE TRASH RECEPTACLES OUTSIDE.**

**\* NO CONFETTI OR GLITTER. ONLY PAINTERS TAPE TO BE USED ON WALLS & FLOORS.**

#### **HOLD HARMLESS AGREEMENT:**

1. Hold Harmless. Upon renter's use of the Property by any of its employees, agents, invitees and/or volunteers for the purposes specified herein, renter shall defend, indemnify, and hold harmless the Village of Fredonia from any and all actual or alleged claims, demands, causes of action, liability, loss, damage and/or injury (to property or persons, including without limitation wrongful death), whether brought by an individual or other entity, or imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of renter's use of the Property. This indemnification applies to and includes, without limitation, the payment of all penalties, fines, judgements, awards, decrees, attorney's fees, and related costs or expenses, and any reimbursements to Village of Fredonia for all legal expenses and costs incurred by it.
2. Authority to Enter Agreement. Each Party warrants that the individuals who have signed this form have the legal power, right, and authority to make this Agreement and bind each respective party.
3. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.
4. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other party any contractual right by custom, estoppel, or otherwise.
5. Attorneys' Fees and Costs. If any legal action or other proceeding is brought about this Agreement, the successful or prevailing Party shall be entitled to recover reasonable attorneys' fees and other related costs, in addition to any other relief to which the Party is entitled.
6. Entire Agreement. This Agreement contains the entire agreement between the Parties related to the matters specified herein and supersedes any prior oral or written statements or agreements between the Parties related to such matters.
7. Severability. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to written, construed, and enforced as so limited.
8. Applicable Law. This Agreement shall be governed by the laws of the State of Wisconsin.



**VILLAGE OF FREDONIA**

Find Your Moments Here

# **EMPLOYEE HANDBOOK**

**APPROVED BY THE VILLAGE OF FREDONIA BOARD OF TRUSTEES \_\_\_\_\_, 2023**

## PREAMBLE

Welcome to the Village of Fredonia. The Village hopes that your employment with the Village will be a mutually beneficial and pleasant one.

It is the policy of the Village of Fredonia to provide **equal opportunity in employment** to all qualified employees and applicants for employment. Positive action is required from all employees to help ensure that the Village complies with its obligations under state and federal law.

**This Handbook is not a contract of employment.**

In regard to hierarchy of which rules and regulations supersede others, the order is Village Ordinances and State Statutes first, then specific department policies and procedures, and finally this manual.

Any forms referenced in the Handbook are available from the Administration Office.

**This Handbook is a starting point in addressing core operating policies and procedures and, as such, it is subject to change and modification with or without prior notice.**

Procedures and practices in the field of personnel relations are subject to modification and further development in the light of experience. Each employee of the Village of Fredonia can assist in keeping the Handbook up-to-date by notifying the supervisor or department head, who shall advise the Administration Office.

This Handbook will answer most questions an employee, or an applicant for employment, may have about the Village's policies and procedures, the Village's responsibilities to its employees and the employee's responsibilities to the Village. These written policies should increase understanding, eliminate the need for personal decisions on matters of Village-wide policy, and help to assure uniformity throughout the Village organization. It is the responsibility of every member of management to administer these policies in a consistent and impartial manner. If you have any questions, please contact your supervisor first. You are solely responsible for reading and understanding the contents of this Handbook and are obligated, as a condition of continued employment with the Village, to sign the acknowledgement form that is a part of this Handbook.

Please note that any performance evaluations will reflect your adherence to these provisions of the Handbook.

**Approved by the Village Board on \_\_\_\_\_.**

## **CODE OF ETHICS**

**The Village of Fredonia has adopted and implemented a Code of Ethics for its public officials and employees. Its provisions are reprinted below from Chapter 49 of the Municipal Code.**

### **§ 49-1 Statement of purpose.**

A. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this chapter a Code of Ethics for all Village of Fredonia officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the Village.

B. The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village of Fredonia and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of the Village in their elected and appointed officials and employees. The Village Board hereby reaffirms that each elected and appointed Village official and employee holds his or her position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the Village of Fredonia.

### **§ 49-2 Definitions.**

The following definitions shall be applicable in this chapter.

#### **ANYTHING OF VALUE**

Any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation or expense reimbursement paid by the Village, honorariums, fees and expenses under the standards and reporting requirements set forth in § 19.56, Wisconsin Statutes, campaign contributions as regulated by § 49-6C of this chapter, or hospitality extended for a purpose unrelated to Village business by a person other than a firm, corporation, partnership, or joint venture.

#### **BUSINESS**

Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.

#### **FINANCIAL INTEREST**

Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

## IMMEDIATE FAMILY

- A. A person's spouse.
- B. An individual's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than 1/2 of his support from the individual or from whom the individual receives, directly or indirectly, more than 1/2 of his support.

## PERSONAL INTEREST

Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.

## PUBLIC EMPLOYEE

Any person excluded from the definition of a "public official" who is employed by the Village.

## PUBLIC OFFICIAL

Those persons serving in statutory elected or appointed offices provided for in Chapter 61 of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Village President and/or Village Board pursuant to this Code of Ordinances, whether paid or unpaid.

## SIGNIFICANT INTEREST

Owning or controlling, directly or indirectly, at least 10% or \$5,000 of the outstanding stock of any business.

## § 49-3 Statutory standards of conduct.

There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

- A. Sec. 946.10, Bribery of Public Officers and Employees.
- B. Sec. 946.11, Special Privileges from Public Utilities.
- C. Sec. 946.12, Misconduct in Public Office.
- D. Sec. 946.13, Private Interest in Public Contract Prohibited.

## § 49-4 Responsibility of public office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this state and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern.

## § 49-5 Dedicated service.

- A. Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

B. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

C. Members of the Village staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics codes with the Village Clerk-Treasurer. The Village Board shall notify the appropriate professional ethics board of any ethics violations involving Village employees covered by such professional standards.

#### § 49-6 Fair and equal treatment.

A. Use of public property. No official or employee shall use or permit the unauthorized use of Village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as Village policy for the use of such official or employee in the conduct of official business, as authorized by the Village Board or authorized board, commission or committee.

B. Obligations to citizens. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. No official or employee shall sue or attempt to use his or her position with the Village to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his or her immediate family.

C. Political contributions. No official shall personally solicit from any Village employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this chapter is a candidate or treasurer.

D. Use of Village stationery. Copies of any correspondence written on Village stationery shall be filed with the Village Clerk-Treasurer or his designee.

#### § 49-7 Conflict of interest.

##### A. Financial and personal interest prohibited.

(1) No official or employee of the Village, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this chapter or which would tend to impair independence of judgment or action in the performance of official duties.

(2) Any member of the Village Board who has a financial interest or personal interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Village Board involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion and vote on the matter.

(3) Any nonelected official, other than a Village employee, who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest. Such

official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.

(4) Any Village employee who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the employee has any influence or input, or of which the employee is a member, that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest.

B. Disclosure of confidential information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Village, nor shall such information be used to advance the financial or other private interest of the official or employee or others.

C. Incompatible employment. No official or employee shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair such official or employee's independence of judgment or action in the performance of his or her official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.

D. Gifts and favors.

(1) No official or employee shall accept or offer to accept anything of value from any person who, to his or her knowledge, is interested directly or indirectly, or is seeking an interest, directly or indirectly, in any manner whatsoever in business dealing with the Village, or from any person who conducts activities which are regulated by the Village, or from any person who has interests which may be substantially affected by actions of the Village.

(2) No official or employee shall accept or offer to accept anything of value that may tend to influence such official or employee in the discharge of his or her duties, or grant in the discharge of his or her duties any improper favor, service, or thing of value.

(3) Gifts received under unusual circumstances should be referred to the Village Board within 10 days for recommended disposition.

(4) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a Village official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

E. Representing private interests before Village agencies or courts.

(1) Nonelected Village officials and employees shall not appear on behalf of any private person (other than him- or herself, his or her spouse or minor children) before any Village agency, board, commission or committee of which the official or employee is a member or has any jurisdiction, discretion or control over the matter which is the subject of such representation.

(2) Elected Village officials may appear before Village agencies on behalf of constituents in the course of their duties as representative of the electorate or in the performance of public or civic obligations. However, the disclosure requirements of Subsection A above shall be applicable to such appearances.

F. Ad hoc committee exceptions. No violation of the conflict of interest restrictions of this section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer

or a client of that individual, has an interest so long as the individual discloses to the Village Board that such interest exists.

G. Contracts with the Village. No official or employee who, in his or her capacity as such officer or employee, participates in the making of a contract in which such officer or employee has a private pecuniary interest, direct or indirect, or performs in regard to that contract, some function requiring the exercise of discretion on the part of such official or employee, shall enter into any contract with the Village unless:

- (1) The contract is awarded through a process of public notice and competitive bidding;
- (2) The contract or activity is exempt from or otherwise deemed appropriate by § 946.13, Wis. Statutes;
- (3) The Village Board waives this requirement after determining that it is in the best interest of the Village to do so.

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## SECTION I – INTRODUCTION

### A. INTRODUCTORY MESSAGE

1. Welcome to the Village of Fredonia! The Village hopes that your employment with the Village will be a mutually beneficial and pleasant one.
2. We are pleased to present you with this employee handbook containing information in summary form about our workplace, the major benefits available to you, and your obligations as an employee of the Village of Fredonia.
3. It is the policy of the Village of Fredonia to provide equal opportunity in employment to all qualified employees and applicants for employment. Positive action is required from all employees to help ensure that the Village complies with its obligations under state and federal law.
4. It is your responsibility to read and become familiar with the information in the handbook and to follow the regulations, policies and procedures contained herein. Most of your questions should be answered in this handbook. If you have questions regarding the handbook or matters that are not covered, please discuss them either with your Department Head, or the Village Administrator.
5. Where this handbook refers to “the Village,” this term refers to the Village of Fredonia as the “employer.”

### B. MISSION STATEMENT

It is the Village’s mission to create a safe community that is environmentally and fiscally sound, while anticipating community needs, creating partnerships, embracing diversity, and fostering sustainability and quality development.

### C. EMPLOYMENT PHILOSOPHY & PURPOSE OF HANDBOOK

This Policy Handbook sets forth employment policy guidelines, rules of conduct and guidance regarding general expectations of professional behavior and conduct which employees are expected to follow. The Village of Fredonia expects all employees to demonstrate professional, competent and reasonable behavior, and to continually serve, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public.

For definition, a Department Head is the top-ranking manager within that department. If not applicable, the Village Administrator serves as the top-ranking manager.

The Employment Policy Handbook informs employees about what the Village expects from employees so as to inform employees of their professional duties and their responsibilities as public servants. Because of the diverse nature of jobs performed by Village employees, this Handbook is supplemented by departmental policies (which are in writing and reviewed by administration), procedures and work rules. None of the statements or policies outlined in this Handbook or in department-specific practices is meant to create any contract of employment, nor do they imply that the Village is guaranteeing employment for any person or *changing the at-will employment relationship* in any manner. **This Handbook, Municipal Code provisions and department-specific policies are not, nor are they intended to be interpreted as an**

**employment contract or to guarantee any rights to employees.** *This Handbook and its contents, and department-specific practices as applicable, apply to all Village of Fredonia employees, including but not limited to: Regular Full-time Employees, Regular Part-Time employees, Seasonal or Temporary Employees, and Paid-on-Call employees as applicable.*

The Village of Fredonia is an equal employment opportunity employer. Employment decisions are based on merit and business needs. The Village carefully selects employees. The Village employs people who are concerned with the success of the Village; people who care first about the highest quality public service and the interests of the public; people who can carry on their work with skill and ability; and people who can work well together.

Compliance with all Village ordinances, policies and procedures outlined in this Handbook, as well as rules and general expectations of conduct is of paramount importance for the employee to have a successful career at the Village. Failure to comply with all Village policies, rules and general expectations of conduct can undermine the trust and confidence that the public, businesses, employees and officers of the Village must have in that employee. The Village treats all violations of policy, procedures and work rules, and the general expectations of conduct very seriously. Violations can subject an employee to discipline, up to and including discharge.

Final interpretations and implementation of any of the policies or rules in this Handbook are vested solely with the Village Administrator and adopted by the Village Board of Trustees. The Policies are subject to change at any time by the Village and will be reviewed and revised periodically. The contents of this Handbook are not to be used as a substitute for any controlling ordinance, resolution, regulation, state or federal statute, code or regulation, common law or other legally binding authority and which are updated from time to time and are controlling.

#### **D. YOUR RESPONSIBILITIES**

1. It is your responsibility to read and become familiar with the information in the handbook and to follow the regulations, policies and procedures contained herein. Most of your questions should be answered in this handbook. If you have questions regarding the handbook or matters that are not covered, please discuss them either with your Department Head, or the Village Administrator.
2. Nothing in this handbook shall restrict employees from engaging in any concerted or other activity protected by Wisconsin or Federal law.

#### **E. ROLES OF MANAGEMENT**

**POLICY:** Certain rights and responsibilities are imposed by state and federal laws and regulations. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the Village reserves any and all management rights regarding employees' employment status.

#### **F. GENERAL GUIDELINES**

In order to maintain maximum flexibility in the employment setting, the role of management includes, but is not limited to, the right to:

- Manage and direct employees

- Hire and promote
- Schedule, transfer and assign employees
- Lay off and recall employees
- Discharge employees or take disciplinary action in coordination with Administration
- Schedule overtime as required
- Develop job descriptions and compensation classification procedures, and the wage, hours, and conditions of employment for such positions in coordination with Administration
- Assign or reassign work duties
- Introduce new or improved methods or facilities or change existing methods or facilities
- Contract out for goods and services after budgetary approval of Village Board
- Discontinue certain operations
- To establish work rules in coordination with Federal and State regulations
- Any other managerial right or discretion as may be required from time-to-time to manage practices and personnel

## SECTION II – EMPLOYMENT, RECRUITMENT, RETENTION AND REDUCTION IN FORCE

### A. NATURE OF EMPLOYMENT

Employment with the Village of Fredonia is not governed by any written or oral contract and is considered an “at will” arrangement. This means that you or the Village are able to terminate the employment relationship at any time, for any reason, so long as there is no violation of applicable federal or Wisconsin law.

### B. EMPLOYEE CLASSIFICATIONS

An employee is defined as a person who works for the Village for compensation in the form of wages and excludes elected officials. The following classifications are maintained as part of your personnel record and determine your employee benefits. For the purpose of these classifications and this handbook, the following definitions will apply:

1. **Benefited Full-Time** – an employee who is regularly scheduled to work at least a 32 hour work week throughout the year. A benefited full-time employee is eligible for those benefits described in this handbook as well as any benefits that are required by law, or voluntary benefits for which they may be eligible.
2. **Benefited Part-Time** – an employee who is regularly scheduled to work 23 or more hours each work week throughout the year. A benefited part-time employee is eligible for time off and benefits described in this handbook on a pro-rated basis, as well as any benefits that are required by law, or voluntary benefits for which they may be eligible.
3. **Non-benefited Part-Time** – an employee who is generally scheduled to work less than 23 hours per week throughout the year. Non-benefited part-time employees are only eligible for benefits required by law, or voluntary benefits for which they may be eligible.
4. **Temporary/Seasonal** – an employee who works full-time or part-time hours on a temporary, sporadic, varying, seasonal, or as-needed basis. These employees are only eligible for benefits required by law.
5. **Exempt** – an employee whose position meets the overtime exemption tests established by the Fair Labor Standards Act (FLSA) and Wisconsin law. These employees are paid on a salary basis and exempt from overtime pay requirements.

### C. HIRING, PROMOTIONS, TRANSFERS AND ASSIGNMENTS

**POLICY:** The Village seeks to hire the best quality and qualified candidates who fit the needs and culture of the Village and to evaluate, promote, compensate, and retain employees based on their ability to perform the duties and responsibilities of the position. The Village may use hiring, interview and screening processes designed to fulfill this objective. Recruitment shall be tailored to the position to be filled and directed to sources likely to yield best-qualified candidates.

The Village may consider both internal and external applicants. When in the interests of the Village, the Village may attempt to fill a job vacancy by promotion from within the organization. A position posting will be made available soliciting employee interest in the position. External recruitment sources, applicable to the particular recruitment process, will be used to solicit interest in the position. All candidates, including current employees, must

complete a Village of Fredonia job application for the specific position and provide references as appropriate to the recruitment process. Selection shall be based solely on merit, past performance with the Village of Fredonia, if applicable, any testing appropriate for the position, and interviews, reference checks or any other non-merit factors. Selection will not be based on seniority.

Temporary appointments may be made from applications on hand or temporary employment agencies as circumstances may indicate. Temporary appointees who become regular Village employees will receive service credit for such appointments, as determined by the Village Administrator. Persons employed by the Village under federal or state manpower programs are considered limited term employees unless specific action is taken to appoint such employee to a regular position after certification as eligible for such appointment by the Village Administrator.

From time to time and in the sole interests of the Village, the Village may transfer employees from assignment to assignment, position to position or Department to Department. Employees may request to be transferred from one position or Department to another. Such a request may be given consideration when a suitable opportunity exists and such request can be fulfilled in the sole interests of the Village. Requests for transfer by an employee must be in writing, must include a resume of qualifications from the employee and the reason for the transfer, and must be directed to the person in charge of the Department to which they wish to transfer, with notice to their current Department Head of the request.

In the event that, at any time a position is filled with a transferring employee and it is determined that the employee is not qualified for the position or seeks to return to the employee's former position, the transferring employee may return to the employee's former position provided the position has not yet been filled. Then employee must meet the requirements and qualification of the original position, even if the requirements and qualification for the original position have been revised to meet the management needs of the Village of Fredonia. If returning to the original position, the transferring employee retains all benefits and credible service time.

Appointment of personnel by the Department Head, or supervisor, in consultation with the Village Administrator to a higher classification on a temporary basis in order to fill a vacancy is considered an "acting appointment". An employee holding an "acting appointment" may receive a temporary pay increase if authorized by the Village.

Before any offer of employment for new hires is made, Administration must conduct a reference check of the final candidate(s). In addition to a reference check, Administration must conduct a thorough background check. The level of this background check is based on the level of the position being filled. Results of the reference check and background check help determine the applicant's fitness for the position.

Information that may be obtained or requested includes information relating to references, past employment, work habits, education, judgments, liens, criminal background and offenses, character, general reputation and driving records. The Village may also obtain information from a consumer-reporting agency. Before denying an extension, assignment, promotion or other benefit of employment, based in whole or in part, on information obtained in the credit report, the Village will provide a copy of the report and a description in writing of the applicant's rights under the Fair Credit Reporting Act.

Employees or applicants seeking employment, transfer, promotion, or assignment will be required to sign a document that constitutes the employee's full waiver, release and indemnification of any liability related to the background investigation. Employees or applicants who refuse to sign the waiver, release, and indemnification form will not be considered for employment, transfer, promotion or assignment.

## **1. Hiring Procedures**

### **a. Filling Vacancies**

All filling of vacancies are treated as new positions. This means that all filling of vacancies should be handled in the following manner:

- 1) Receiving letter of resignation and forwarding to the Village Administrator.
- 2) Administration will contact employee for exit interview with the Village Administrator.
- 3) Review existing job description and make changes to fit needs.
- 4) Present job description to Dept. Director who will approve that this position is still needed and then present to Village Administrator for approval of funds to continue this position.
- 5) Once approved, write up job posting for advertising and provide to Administration for approval and submission in proper outlets.
- 6) Administration will collect applications/resumes.
- 7) Set date for interviews/put together selection committee. Put together interview questions based on job needs and job description. Conduct final interviews and choose final candidate(s) to "continue hiring process".
- 8) Conduct background check based on level of employee.
- 9) Prior to making offer, make sure Village Administrator clears desired starting wage – if above budgeted amounts for the fiscal year, acquire Board of Trustees approval.
- 10) Upon satisfactory clearing of background check, make initial offer to candidate contingent on passing of physical, drug screening, PEP and skills test (if applicable).
- 11) Administration will let you know of results and clear them for hiring.

### **b. Promotion of Employees**

The promotion of an existing employee should be treated based on if they are filling a vacancy or as a new position. This means, even if you are promoting someone along normal chains of command, the position still needs to approval for continuance by the Village Administrator. Likewise, the employee who is being promoted should be informed that their personnel record can still be used for background on past performance.

### **c. Creation of a New Position**

To create a new position, the Department Head should be prepared to prove the necessity of such position, which includes actual financial figures on the increase in costs and possible savings with the addition. Along with that, the Department Head

will draft the new Job Description with help from the Village Administrator, if needed. Once this has been gathered, the Department Head would pick up the above described step process at step four (4). Keep in mind, any new position, even a compilation of two or more previous jobs, needs to have the job description approved by the Village Administrator and Village Board of Trustees prior to the advertisement of the position.

d. Transferring Employees with Village Departments

The transferring of employees within the Village is a means to keep good employees who would like to seek different challenges within our organization rather than losing them all together. It is the Village's policy to retain the best employees whenever possible. However, the transferring of employees needs to be addressed by the Department Head of the employee's new department the same as a promotion would be. Likewise, no verbal offers should be made to an employee without the proper steps above taking place. The transferring of employees within the organization does not freeze their wage, but is treated the same as a new hire and proof of said salary rate will need to be approved by the Village Administrator. However, under most circumstances, the transferring of an employee does freeze their benefit levels that they are currently receiving.

**2. Employment of Relatives (Nepotism)**

- a. Employee's relatives shall not be employed by the Village under any of the following circumstances:
  - 1) Where one of the parties would have direct authority to supervise, appoint, remove or discipline the other party.
  - 2) Where one party would be responsible for auditing the work of the other.
  - 3) Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the Village.
- b. "Relatives" include an employee's parent, child, spouse, brother, sister, in-laws, and step relationships.
- c. If two employees marry or become related, and/or in the Village's judgment, the potential conflicts noted above exist or reasonable could exist, only one of the employees will be permitted to stay employed with the Village, unless reasonable accommodations, as determined by the Village Administrator, can be made to eliminate any potential problems. The decision as to which relative will remain with the Village must be made by the two employees within sixty (60) calendar days of the date the employees marry, become related, or begin sharing living quarters with each other. If no decision has been made during this time, the Village reserves the right to terminate either employee.

**D. EMPLOYEE ORIENTATION**

POLICY: To provide the new employee, or transferring employee, with information appropriate to achieve success.

All new regular full-time and regular part-time employees will be required to have a welcome orientation with Administration. Such orientation shall cover an overview of Village service and a review of the various employment benefit options available to the employee. This

provides the employee with information on the benefit structure provided by the Village, gives ample opportunity to the employee to make benefit decisions within the time limits provided in the contracts and by the carriers, and to have the employee file the necessary forms required for pension, tax, and other purposes. In addition, upon the completion of the general orientation, the employee will be given a digital copy of the Village's Employee Handbook. As a condition of employment, the employee must sign and turn in the "Employee Acknowledgement" at the end of this Handbook within 14 days.

Each department is also responsible for orienting new employees to that department. Such orientation shall include, but not limited to:

- An explanation of the hours of employment, the days of service, overtime and special requirements of the department.
- An explanation of the work rules, and the disciplinary policy.
- An explanation of the Village safety policy and procedure for reporting accidents.
- An explanation of the public service mission of the Village and expectations for service to citizens.
- On-the-job training or formal training appropriate to the duties and responsibilities that the employee will perform in the position.

#### **E. EMPLOYEE EVALUATION**

POLICY: As an at-will employer, the Village seeks to ensure effective assessment of its employees in their respective positions, and to maintain a well-qualified and well-motivated workforce that continuously meets required work and performance standards. Annually, employee evaluations will be conducted, to aid in communicating the expectations of elected officials, through management to staff. Future raises will be based on these merit and performance reviews.

The public expects high quality service from Village employees that is delivered in a manner in the best interests of the Village and the public, and the most efficient and effective use of resources. The Village expects all employees to perform their job duties at a high-quality level that exceeds the expectations of our citizens.

Department Head, or their designee, shall monitor their employee's performance based on job-related criteria on a continuous basis. There is no probationary period, work trial time, or introductory or training period for any position governed by this Handbook. Minimally on an annual basis, the Department Head, or designee shall meet and confer with the employee to review the employee's performance. If the evaluation is not satisfactory, specific wording needs to clarify the reasons for dissatisfactory performance, what needs to be corrected and what the eventual disciplinary actions could take place.

#### **F. REDUCTIONS IN WORKFORCE**

POLICY: To establish the practice and practices regarding employment continuance, layoff, and the recall of laid-off employees.

##### **1. Employment Continuance**

An individual's employment can be terminated at any time. Furthermore, no management official is authorized to make an assurance or promise of continued employment.

##### **2. Reductions in the Workforce**

Laid off employees are defined as those facing permanent elimination of said position due to lack of need for services provided by that position. This definition can be refined by making it a “temporary” layoff.

Furloughed employees are defined as those put on temporary leave either voluntarily or involuntarily for the sole purpose of saving money for the Village.

Reductions in the workforce may occur through layoffs or furloughs, in addition to attrition or position elimination or modification. The Village will determine the Departments, number of positions and persons impacted by any reduction in the workforce. Employees may be laid off or furloughed based upon the nature of the duties to be consolidated or eliminated, funding levels and the skills, abilities and past performance of the individual employees involved, and the interests and needs of the Village. The Village may choose to solicit volunteers for any reduction in the workforce. Under certain circumstances, workweek reductions may be imposed in lieu of layoff or furlough.

Employees laid off or furloughed shall be eligible for continuation of their participation in the Village Health Insurance Program per COBRA regulations. Employee premium payments shall be made on a monthly basis from the Employee.

Laid-off or furloughed employees shall not accrue PTO credits during any full calendar month of layoff, but shall retain all past PTO accumulations for possible use following recall from layoff or furlough. Laid-off or furloughed employees may be able to continue their participation in other insurance programs at their expense in accordance with the terms established under the various insurance programs.

Laid-off or furloughed employees shall be given preferential treatment in recall and/or placement in other appropriate vacancies based upon their demonstrated skills, abilities, qualifications for the vacancy and their past performance, and the interests and the needs of the Village.

Laid-off or furloughed employees who have not been recalled to their former positions or placed in another appropriate position within one year from their date of layoff shall be considered to be terminated from Village employment. Persons assigned to reduced workweeks in lieu of layoff shall have their wage rates and benefits eligibility administered on a prorated basis effective from the date of reduction.

It is the responsibility of laid-off or furloughed employees to apprise their Supervisors and Administration as to their current address and telephone number so that recall or other placement activities may be efficiently handled. An employee failing to do so may be considered to have forfeited their recall or other placement rights.

### **3. Recall from Layoff or Furlough**

Any employee recalled from layoff or furlough shall report for work as soon as possible following the date of recall notice, but no later than seven (7) calendar days therefrom. An employee who fails to report for work within the recall period shall be considered to have voluntarily terminated his/her employment. Exceptions to the work-return requirement may be made at the discretion of the Village Administrator for medical or other compelling circumstances. In the event that other appropriate employment is offered by the Village to a laid-off employee, the employee is obligated to accept such employment in order to retain his/her employment status with the Village. Refusal of such employment shall be considered to constitute a voluntary termination of employment.

## **G. EMPLOYEE SEPARATION**

If an employee decides to leave employment, then the Village requires two weeks' notice minimum from all hourly employees. Supervisory and management employees are asked to give at least 30 days' written notice if resigning; at least 60 days' written notice if retiring unless negotiated elsewhere. Hourly employees shall give written notice to their Department Head or supervisor, Department Head to the Village Administrator. All employees are employed at will and can terminate their employment without notification. The employer reserves its right to terminate the employee before their stated last day of employment. Salary and benefits shall cease on date of separation or termination.

All property of the employer must be returned to the employer in appropriate condition prior to the employee's last day of work.

An employee who resigns or who is terminated will receive his or her final paycheck mailed to them only, on his or her next regularly scheduled payday together with information regarding insurance continuation and other benefit plans.

An exit interview is used to gain insight into the effectiveness of Village personnel and managerial practices, to determine where personnel policies and procedures are in possible need of review or revision, and to determine where supervisory or managerial practices need modification or improvement. An exit interview will be scheduled with the Village Administrator and the employee prior to his/her last day of work.

## SECTION III – EQUAL OPPORTUNITY EMPLOYMENT

### A. HARASSMENT POLICY AND PROCEDURE

1. **Introduction.** The Village of Fredonia seeks to maintain a healthy work environment in which all individuals are treated with respect and dignity, while providing procedures for reporting, investigating, and resolving complaints of bullying, harassment and discrimination. Therefore, all employees are obligated to bring any concern or complaints in this regard to the attention of management through the chain of command or through the reporting procedures in specific policies. Any employees, including managers, involved in discriminatory practices will be subject to corrective actions up to and including termination.

It is the policy of the Village that all employees have the right to work in an environment free of all forms of bullying, harassment and discrimination, and the Village encourages its employees to create this type of atmosphere in the workplace. The Village will not tolerate, condone or allow bullying, harassment or discrimination by any employee or by any non-employee who conducts business with the Village. The Village considers bullying, harassment and discrimination to be serious misconduct. Therefore, the Village will take direct and immediate action to prevent such behavior and to remedy all reported instances of bullying, harassment and discrimination. A violation of this Village policy can lead to discipline up to and including termination. Repeated violations, even if determined to be a minor violation, will result in greater levels of discipline as appropriate.

This policy covers all employees whether the conduct originates from an employee or non-employee. This policy covers any incident that occurs as an extension of the workplace. An extension of the workplace is defined as any event sponsored by the Village, any worksite where Village employees are working or any other location to which Village employees are assigned. All conduct at any extension of the workplace, whether before, during or after the Village related activity, will be considered under this policy.

2. **Prohibited Conduct and Actions.**

No employee shall, either explicitly or implicitly, ridicule or belittle any person.

Employees shall not make offensive or derogatory comments to any person, either directly or indirectly, based on race, color, creed, religion, national origin, ancestry, age, sex/gender, handicap or disability, arrest/conviction record, marital status, sexual orientation, political affiliation, results of genetic testing, honesty testing, pregnancy or childbirth, use or nonuse of lawful products off the employer's premises during non-working hours, military service or disabled veteran or covered veteran status in the U.S. Armed Forces, the State Defense force, National Guard or any state or any other reserve component of the United States or State military forces. Such conduct is a prohibited form of discrimination under state and federal employment law and/or is also considered misconduct subject to disciplinary action by the Village.

Sexual harassment is prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.

- b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the employee.
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

No employee, whether male or female, may bully, harass, or discriminate against another employee or create a hostile working environment by either committing or encouraging any of the following:

- a. Physical assaults on another employee including, but not limited to, assault or battery, molestation, or attempts to commit these acts.
- b. Intentional physical conduct that is bullying, harassing or discriminatory in nature including, but not limited to, touching, pinching, patting or brushing up against another employee's body.
- c. Unwanted sexual advances, propositions or sexual comments including making sexual gestures, jokes or comments in the presence of any employee who has indicated that such conduct in his or her presence is unwelcome.
- d. Posting or displaying pictures, posters, calendars, graffiti, objects or other materials that are bullying, harassing or discriminatory in nature.
- e. Unwelcome sexual flirtations, advances, requests, or propositions.
- f. Derogatory, vulgar, obscene or foul written/oral statements of a sexual nature or referencing one's sexuality, gender, or sexual experience.
- g. Unwelcome touching, patting, pinching, brushing against another's body or attention to an individual's body.
- h. Physical assault.
- i. Unwanted sexual compliments, innuendoes, suggestions or jokes.
- j. The display of sexually suggestive pictures or objects including emails or other computer images.
- k. Sexually oriented "kidding" or "teasing."
- l. Foul or obscene gestures.

### **3. Supervisory Responsibilities**

Each supervisor shall be responsible for preventing acts of bullying, harassment, and discrimination. This responsibility includes the following:

- a. Monitoring the work environment for signs of bullying, harassment, and discrimination.
- b. Informing employees on the types of behavior prohibited and the Village's procedures for reporting and resolving complaints of bullying, harassment, and discrimination.
- c. Stopping any observed behavior that may be considered bullying, harassment or discrimination and taking appropriate steps to intervene and report such behavior whether or not the involved employees are within his or her line of supervision.
- d. Taking immediate action to prevent retaliation toward the complaining party and to eliminate any similar conduct where there has been a complaint of bullying, harassment

or discrimination pending investigation. If a situation requires separation of the parties, care shall be taken to avoid actions that appear to negatively impact the complainant. Transfer or reassignment of any of the parties involved shall be voluntary if possible and, if non-voluntary, shall be temporary pending the outcome of the investigation.

When any employee of the Village comes to any supervisor of the Village with a concern of bullying, harassment or discrimination, that supervisor shall assist the employee in documenting and filing a complaint with the Administration office or other reporting authority as designated by the Village.

Failing to carry out these supervisory responsibilities will be considered in any performance evaluation or promotional decisions and may be grounds for discipline up to and including discharge.

#### **4. Employee Responsibilities**

Each employee, including supervisors, of the Village is responsible for assisting in the prevention of bullying, harassment, or discrimination by taking the following steps:

- a. Refrain from participation in or encouragement of actions that could be perceived as bullying, harassment, or discrimination.
- b. Immediately reporting to a supervisor any offensive behavior as prohibited by this policy.
- c. Encouraging any employee who confides that he or she is being bullied, harassed, or discriminated against to report these acts to a supervisor.
- d. All employees upon hiring, need to receive formal orientation including training on what constitutes bullying, harassment, or discrimination and what each employee's responsibility is to report.

Employees are expected to cooperate fully in any investigation regardless of whether they are directly involved in the incident.

Failure of any employee to carry out the above responsibilities will be considered a violation of this policy.

#### **5. Complaint Procedure.**

- a. Filing a Complaint
  - i. Any employee encountering bullying, harassment or discrimination is encouraged, but not required, to inform the person that his or her action are unwelcome and offensive. The employee should document all incidents of bullying, harassment or discrimination to provide the fullest basis for investigation.
  - ii. Any employee who believes that he or she is being bullied, harassed, or discriminated against shall report the incident(s) to his or her supervisor immediately, but no later than sixty (60) workdays of the incident, so that steps may be taken to protect the employee from further bullying, harassment or discrimination and so that appropriate investigative and disciplinary measures may be initiated. Where doing so is not practical, the employee may instead report the conduct to the Village Administrator or another Village supervisor.

- iii. The supervisor or other person to whom a complaint is given shall meet with the employee filing the complaint and document the incident(s) complained of; the person(s) performing or participating in the bullying, harassment, or discrimination; any witnesses to the incident(s) and the date(s) on which it occurred. Said response must take place within fifteen (15) days of original reporting of occurrence.
- iv. After the complaint has been filed with the Village as required by this Policy, if the complainant does not feel it has been resolved in an acceptable manner, he or she may then file the complaint with the Village Administrator. If the complainant still feels his or her complaint has not been resolved, he or she may file a complaint with any of the following agencies, whose contact information is current as of the adoption date of this Handbook. Please verify this information prior to filing.

EQUAL RIGHTS DIVISION  
201 East Washington Avenue  
P.O. Box 8928  
Madison, WI 53708  
Voice: (608) 266-6860

EQUAL RIGHTS DIVISION  
819 North Sixth Street, Room 723  
Milwaukee, WI 53203  
Voice: (414) 227-4384

Website: <https://dwd.wisconsin.gov/er/>

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Milwaukee District Office  
310 West Wisconsin Avenue, Suite 500  
Milwaukee, WI 53203  
Voice: (414) 662-3680  
TTY (Hearing Impaired) 1-800-669-8620

- v. If the employee exercises the reporting options above, they must file a copy of the complaint with the Village Administrator within 24 hours of filing the complaint.

b. Investigating the Complaint

- i. The Village Administrator shall be responsible for investigating any complaint alleging bullying, harassment or discrimination and shall do the following:
  - 1. Immediately notify the Marshals Office if the complaint contains evidence of criminal activity, such as battery, sexual assault or attempted sexual assault.
  - 2. Include part of the investigation a determination as to whether other employees are being bullied, harassed, or discriminated against by the person against whom the complaint was filed and whether the other

persons covered by this policy participated in or encouraged the bullying, harassment, or discrimination.

3. Inform the parties involved of the outcome of the investigation.
  4. Maintain all complaints of bullying harassment or discrimination in a secure location.
  5. Not retaliate against any employee for filing a bullying, harassment, or discrimination complaint or for assisting, testifying, or participating in the investigation of such a complaint.
  6. Maintain the complaining party's confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances, and to the extent permitted by applicable public records law.
- ii. This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency.

**6. Retaliation.**

Retaliation against any employee for filing a bullying, harassment, or discrimination complaint or for assisting, testifying, or participating in the investigation of such complaint, is illegal under state and federal law and is prohibited by the Village.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for bullying, harassment, and discrimination complaints. Retaliation may subject an individual to additional punishment up to and including discharge.

It is the responsibility of all Village supervisors to ensure that retaliation does not occur.

**7. Confidentiality.**

The Village understands that matters of harassment and discrimination can be extremely sensitive, and so far as possible, will keep all employee complaints and related information in strict confidence. Disclosure will be made only when necessary to investigate and resolve the matter, and when required by law.

**8. Falsification or Misrepresentation of Information.**

An employee will be subject to disciplinary action up to and including discharge for falsifying any information or misrepresenting any information required or requested as part of a complaint, investigation or proceeding under this policy.

**B. NON-DISCRIMINATION / EQUAL EMPLOYMENT OPPORTUNITY / REASONABLE ACCOMMODATION**

1. **Equal Employment and Non-Discrimination:** It is the Village's policy to seek and employ the best quality and qualified personnel in all positions. All employment decisions, including, but not limited to, recruitment, hiring, compensation, benefits, promotions, transfers, layoffs, discipline, termination, or any other employment decision are made without regard to an individual's sex, color, race, ancestry, creed, religion, national origin, age, physical or mental disability, marital status, military or veteran status, citizenship

status, sexual orientation, arrest or conviction record, or any other characteristic protected by Wisconsin or federal law.

2. Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.
3. Supervisors and managers shall ensure that the provisions of this section are met. It is also the duty of every employee to help create a job environment that promotes equal opportunity. Any incident or situation that you believe violates this policy should be reported using the Complaint Procedure outlined on page 27 of the handbook.
4. Anyone found to have engaged in any type of unlawful discrimination will be subject to disciplinary action or termination. Retaliation for reporting discrimination or cooperating with an investigation will not be tolerated. Anyone found to have engaged in retaliation will be disciplined or terminated.
5. **Workplace Accommodation for Disabilities:** The Village is committed to full compliance with applicable Wisconsin and federal disability laws. The Village will provide reasonable accommodation to persons with known disabilities, unless to do so would cause an undue hardship on the Village, within the meaning of applicable law.

## **PROCEDURES**

### **a. Request for Reasonable Accommodation**

An individual may ask for an adjustment, change or other modification in the application process, a working condition, provision of service or for access to services necessary because of the individual's medical condition or disability.

A request does not have to use any special words, such as "reasonable accommodation" or "disability". An individual with a disability may request reasonable accommodation whenever he/she chooses, even if he/she has not previously disclosed the existence of a disability.

An existing employee with a disability may request an accommodation from his/her supervisor or the Village Administrator.

### **b. Hiring/Promotions**

Individuals seeking employment with the Village or employees pursuing promotions will be asked whether he/she is able to perform job-related functions.

The Village of Fredonia will make accommodations that are reasonable as determined on a case-by-case basis. The Village Administrator will determine what constitutes a reasonable accommodation.

An applicant/employee who needs an accommodation in the employment/promotion selection process shall request the accommodation from the Village Administrator.

All job descriptions shall have the essential functions of the job clearly listed.

### **c. Complaint Procedure**

The Village of Fredonia has adopted this procedure to provide for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities

Act (ADA) and the Office of Revenue Sharing's regulations implementing Section 504 of the Rehabilitation Act (RA) or 1973.

Anyone who wishes to file a complaint alleging discrimination shall submit the complaint in writing. The complaint shall contain information regarding the alleged discrimination such as name, address, and phone number of the complainant and location, date, and description of the problem, and any names of witnesses. Alternative means of filing complaints, such as personal interviews or a recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the complainant and/or his/her designee as soon as possible, but no later than 300 days as compliant with state and federal law after the alleged violation to:

Village Administrator  
Village of Fredonia  
242 Fredonia Ave P.O. Box 159  
Fredonia, WI 53021  
Phone: (262) 692-9125

Within 15 calendar days after the receipt of the complaint, the Village Administrator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 days after the meeting, the Village Administrator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the Village and offer options for substantive resolution of the complaint.

All written complaints received by the Village Administrator or designee, all appeals to the Village Attorney or his/her designee, and all responses from these two offices will be retained by the Administration office for at least three (3) years.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to ensure that the Village of Fredonia complies with the ADA, Section 504, and the ORS regulations.

## **RESPONSIBILITIES**

a. The Administration office shall be responsible for:

- Providing guidance, training and assistance to department heads, supervisors, and employee on dealing with reasonable accommodations within their area(s) of responsibility
- Investigating, resolving, and making findings and recommendations on complaints of discrimination based upon a disability
- Determining reasonable accommodation of an individual upon recommendation of a contracted Occupational Health Care Provider
- Determining the physical abilities required to perform the essential job functions
- Coordinating reasonable accommodations for test administration and interview processes

b. The Department Heads and supervisors within the Village of Fredonia shall be responsible for:

- Conducting job-related interviews with the assistance of Village Administration
- Providing input to Administration regarding the essential functions of a job and how a reasonable accommodation may be implemented
- Educating staff members on the practices and procedures laid out in this policy
- Cooperating with and understanding the practices in this policy

ADA Compliance: Upon review of the Village's compensation and benefit practices, the Administration office has previously warranted that the Village of Fredonia is in compliance with Title I of the Americans with Disabilities Act as it relates to compensation and benefits.

## **HIPAA PRIVACY POLICY**

The Village of Fredonia ("Village") is committed to compliance with the HIPAA Privacy Rules ("Rules") set forth by the U.S. Department of Health and Human Services ("HHS"). These Rules dictate that all personally identifiable health information ("health information") that is received by or generated through a "covered entity" must be afforded certain protections. "Covered entities" include health plans, health care providers and health care clearinghouses. The Village maintains a health plan that is a covered entity, and the Village also has certain functions that qualify as "health care providers". Accordingly, as an entity that has some "covered functions" and some "non-covered functions", the Village will consider itself a "hybrid entity", for purposes of and as allowed by the Rules. This means that only the "health care components" (as set forth below) and covered health plans will be subject to the Rules.

Health information must be kept within ("firewalled" within) the Village's health plan and health care components. Any sharing or disclosure by the Village health plan(s) or health care components of health information for reasons other than claim payment, treatment or health care operations would require direct authorization from the participant/patient. Accordingly, the Village has developed specific procedures to ensure that each Village health plan participant's or patient's health information is used and disclosed in conformance with the Rules.

Each Village employee or recipient of Village-covered health services should also be aware that not all personally identifiable health information is subject to the Rules. Only the Village's health insurance plan and "health care components" are subject to these requirements. The Village's "health care component" is: VILLAGE OF FREDONIA FIRE DEPARTMENT

All of the Village representatives that work with and have access to participants' and patients' health information are trained to ensure confidentiality of such information. Furthermore, only those Village representatives that need to have access to such information for purposes of payment, treatment or health care operations will be allowed to view the information without express authorization from the patient (or his/her parent or guardian, if the patient is under 18), unless disclosure of such information is otherwise allowed under the Rules.

Finally, the Village has entered/will enter into a contract with each of its business associates (as defined under the Rules) which has access to plan participants' or patients' health information. Each contract provides that the business associate shall generally have access to the health information only for purposes of payment, treatment, and health care operations. Furthermore, the business associate must keep the health information confidential under the same conditions that the health plan or health care component follows. That is, each business associate is contractually obligated to follow Rules to which the Village's health plans and health care components are subject.

The Village has designated the Village Administrator as its Privacy Officer. Village health plan participants and patients can contact the Village Administrator at 242 Fredonia Ave P.O. Box 159 Fredonia, WI 53021, Phone: (262) 692-9125

## **SECTION IV - HOURS OF WORK, ATTENDANCE AND PAY POLICIES**

**POLICY:** To provide employees with regular work hours and work schedules while ensuring staffing coverage necessary for effective municipal operations, consistent with an subject to the management needs of the Village of Fredonia.

### **A. HOURS OF WORK, WORKDAY AND WORK WEEK**

Village Hall is open from 7:00 a.m. until 5:00 p.m. Monday through Thursday, except holidays and weekends. Other offices and departments may establish different hours to manage its respective operations. Unless otherwise restricted by applicable law, an employee's workday and workweek may be adjusted from time-to-time. This adjustment may occur on a daily basis, provided such adjustments comply with Fair Labor Standards Act requirements. The Village reserves its management rights to exclusively manage its operations in the best interest of the taxpayers of the Village of Fredonia. These provisions do not guarantee every employee a normal workday or workweek.

For general municipal employees, the normal workday is generally eight hours, but this provision does not guarantee every employee an eight-hour workday. The normal workweek is generally four consecutive days, although this is subject to adjustment. Department Heads may authorize temporary variations in your work schedule to accommodate your or departmental needs, or to eliminate or reduce overtime. Benefits are administered on an hour-for-hour basis.

### **B. LUNCH BREAKS**

Employees, who are not exempt from Fair Labor Standards Act for overtime purposes, shall take an unpaid period of minimum 30-minutes in lunch break. A longer time is allowed, if agreed upon with the Department Head or designee. Employees are not to exceed the allotted time for lunch break/breaks, nor are they allowed to work through this break for purposes of leaving work early at the end of the workday, unless occasionally approved by the Department Head or designee.

### **C. OVERTIME**

#### **1. General Policy**

It is the policy of the Village of Fredonia to avoid the necessity of overtime. No employee shall work overtime without the prior approval of the employee's Department Head or designee. Unauthorized overtime will subject an employee to discipline. Employees shall be required to work overtime when directed by the Department Head or designee.

#### **2. Non-exempt Employees**

Non-Exempt employees, as defined by the Fair Labor Standards Act, are not eligible for overtime or compensatory time. Non-Exempt employees are expected to work a normal full-time workweek and any additional hours that are required by their workload, which can include special and regular meetings and events outside of normal hours. In return, you may occasionally take time off without claiming time from your accrued leave banks, when the workload of your office permits, provided you gain approval from your immediate supervisor. This benefit does not accrue and does not constitute compensatory time; use of personal time on an hour for hour basis for time worked in excess of a 40-hour workweek is not permitted.

### **3. Exempt Employees**

Exempt employees, as defined by the Fair Labor Standards Act, are not eligible for overtime or compensatory time. Exempt employees are expected to work a normal full-time workweek and any additional hours that are required by their workload, which can include special and regular meetings and events outside of normal hours. In return, you may occasionally take time off without claiming time from your accrued leave banks, when the workload of your office permits, provided you gain approval from your immediate supervisor. This benefit does not accrue and does not constitute compensatory time; use of personal time on an hour for hour basis for time worked in excess of a 40-hour workweek is not permitted.

### **D. WEEKEND DUTY, CALL-IN AND ON-CALL PAY**

#### **1. General Policy**

The Village requires certain employees, as part of the essential functions of their positions, to work weekend duty, to be called into work outside the normal workday, and to work on-call duty. All employees, as a condition of employment, are required to accept weekend duty, call-in and on-call duty on a schedule determined by the supervisor. For unscheduled call-in duty, it is the supervisor's sole discretion to determine how many and which specific employees shall be called in for such duty, based on the needs of the particular situation. The purpose of this paragraph is to comply with the Fair Labor Standards Act and may be amended from time to time to remain consistent with FLSA and appropriate regulations.

### **E. ATTENDANCE POLICY**

All FLSA, non-exempt employees shall maintain a daily attendance record in the format provided by the Village. This record shall reflect, on a daily basis, the start and end times, overtime hours worked, and all absences, including sick leave, holidays, vacation, other types of leaves permitted as set forth in this handbook, time missed due to worker's compensation, compensatory time, and so forth. The employee is responsible for keeping an accurate record of their time. The employee must certify the accuracy of their time report by signing it, submitting it to or forwarding it by email for approval to their supervisor. If any corrections or modifications are to be made to the time record, both the employee and their supervisor must verify the accuracy of the changes by initialing the record or otherwise recording approval of the change/modification at the time that they are aware a change is needed.

- a.** Non-exempt employees must completely and accurately record all time worked. This includes any work performed out of the office, or outside of normal work hours, including, but not limited to, checking email or doing other job-related computer work or phone calls. No member of management is allowed to knowingly permit an employee to perform work without recording the time worked. A failure to record actual time worked is a violation of wage and hour laws and of Village policy. Please be reminded that you are to obtain permission from your supervisor before working any overtime.
- b.** Exempt employees must completely and accurately record all time worked. They shall also record exceptions to their normal workweek for time off from work, by completing a timesheet, submitting it for approval to their supervisor.
- c.** Paid time off (PTO) leave must be used if you are absent from work during your normal work hours. All PTO must be utilized before the employee may take leave without pay.

- d. Altering, falsifying, tampering with time records, or recording time on behalf of another without authorization from a supervisor to do so, is prohibited and subject to discipline or termination.

Your regular attendance is required. Excessive absenteeism and/or excessive tardiness may lead to discipline or termination.

1. **Reporting Absences/Tardiness.** If an employee will be absent from, or late for work, they must notify their immediate supervisor or the Department Head prior to the normal start of the workday.
2. If you are absent from work due to illness or injury for three or more consecutive work days, you may be required to submit a medical return to work authorization prior to being permitted to return to work. If your time off was a covered FMLA absence, then return to work provisions under the FMLA policy will apply.
3. FMLA (Family and Medical Leave Act) absences are considered approved time off and are not counted against you. This attendance policy will be enforced consistent with the Wisconsin and Federal FMLA laws, and as set forth in the Village's FMLA policy.

## **F. FINAL PAY**

The employer reserves its right to terminate the employee before their stated last day of employment. Salary and benefits shall cease on date of separation or termination.

All property of the Village must be returned, in appropriate condition, prior to the employee's last day of work.

1. **Pay and Benefits at Separation.** An employee who resigns or is terminated, will receive his or her final paycheck mailed to them only, on his or her next regularly scheduled payday. The final paycheck will include all earned wages, and their Paid Time Off hours with a maximum of 224 hours (28 days).

Any employee who is hired by the Village with negotiated vacation or PTO of the ordinary allotment and chooses to leave their employment within the first full year, understands that in doing so, they forfeit any payout for unused vacation or sick leave.

Once announcing their separation from the Village, no employee will be allowed to take PTO in an attempt to prolong their employment period. If an employee has a pre-approved vacation set prior to the announced notice of separation, the last day of employment cannot be used as PTO but must be physically worked.

The cost of any Village property that the employee failed to return, or any other outstanding balance owed by the employee to the Village, will be deducted from the final paycheck to the extent allowed by law.

2. **Exit Interview.** An exit interview is used to gain insight into the effectiveness of Village personnel and managerial practices, to determine where personnel policies and procedures are in possible need of review or revision, and to determine where supervisory or managerial practices need modification or improvement. An exit interview will be scheduled with the Village Administrator and the employee prior to his/her last day of work.

## SECTION V – TIME OFF AND LEAVE OF ABSENCE POLICIES

**POLICY:** The Village of Fredonia recognizes that there are circumstances that require employees to be absent from work. These benefits apply only to regular full-time and certain permanent part-time employees as specifically provided below. These benefits do not apply to part-time employees specifically hired to cover weekend, holidays and times needed to cover absences of others.

**GENERAL PROCEDURES:** All requests for leave from work, whether paid or unpaid, must be submitted to the Department Head or designee. The respective department or division may establish such practices appropriate to its unique needs regarding request, selection, approval and trading of approved time off. The Department Head or designee retains the sole discretion whether to grant the request.

Except as otherwise provided below, all paid time off must be utilized before the employee may take leave without pay.

### A. HOLIDAYS

1. Employees hired on or before December 31, 2022, shall receive 11 paid holidays:
  - January 1
  - Memorial Day
  - Independence Day
  - Labor Day
  - Thanksgiving Day
  - Day after Thanksgiving
  - December 24
  - December 25
  - December 31
  - Two personal days (subject to the approval of scheduling by the Supervisor)
2. Holidays falling on a Saturday will be observed on the preceding Friday. Holidays falling on a Sunday will be observed on the following Monday. In the event that a holiday falls on a Friday and is immediately followed by another holiday, the employee shall receive the preceding Thursday off for the Saturday holiday. In the event that a holiday falls on a Sunday and is immediately followed by another holiday, the employee shall receive the following Tuesday off for the Monday holiday. The holiday year begins January 1 and ends December 31 of each year. Holidays cannot be carried over from year to year unless otherwise approved in writing in advance by the Village Administrator.
3. Employees who have a paid holiday fall within their scheduled vacation period are entitled to an additional day's vacation. Employees on an unpaid leave of absence will not be entitled to holiday pay for holiday(s) that occur during the unpaid leave. An employee must actively work the scheduled workday before and after such holiday, unless authorized, excused through sick leave, emergency leave, or vacation, to be absent on both workdays, to be eligible for holiday pay.
4. Time off for holidays shall be as scheduled in this section. However, the Department Head or designee may require an employee to work a scheduled holiday. The employee may take

equivalent time off at another date, on a schedule approved by the supervisor. Departments or divisions shall internally resolve scheduled differences in holiday off days. Such time may be granted by the Department Head or designee as floating holiday time, as approved by the Village Administrator.

5. Certain departments or divisions, because of unique scheduling requirements may be open for business on the above designated holidays, or employees may be called into work on such holidays. In such situations, employees may be compensated consistent with the department's or division's practices.
6. Permanent part-time employees may accrue holidays provided they regularly work on average 20-hour per-week schedule and have actually worked a minimum of 1,040 hours of the previous year.

## **B. PAID TIME OFF**

1. The Village of Fredonia shall implement a Paid Time Off system of accrual in lieu of separate vacation and sick time.
2. Employees hired on or before January 1<sup>st</sup>, 2023 shall be eligible for paid time off as follows:

<u>Years of Service</u>	<u>Starting PTO</u>
1 – 2 Years	10 days (80 hrs.)
3 – 5 Years	15 days (120 hrs.)
6 – 12 Years	20 days (160 hrs.)
20+ Years	25 days (200 hrs.)

3. The starting PTO benefit is subject to negotiation. However, said employee who is hired by the Village with negotiated PTO out of the ordinary allotment, and chooses to leave their employment within the first full year, understands that in doing so, they forfeit any payout for unused PTO.
4. Active employees accrue PTO based on the numbers of hours they work. The amount accumulated is based on years of service as shown below:

<u>Years of Service</u>	<u>Bi-Weekly/Annual PTO Eligibility</u>	<u>Maximum Accrual</u>
<1 Year	4.923 hrs bi-weekly = 128 hrs per year	---
1-5 Years	6.154 hrs bi-weekly = 160 hrs per year	184 hrs
6-14 Years	7.692 hrs bi-weekly = 200 hrs per year	224 hrs
15-20 Years	8.615 hrs bi-weekly = 224 hrs per year	248 hrs
>20 Years	9.538 hrs bi-weekly = 248 hrs per year	288 hrs

5. Permanent part-time employees who work in excess of 1040 hours for the prior year shall receive pro-rated PTO pay for the days/hours listed above.
6. In circumstances where scheduling does not permit use of PTO, PTO time shall be rolled over into the following year and managed by the Village Treasurer for payroll purposes.

7. **Accrued PTO upon Termination.**

An employee who has been terminated and has accumulated unused PTO shall be paid out their remaining unused PTO, as applicable by law, on their final paycheck.

**C. FAMILY AND MEDICAL LEAVE**

**Purpose and Policy:** This policy outlines the provisions of the Federal and Wisconsin Family and Medical Leave Acts (FMLA) and the rights and obligations of employees and the Village under both laws. Should this policy conflict in any way with the applicable Wisconsin or Federal law, the provisions of the applicable law shall control. The Family and Medical Leave Acts provide eligible employees with up to 12 workweeks of unpaid protected leave each year. The Village of Fredonia uses a rolling calendar year to determine the 12-month period during which the Federal FMLA leave is available and calendar year for State FMLA leave is available for specified family and medical reasons.

The eligibility and entitlements are defined differently under federal and state law. The Village of Fredonia administers both laws concurrently. Specific terms are defined in the applicable federal and state FMLA laws, and in the accompanying federal regulations. Such definitions, as they may be amended from time to time, are incorporated in this policy.

Please contact the Administration office for further information.

**1. Eligibility.**

Employees are entitled to FMLA benefits if they:

- a. **Federal** – Have been employed by the Village of Fredonia for at least 12 months (not necessarily consecutive); and have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave. Time spent on paid or unpaid leave does not count in determining the 1,250-hour eligibility.
- b. **State** – Have been employed by the Village of Fredonia for at least 52 consecutive weeks and have worked at least 1,000 hours during the 52 weeks prior to the start of the FMLA leave. Time spent on paid leave counts in determining the 1,000-hour eligibility.

**2. Qualifying Event and Amount of Leave Available.**

- a. Eligible employees may take up to a total of 12 work weeks of unpaid federal FMLA leave in a calendar year for the following qualifying events:
  - i. The birth or placement of a child for adoption or for foster care:
    - 1) State law provides up to 6 work weeks of unpaid leave for any one child, but not for placement of a child for foster care.
    - 2) Federal law requires leave conclude within 12 months after the birth.
    - 3) State law allows leave to begin no earlier than 16 weeks before the estimated birth date or placement, and no later than 16 weeks after the actual birth or placement of the child.
  - ii. Serious health condition:
    - 1) State law provides eligible employees up to 2 work weeks of state FMLA family leave, which runs concurrently with Federal FMLA leave, to care for the employee's spouse, child, parent or parent-in-law, or domestic partner or the domestic partner's parent as defined by the state.

- 2) Federal law allows leave to be taken to provide care for only the employee's spouse, child or parent.
- iii. Family leave due to an employee's spouse, child or parent being on exigent active duty or having been notified of an impending call or order to exigent active duty in the Armed Forces in support of a contingency operation.
  - 1) Military exigency leave includes active duty service members who have been deployed to a foreign country and to reservists.
- iv. For the employee's own serious health condition that renders the employee unable to perform his/her job.
  - 1) State law provides eligible employees up to 2 work weeks of FMLA medical leave.
  - 2) The employee is responsible for providing evidence of fitness for duty to certify he/she is capable of returning to work with restrictions or full duty.
- b. Eligible employees may take up to a total of 26 work weeks of unpaid federal FMLA leave in a calendar year to care for a spouse, child, parent, or next of kin who is a covered service member who suffered an injury or illness while on active duty that renders the person unable to perform the duties of the member's office, grade, rank or rating.
  - i. Military caregiver leave includes care for a service member who aggravates a prior injury or illness during the course of his military service.
    - 1) Such leave also includes veterans who undergo medical treatment, recuperation or therapy for a qualifying injury or illness, as those terms are defined by the U.S. Secretary of Labor, as long as the service member was a member of the reserves or armed forces at any time during the five years before the veteran undergoes treatment.
  - ii. During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 work weeks of leave under federal law.
- c. Leave qualifying for both state and federal FMLA leave will count against the employee's entitlement under both laws and will run concurrently. When the reason(s) for qualified leave differ, the leave may not run concurrently under federal and state law, and an employee may be entitled to more than 12 weeks of leave in a calendar year. This type of leave occurrence will be evaluated and reviewed with the employee at the time of the leave.
  - i. Qualified leave taken under Workers' Compensation also will run concurrently with state and federal FMLA leave.
  - ii. Under the federal FMLA, spouses employed by the Village of jointly entitle to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law under state FMLA) who has a serious health condition. There is no provision in state FMLA requiring that spouses must share leave.

### 3. **Non Continuous or Intermittent Leave.**

Employees are permitted to take leave on an intermittent (blocks of time) basis or as a reduced work schedule:

- a. When it is medically necessary to care for a family member with a serious health condition or because of the employee's serious health condition.
- b. When it is necessary to care for a family member or next of kin who is a covered serviceman and suffered an injury or illness while on active duty.
- c. To care for a newborn, adopted or foster child. Federal FMLA leave for the birth or placement of a child for adoption or foster care may not be taken in non-continuous increments, unless approved by the Village.
  - i. Under Wisconsin FMLA, the last increment of leave for the birth or placement of a child for adoption, must begin with 16 weeks of that birth or placement.
- d. Medical or family caretaking leave should be planned so as not to unduly disrupt the Village's operations.
  - i. Employees requesting non-continuous federal FMLA leave that is foreseeable based on planned medical treatment for purposes of providing care to a child, spouse or parent with a serious health condition or for the employee's own serious health condition may be required to transfer temporarily to an available alternative position for which the employee is qualified and which accommodates recurring periods of leave than the regular employment position of the employee. An employee temporarily transferred will receive the same pay and benefits but may be assigned different duties.
  - ii. The Village allows for intermittent leave to be taken in no less than one-hour increments. The employee may not take or be required to take more leave than medically necessary to address the circumstances that caused the need for the leave.

#### **4. Pay During FMLA Leave.**

- a. In general, both Wisconsin and Federal FMLA leaves are unpaid. The Village requires employees to use paid time off before taking unpaid time off under Federal FMLA. When using State Leave, employees are not required to, but may use vacation, compensatory time, earned holidays and sick time they have accumulated before taking any unpaid time off. When using Federal Leave, employees are only allowed to use sick time if it is for their own serious injury or sickness. In all other cases, when using Federal Leave, employees shall use vacation, compensatory time and earned holidays they have accumulated before taking any unpaid time off

#### **5. How to Apply for FMLA Leave.**

- a. Employee must submit a Request for Leave letter to the Administration Office at Village Hall at least 30 days, or as soon as practicable in advance of taking leave. If circumstances do not permit an employee to give notice in advance of taking leave, the employee must notify the Administration Office and submit a "Request for Leave" as soon as possible, but no later than two working days after learning of the need for FMLA leave. Failure to give timely notice may result in the delay or denial of FMLA leave and may subject the employee to discipline under Village policies.
- b. If the leave is for a family member's or the employee's serious health condition, the employee must submit a medical certification from the employee's or the family member's health care provider within 15 days. If an employee does not provide the required certification by the designated deadline or if the Village determines that an

employee's absence is not covered as FMLA leave, the leave may not be designated as Wisconsin and/or federal FMLA leave. The employee may be subject to discipline under Village attendance policies unless he or she is granted a non-FMLA leave of absence.

- c. Second or third medical opinions at the Village's expense and periodic re-certifications at the employee's expense may be required under certain circumstances. The Village requires periodic reports during federal FMLA leave regarding the employee's status and intent to return to work.
- d. Genetic Information Nondiscrimination Act (GINA) Notice. GINA prohibits employers and other covered entities from requesting or requiring your genetic information, except as allowed by the law. Please do not provide any genetic information when responding to a request for a medical certification. GINA defines genetic information to include your family medical history, the results of your or a family member's genetic tests, the fact that you or a family member sought or received genetic services, and genetic information of a fetus carried by you or a family member or an embryo held by you for a family member receiving reproductive services.

#### **6. Health Insurance Benefits.**

- a. Group health insurance coverage will be maintained for employees while they are on FMLA leave on the same terms as if the employee continued to work. The employee will be required to pay his/her regular portion of health insurance premium payments on the schedule established by the Village or in a collective bargaining agreement.
- b. The Village may recover its share of health insurance premiums paid during a period of unpaid FMLA leave from an employee if the employee fails to return to work (for a minimum of 30 calendar days) after the expiration of the leave. The Village may not collect the premiums if the reason the employee does not return is due to continuation, recurrence or onset of a serious health condition that would entitle the employee to leave under FMLA, or other circumstances beyond the employee's control.
- c. The Village may discontinue health insurance benefits if the employee fails to make a premium payment within 30 days of the due date after providing written notice to the employee of the cancellation of coverage for non-payment.

#### **7. Other Benefits.**

- a. Benefits that accumulate based upon hours worked shall not accumulate during the period of FMLA leave, unless paid accrued time is used.
- b. Other Village benefits, including life insurance, dental and disability coverage may be continued during periods of unpaid FMLA leave. If the employee is required to pay a portion of any premium for these benefits, the employee shall make arrangements to pay the employee's portion with the Administration Office.

#### **8. Worker's Compensation and Light Duty.**

- a. Federal FMLA will run concurrent with worker's compensation provided the injury meets the criteria for "serious health condition", as defined by law. Substitution of accrued paid leave is allowed to bring the employee to 100% of pay.
- b. If an employee accepts a light duty assignment while on worker's compensation, that time will not count against the employee's family or medical leave entitlement. If the

light duty position is declined and the employee elects to stay on FMLA leave, the employee may no longer qualify for the worker's compensation benefits.

9. **Return to Employment.**

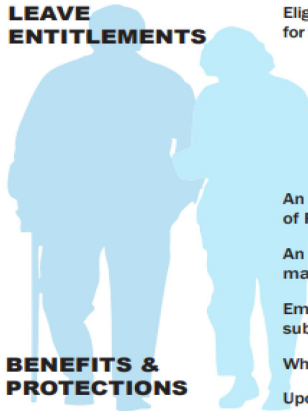
- a. Any employee returning from FMLA for their own serious health condition must provide a "Fitness for Duty" statement signed by their treating physician, as required from all similarly situated employees upon return from medical leave.
- b. Upon return from FMLA leave, an employee shall be restored to his or her original position or if the position is not vacant, to an equivalent position with equivalent pay, benefits and other terms and conditions of employment.
- c. An employee will not be restored to their original or equivalent position if they are unable to perform the functions of their job because of a mental or physical condition, unless other provisions of Village policy, or of the Wisconsin Fair Employment Act are applicable.
- d. You must notify your immediate supervisor if your return-to-work date changes. If you want to return to work before leave is scheduled to end, and work is available, you must notify the Village at least 2 workdays prior to the desired return date.
- e. If you do not return to work from an FMLA leave at the designated time, you will be considered to have voluntarily terminated your employment, unless you were unable, due to an emergency, to notify the Village.
- f. If your FMLA leave expires, and you remain unable to perform the essential functions of your position, your right under the FMLA to your job will end with the expiration of the FMLA leave period. You should contact the Village Administrator to discuss available options, which will take into consideration the circumstances of your particular situation.

*See U. S. Department of Labor Wage and Hour Division Notice on the following page for additional information:*

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

## REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

## ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

# 1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

## www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



WH1420 REV 04/16

#### **D. MILITARY LEAVE**

Employees requiring leave due to voluntary or involuntary service in the uniformed services shall be granted time off, reinstatement and health insurance continuation and any other rights or benefits, in accordance with applicable federal and Wisconsin law. Notification of leave needed for military service must be provided to the Village Administrator.

#### **F. JURY OR WITNESS DUTY**

1. Benefited employees who are directed by a court of law, or compelled by subpoena, to perform jury duty or to appear as a witness in a legal proceeding on a scheduled work day shall be granted a leave of absence without loss of pay during the employee's regular work hours. You will be considered to be a witness only in cases in which you are not a party and are compelled to attend by subpoena.
2. Should you be required by subpoena to appear as a witness in any legal proceeding that arose out of or is related to your job duties at the Village, you will be paid for such time, even if that time is outside of your normal work hours.
3. Jury or witness duty leave shall be granted by the Village Administrator upon presentation of satisfactory evidence that your appearance is required. If you are released from jury duty or subpoenaed appearance prior to the end of your work day, you must contact your supervisor/Department Head regarding return to work.
4. Any stipends that you receive for attendance at jury or witness duty shall be given to the Village at the time of such payment while you are receiving regular pay. This does not include any reimbursements that you may receive for parking or mileage. Your status for the purpose of determining seniority, status, responsibility, and salary shall be unaffected by such jury duty or witness leave.

#### **G. BEREAVEMENT / FUNERAL LEAVE**

An employee shall be allowed up to three (3) work days off with pay in the event of the death of:

1. The spouse or child of the employee or child of the employee's marital partner;
2. The mother or father, or legal guardian, or step-mother or step-father, of the employee or the employee's marital partner;
3. The grandparent or step-grandparent, or the grandchild or step-grandchild of the employee or the employee's marital partner;
4. The sister or brother, the half-sister or half-brother, or the step-sister or step-brother of the employee or the employee's marital partner.

An employee may use up to two (2) days of PTO to extend bereavement leave, but must notify the department manager or supervisor prior to exercising this privilege.

Day of funeral included in the leave.

Employees will be allowed up to four (4) hours off with pay to attend the funeral of a fellow employee.

The Village reserves the right to require evidence of your relative's passing.

## **H. LACTATION POLICY**

Reasonable unpaid break times will be granted to employees who are nursing mothers and who desire to express milk while at work. The space provided will meet all of the privacy requirements of the law, and will not be located in a restroom. Please contact the Village Administrator to make appropriate arrangements concerning times and locations.

## **I. VOTING LEAVE**

If you are eligible to vote, you may take up to three (3) consecutive hours of leave on Election Day for the purpose of voting. This leave is unpaid and will be required to be supplemented by vacation, holiday or compensatory time, or remain unpaid. You must notify your supervisor of such request for time off prior to Election Day.

## **SECTION VI – EMPLOYEE BENEFITS**

### **A. ELIGIBILITY**

Benefited employees are eligible for the benefits as described in this section. Benefits for eligible part-time employees are provided on a pro-rated basis. Premium contribution levels will be determined by the State of Wisconsin Health Insurance program on an annual basis and shall be paid via payroll deduction.

### **B. HEALTH INSURANCE AND PRESCRIPTION DRUG BENEFITS**

The Village offers a group insurance plan that provides health and prescription benefits, applicable deductibles, and co-insurance payments, as set forth in the Summary Plan Description that is amended from time to time. Regular full-time employees and employees who are scheduled to work 23 or more hours per week become eligible for enrolling in the plan effective on the first day of the calendar month following the successful completion of **30-calendar days** of employment. The employee shall pay a portion of the cost, on a pro-rated basis based on hours scheduled, for such coverage as a deduction from the employee's paycheck and the Village will pay the balance of cost for providing such coverage, at such employee and Village rates as established annually by the State of Wisconsin. If the employee has insufficient funds to pay such deduction, the employee, as a condition of continuing coverage, shall pay such deficit within five days of written notice or be discontinued from coverage.

### **C. VOLUNTARY DENTAL, VISION AND INCOME CONTINUATION BENEFITS**

Eligible employees shall be entitled to the benefits of group dental, and short-term disability or income continuation benefits on a voluntary basis. Such coverage shall become effective on the first day of the calendar month following the successful completion of thirty (30) calendar days of employment. Applicable coverage is as set forth in the respective policies. Employees choosing to participate shall have the appropriate premiums deducted from their paychecks. If the employee has insufficient funds to pay such deduction, the employee, as a condition of continuing coverage, shall pay such deficit within five days of written notice or be discontinued from coverage.

### **D. LIFE INSURANCE**

The Village shall provide term life insurance through the Wisconsin Public Employer's Group Life Insurance Program (in connection with the Wisconsin Retirement System), in an amount equal to double the employee's gross amount of earning for the prior calendar year, rounded up to the nearest thousand, at no cost to the employee. The employee may purchase up to an additional three units of insurance at the employee's sole expense. Employees choosing to participate shall have the appropriate amounts deducted from their paychecks. If the employee has insufficient funds to pay such deduction, the employee, as a condition of continuing coverage, shall pay such deficit within five days of written notice or be discontinued from coverage. It is the employee's sole responsibility to ensure that sufficient funds are available to make sure deductions. In the event that such insurance becomes unavailable through the Wisconsin Retirement System, the Village is under no obligation to continue this benefit.

### **E. RETIREMENT PLAN**

Eligible employees shall be covered under the State of Wisconsin Retirement System (WRS). The Village will pay its contribution as set by the Department of Employee Trust Funds, and

you shall pay your contribution as set by the Department of Employee Trust Funds via payroll deduction. Information regarding WRS is found at [www.etf.wi.gov](http://www.etf.wi.gov).

#### **F. DEFERRED COMPENSATION**

The Village may choose to sponsor one or more deferred compensation plans. Deferred compensation is fully funded by you using bi-weekly payroll deductions.

#### **G. COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue insurance coverage under the Village's plans when a "qualifying event" would normally result in the loss of coverage. Under COBRA, you or your dependents pay the full cost of coverage at the Village's group rates plus an administration fee. Written notice of COBRA rights and obligations is provided to employees. The third-party administrator for the group health insurance plan administers the Village's COBRA program.

#### **H. TRAVEL EXPENSE POLICY**

**POLICY:** To reimburse the expenses of employees who are authorized to attend various seminars, conferences, conventions or otherwise engaged in Village business as long as qualifying receipts are attached.

##### **1. Limits**

In applying this policy, it is intended that the accommodations and services be of a quality that adequately meets the need of employees appropriate for the effective conduct of Village business without unnecessary expense to the taxpayers. An employee requesting reimbursement for expenses incurred shall submit expense reports or receipts substantiating the time, place, and business purpose of the travel.

To be allowed reimbursement for:

##### **a. Meals**

- Breakfast
- Lunch
- Dinner

Expenses shall be limited by the following:

1. If it is **not an overnight stay and meals are not provided**, IRS rules and regulations apply, in addition to Village policy.
  - Meal reimbursement is taxable and must go through payroll.
  - Receipts **are** required and must be submitted to the Village Treasurer.
  - Documentation substantiating the time, place and business purpose of the travel **must** accompany the expense report.
  - Amount reimbursed is actual cost up to \$9 for breakfast, \$11 for lunch and \$21 for dinner in state (out-of-state amounts at breakfast \$10, lunch \$15 and dinner \$25). (The rates are as stated and updated in the State of

Wisconsin Pocket Travel Guide.) No compounding of reimbursements allowed.

- The Department Head or designee and the Village Treasurer must approve the expense report prior to going to payroll.
- All tips are included in the above amounts.
- No alcohol purchase is reimbursable.

2. For **overnight stays** in which **some, but not all meals are provided**, the procedures are as follows:

- Meal reimbursement is not taxable and will be processed through accounts payable.
- Documentation substantiating the time, place, and business purpose of the travel must accompany the expense report.
- Amount reimbursed is actual cost up to \$9 for breakfast, \$11 for lunch and \$21 for dinner. No compounding of reimbursements allowed.
- The Department Head or designee and the Village Treasurer must approve the expense report prior to processing for reimbursement.
- All tips are included in the above amounts.
- No alcohol purchase is reimbursable.

3. For **overnight stays** in which **no meals are included**, the procedures are as follows:

- Meal reimbursement is not taxable and will be processed through Finance Department accounts payable.
- Documentation substantiating the time, place and business purpose of the travel must accompany the expense report.
- Amount reimbursed is actual cost up to \$9 for breakfast, \$11 for lunch and \$21 for dinner in state (out-of-state amounts at breakfast \$10, lunch \$15 and dinner \$25). (The rates are as stated and updated in the State of Wisconsin Pocket Travel Guide.) No compounding of reimbursements allowed.
- All tips are included in the above amounts.
- No alcohol purchase is reimbursable.

4. For events in which **meals are provided**, there is no reimbursement, even if the employee does not participate in the meal event.

b. Travel

The Village may choose to offer a vehicle for employee use for work purposes. If a personal vehicle is used (unless such employee is receiving a monthly car allowance), the Village will reimburse at the current rate designated as allowable by the IRS. However, the use of personal vehicles for work travel must first be approved by the

immediate supervisor or Village Administrator if the employee is requesting reimbursement.

c. Lodging

Hotel and motel rooms will be paid by the Village based on single occupancy rate, not to exceed 150% of the in-state lodging rate published in the State of Wisconsin pocket travel guide **OR** the discounted rate at a recommended conference hotel. (Room taxes and other taxes based on no more than the maximum room rate may be approved in addition to the room maximum.) Receipts are required for reimbursement.

**2. Procedure**

- a. No items are to be charged directly to the Village, except with prior approval of the department supervisor (the Village Administrator in the case of Department Heads).
- b. All expenses shall be reimbursable upon submission of an itemized Expense Report to the Village Treasurer. Receipts are required for any expenditure and are to be submitted with the itemized Expense Report. Expenses such as parking and tolls are reimbursable and require receipts for reimbursement. However, expenses such as internet service charges, expected long distance or phone charges, fax charges or other business-related expenses must be pre-approved by the department supervisor (the Village Administrator in the case of Department Heads). No personal expenses, such as personal phone calls, are reimbursable.
- c. Expenses are to be submitted on a timely basis (be especially aware of year-end processing) and approved by the Department Head or designee before reimbursement. The expenses of Department Heads must be approved by the Village Administrator before reimbursement.
- d. In order to reduce the administrative cost of issuing reimbursement checks, expenses totaling less than \$20 should be combined with subsequent reimbursement requests, if possible. In such situations, these types of expenses should be submitted every three months.
- e. Tickets for driving infractions, unauthorized parking or other violations will not be paid or reimbursed by the Village.

Where menu costs or room rates are dictated or restricted in conjunction with attendance at a seminar, conference or training program, these costs may be paid in excess of the maximum in this Expense Policy. However, they must be approved in advance by the Department Head (the Village Administrator in the case of Department Heads) if known, and such costs must further the purpose of attendance at the seminar, etc.

**O. EDUCATION/TRAINING**

1. You may be permitted to attend, with pay, work-related technical, scientific, and professional meetings, conferences, trainings, institutes, and seminars, and appropriate State of Wisconsin courses or examinations for continued certification in a technical or professional capacity on behalf of the Village that is related to your position and is approved by your Department Head.
2. Travel costs related to such functions may be reimbursed upon submittal of a completed Expense Report, along with the receipts for all travel expenses to the Village Treasurer, as

set forth under the Travel Expense Policy. All travel costs for out-of-state travel shall be pre-approved by the Village Administrator.

3. All or part of the cost of registration fees or charges for meetings or conferences may also be reimbursed upon subsequent submittal to the Village Treasurer with a receipt or invoice for such expenses. Employees who, under Wisconsin or Village requirements, must obtain annual or periodic certification in order to legally carry out their job shall be reimbursed for the full cost of those seminars, classes or tests necessary to obtain such certification.
4. If you are a benefited employee and wish to further your education and the Department Head and Village Administrator believe that such education would enhance your job-related knowledge and/or skills, as well as improve the quality of the service to the Village, the cost of such education may be reimbursed to a maximum of \$1,000 per year under the following conditions -
  - a. The degreed course, class or training shall be pre-approved by the Department Head or designee and the Village Administrator for potential and subsequent reimbursement of related fees, books and materials cost.
  - b. To receive full reimbursement of all such costs to the maximum allowed, you must obtain a grade of "C", (or equivalent) or higher.
  - c. To qualify for reimbursement, you must remain employed with the Village for one full year after receiving reimbursement. **As a condition of course approval, the employee must agree that if the employee separates from Village employment prior to the expiration of one full year after reimbursement, the employee shall fully reimburse the Village for said amount.**

#### **P. SAFETY EQUIPMENT**

1. **Safety Shoes/Boots/Gloves/Shirts/Pants.** The Village will reimburse employees who are required to wear safety shoes/boots/gloves/shirts/pants as a part of their job up to \$350 every year as needed. You must present a dated receipt to the Treasurer with a written request for reimbursement.
2. **Prescription Safety Glasses.** The Village will reimburse you for prescription safety glasses when they are required to perform your duties in an amount not to exceed \$300 upon initial hire and when your prescription changes. The Village will also pay for replacement prescription safety glasses at a cost not to exceed \$300 per year if the original safety glasses are lost or damaged during the course of Village employment. The Village will not pay for replacement prescription safety glasses if the loss or damage occurs while you are off-duty. If you seek reimbursement under this provision, you must present a receipt verifying the cost of the prescription safety glasses.

#### **Q. WORKER'S COMPENSATION & WORK INJURY REPORTING**

**POLICY:** To outline the responsibilities and procedures for supervisors, employees and volunteers when involved in accidents or injuries on work time and to meet Federal Occupational Safety and Health Administration and State Department of Workforce Development recording requirements.

The Village of Fredonia is committed to working with its employees to provide a safe and productive work environment. In order to prevent future accidents, timely and accurate accident reporting and investigation is essential. This policy provides guidelines for proper reporting and

investigation. It is imperative that injured employees, supervisor, and department managers follow this policy, regardless of the severity of the injury.

## **1. Procedure**

All Village employees and volunteers shall adhere to the following procedures when a safety hazard, accident or injury occurs:

- a. The directors and supervisors in each department are expected to be aware of all work-related injuries and near accidents, and to ensure that employees know it is their responsibility to report near accidents, accidents, and injuries at once. It is also the responsibility of each department manager to be sure that supervisors understand their responsibility to investigate injury claims, to participate in the early return to work program, and to address safety concerns promptly.
- b. All work-related safety hazards, accidents and injuries must be immediately reported to the employee's supervisor and to the Administration Office, even if no injury is immediately apparent. If the supervisor or department manager, or if the Village Administrator is not available, the Marshals Office shall be contacted immediately and shall complete the Employee Work Injury Report. The appropriate authorities shall be contacted if the injury is a result of a motor vehicle accident, of suspected criminal actions, a domestic animal bite, or if the injury is serious and/or potentially life threatening. A supervisor must fully investigate the incident and work with the employee to complete and return the necessary paperwork to Administration within 24 hours of the accident or injury.
  - i. If immediate medical attention is not needed, the employee can still obtain treatment from his/her choice of medical providers at a later date. The medical provider shall give documentation concerning the medical diagnosis and treatment and work-related recommendations for the employee's return to work. The employee must have a physician's authorization for time lost due to the work-related injury.
  - ii. Whenever medical attention for a work-related injury is sought, the employee shall submit a return-to-work slip to the direct supervisor or Administration **prior** to returning to work.
  - iii. The Village has the right to verify an injury/illness through an independent medical exam.
- c. Any employee suffering injury during non-work hours needs to disclose such injuries immediately upon returning to work to make sure injuries are not magnified.
- d. Employee's Responsibilities:
  - i. Reporting all accidents to his/her supervisor or the Village Administration Office immediately.

- ii. Cooperating fully with a Village investigation of any accident, even if the employee was not the person injured in the accident.
- iii. Working with his/her supervisor to complete, sign and submit the employee's work injury report to the Administration Office within 24 hours of the accident or injury, and any and all subsequent reports as may be necessary.
- iv. Ensuring that the medical provider completes the Village-supplied reports concerning medical diagnosis and treatment and any work-related recommendations for a return to work.
- v. Providing a completed return to work slip to his/her immediate supervisor prior to returning to work if he/she sought medical treatment or missed work due to an accident or injury sustained on the job. If the injury or accident results in an extended absence (longer than one work week), the employee shall contact his/her supervisor and/or the Administration Office at least once a week to keep the Village informed of his/her progress and anticipated treatment plan.

## SECTION VII – EMPLOYMENT POLICIES

### A. BULLETIN BOARDS

Bulletin boards are provided to inform you of important developments and legal rights. Bulletin boards are to be used only for official notices or announcements that have been approved by the Village Administrator. You are responsible to know the information communicated on the bulletin boards and, therefore, must check the bulletin boards regularly.

### B. CELL PHONE POLICY

**POLICY:** This policy explains the use and regulations associated with Village employee cell phone use during work hours. All employees must familiarize themselves with the cell phone policy.

#### 1. **Explanation.**

The Village of Fredonia acknowledges that occasional use of cell phones may be necessary, whether for work or for personal reasons (i.e. family emergencies).

The purpose of this policy is to address safety issues related to the use of cell phones when driving a Village vehicle or when driving personal vehicles for Village work, and to ensure that the Village employees do not neglect their work duties.

This policy applies to cell phone use in any Village vehicle or on any Village property.

#### 2. **Definitions.**

**Use:** Use is defined as talking or listening on a cell phone, checking emails, viewing social networking sites and texting.

**Cell Phone:** A cell phone is defined as any mobile device where phone calls can be made or received.

**Personal Use:** Personal use is defined as any use not directly related to the Village of Fredonia or the Duties/Responsibilities of the employee in accordance with their employment with the Village. Also, any use that will impede the employee from doing their job.

#### 3. **Policy.**

Personal cell phones are only to be used for emergency situations; however, they may be used during approved break and lunch periods. If personal cell calls are necessary, the number and length of calls should be kept to a minimum. Village owned cell phones cannot be used for personal calls. Only personal cell phones can be used for personal calls during approved time periods.

Use of a cell phone while operating a motor vehicle that is in motion, unless the cell phone is equipped and used with a hands-free device is prohibited, subject to the following exceptions:

- A. A call made in an emergency, such as a call to “911” or a similar emergency number.
- B. Employees may receive and respond to cell phone calls while driving with the understanding that driving safety and obeying the rules of the road is their primary

responsibility. Whenever possible, employees should pull to the side of the road for any call that will last for more than thirty (30) seconds.

**Text messaging while driving is absolutely prohibited and against State Law.**

The Village reserves the right to review any and all texts that are created or sent on Village owned phones.

Any employee who violates this policy shall be subject to discipline at the discretion of the Department Head; up to and including termination of the employee.

Employee who receive Village cell phones should greatly restrict personal use. Any documented personal use of a Village cell phone will be billed back to the employee.

Public Records: It should be understood that as a Village owned phone all data records received or sent from this phone are considered public record. The request for public records may include the confiscation of said phone.

An employee's misuse of Village services, telephones, vehicles, equipment or supplies may result in disciplinary action, up to and including termination.

**C. COMMUNITY RELATIONS**

It is vital that you treat the public in a courteous, patient and respectful manner at all times. The public should not be treated in a condescending or impolite manner and should never be kept waiting an unreasonable amount of time.

**D. COMPENSATION AND PAYROLL**

POLICY: The Village of Fredonia considers employees its most important resource. As such, the Village recognizes the importance of the compensation program to developing this resource. The salary and benefits program provided to the employees of the Village is intended to attract, retain, and motivate highly qualified, enthusiastic, productive, and committed employees. The Village's objective is to provide compensation based on internal equity and external competitiveness within its fiscal capabilities and in full compliance with all State and Federal laws and regulations governing pay, consistent with the best interest of the Village of Fredonia.

**1. COMPENSATION**

The Administration office shall be responsible for the general development and maintenance of the Village's compensation plan, which may be amended or modified from time to time, as may be in the best interests of the Village of Fredonia. Department Heads, or designees, are responsible for ensuring compliance with the compensation and employee policies within their departments.

**2. PAYROLL**

In order to maintain accurate and current employee records, a notice of a change must be completed and routed to Administration for the following events:

- New hire
- Classification change
- Transfer
- Address/contact information change
- Separation or termination
- Layoff or furlough

Pay periods are biweekly, with pay days on Friday. Some employees based on department-specific policies, are paid in other pay periods. All employees are subject to distribution of physical checks.

All deductions from an employee's pay MUST be authorized by the employee in writing. Not only are written authorizations necessary but are imperative for records maintenance. This includes, but is not limited to such items as taxes, benefits, United Way, etc. Changes in the amounts to be deducted must also be completed via proper instruction signed by the employee (in conformance with Federal and State laws). Verbal requests for initial deductions or changes in deductions will not be accepted.

End of the year payroll reports (W-2's) will be delivered to employees prior to January 31<sup>st</sup> of the next year.

## **E. CREDIT CARD USE**

**POLICY:** The Village may obtain credit card(s) in order to conduct Village business at establishments which will not set up accounts for the Village and for convenience in other circumstances.

### **1. Limits.**

Use of Village credit cards shall be limited in the following ways:

- Purchase will be made only for Village purposes.
- Purchases will be limited to items which cost less than \$600.00.
- Credit cards shall never be used for cash advances.

### **2. Responsibility and Accountability.**

- A. Each individual issued a credit card shall be responsible for its use.
- B. Receipts for purchases (along with account numbers and department manager or designee approval) should be sent to the Village Treasurer as soon as possible following purchase. Monthly statements will be reconciled and paid by the Treasurer's Office. Copies of the paid statements will be provided to departments upon request.
- C. A general Village card(s) will be available in the Treasurer's Office for those departments not issued a card. Use of this card is subject to release by the Village Treasurer or designee, or Village Administrator. The department using the card must sign for it, return it in a timely manner, and provide all receipts and proper authorization for payment.
- D. Misuse of a card may result in revocation of card privileges and discipline, up to and including discharge.
- E. Erroneous charges are the responsibility of the user department.

### **3. Miscellaneous.**

In extenuating circumstances, a card may be used for extended out-of-state travel with the approval of the Treasurer or designee.

## **F. COMMUNICATIONS POLICY**

The purpose of this policy is to provide guidelines for all employees regarding the use of traditional and digital communication platforms (internet websites, social media networks, blogs, forums, news inquiries, letters to the editor, and other modes of communication). The following guidelines shall be followed by all Village employees:

1. Personal blogs, websites or social profiles should have clear disclaimers that the views expressed by the author is the author's alone and do not represent the views of the Village of Fredonia. Employees are expected to make writings and statements clear that he/she is speaking for him/herself and not on behalf of the Village or the employing department.
2. Information published on any digital communication platform should comply with the Village's confidentiality and disclosure of proprietary data policies. This also applies to comments, messages or reviews posted on other communication platforms.
3. At all times, employees shall be respectful to the Village and its employees, customers, residents, partners, and neighbors. Negative, confidential, or discriminating commentary that reflects poorly on the Village may result in disciplinary action.
4. Social media activities may not be conducted on Village-owned equipment during work hours unless expressly made a part of said employee's duties.
5. Employees shall be mindful that even when off-duty, any content authored by employees may be interpreted as being representative of the Village and carries risk.
6. Village logos and trademarks may not be used without written consent of the Village.
7. The sharing of confidential Village information is strictly prohibited (see Confidential and Public Information).

#### **G. CONFIDENTIAL AND PUBLIC INFORMATION**

Through your employment with the Village, you may have access to confidential Village, resident, personnel, or other sensitive information. The protection of confidential information is vital to the interests of the Village, its employees, and citizens. As such, we must treat all customer information with the highest possible integrity. The Village's reputation depends upon our ability to be trusted with sensitive, personal information. Inappropriate use of customer information is prohibited. Below are some examples of the types of behavior that will be subject to discipline, up to and including termination (list is not all inclusive):

- Accessing customer information in Village systems, without a legitimate work-related business need to know the information.
- Sharing confidential information with others, inside or outside of the Village of Fredonia, who have no work-related business need to know the information.
- Providing any customer information to the public, unless release of the information was approved through open records reporting as required by Wisconsin statute.
- Utilizing a customer's information for one's own gain.

Misusing information is subject to disciplinary action, up to and including termination, and depending on the situation, legal action could be taken against you.

#### **H. DRIVING – MUNICIPAL VEHICLE USE**

**POLICY:** Employee use of a municipally owned vehicle can serve many purposes; however, due to tax law and other considerations, some restrictions must be placed on its use.

##### **1. Guideline.**

There are three types of use of Village vehicles and each type has its own guidelines:

1. Daily use during work hours, or as authorized for business trips.

- i. Vehicles will be used for business purposes only. (Personal use on a minimum basis such as stopping for lunch or picking up an unanticipated personal use item is permitted.)
- ii. Passengers may be transported only if the passenger is along for business-related purposes.
- iii. Traffic fines and violations (with the exception of equipment violations) cited while the vehicle is under the employee's control will be the responsibility of the employee.

## 2. Commuting Use

- i. Employees permitted the use of a vehicle for commuting must have a legitimate non-compensatory business reason for having the vehicle, i.e., emergency response, etc.
- ii. Passengers may be transported as indicated above.
- iii. The employee may not use the vehicle for personal purposes other than commuting or de minimis use (such as an occasional personal errand on the way to or from work).
- iv. Employee shall not store personal possessions in the vehicle.
- v. Traffic fines and violations will be in accordance as stated above.
- vi. Failure to comply with the substantiation requirements or the personal use limitations will result in the loss of vehicle use for that employee.

## 3. Marshal and Fire Vehicles

- i. Vehicles under this use category must be clearly marked marshal/fire vehicles or unmarked vehicles used by law enforcement officers. (A municipal or other special license plate does not satisfy the "clearly marked" requirement).
- ii. The employee using the vehicle must be subject to call at all times.
- iii. Personal use of the vehicle is prohibited outside the employee's area of obligation to respond to an emergency (generally, radio range).
- iv. Traffic fines and violations will be the responsibility of the employee as illustrated above.

## 2. Procedure.

Vehicle use under 1, 2, and 3 above will be authorized by Department Managers or the Village Administrator as needed.

## 3. General.

- a. Seat belts will be worn at all times in Village vehicles.
- b. You will not smoke in any Village vehicle.
- c. Employees shall not operate Village vehicles at any time under the influences of illegally used controlled substances or alcohol and must abide by all state statutes and Village ordinances.

- d. You must have a valid driver's license and proper endorsements to drive certain Village vehicles.
  - e. The use of operation of Village vehicles and equipment by persons who are not Village employees is strictly prohibited except for operations by the employees of other units of government where emergency operations in the interest of public safety require such use. Any circumstances that may be contrary to this order must be approved by the Village Administrator in advance. If you are required to drive in order to perform any of your job duties, you must maintain an acceptable driving record. A record that suggests your driving poses a risk to the Village will result in your being placed on a driving probation, the revocation of authorization to drive on Village business, and/or issuance of discipline or termination of employment.
- 4. You must report all infractions or violations incurred while driving, whether incurred during work time or on personal time, to the Village Administrator. The Village will also check driving abstracts through the Department of Motor Vehicles.
  - 5. You must obtain permission from your Department Head or the Village Administrator to use your personal vehicle to travel for your job. If you use your personal vehicle to perform any of your job functions, you must carry insurance coverage as required by Wisconsin law.
  - 6. When a Village vehicle cannot be operated, is unsafe for use, or has been damaged, you must notify a supervisor immediately.
  - 7. If you are involved in an accident, you must:
    - a. Stay at the scene and turn on the four-way flashers.
    - b. Immediately contact law enforcement and your supervisor, Department Head, or the Village Administrator.
    - c. When requested, give your name, address, Village affiliation and show your driver's license and proof of insurance to the other party and law enforcement personnel.
    - d. Upon return to work, obtain and complete all necessary worker's compensation and incident report forms from your supervisor or Administration.

## **I. DRUG-FREE WORKPLACE POLICY**

**POLICY:** In order to assure the public confidence and trust in the employee who serve them, the Village of Fredonia supports a drug-free, safe working environment for all employees, and to comply with the special workplace requirements contained in the Drug-Free Workplace Act of 1988. Drug use both on and off the job can have a significant impact on an employee's job performance and can threaten an employee's own personal well-being and safety as well as the safety of other Village employees.

### **1. EXPECTATIONS**

Employees are expected to report for work free from any substances that could inhibit their ability to perform their duties. The unlawful use, possession, distribution, dispensing or manufacture of an illegal drug while on duty, on or off Village property, is absolutely prohibited.

Failure to comply with this policy will lead to disciplinary action up to and including discharge.

## 2. REPORTING OF DRUG CONVICTION

Pursuant to the Drug Free Workplace Act of 1988, any employee who is convicted of a criminal drug statute occurring while on duty must notify the Village of said conviction on or before the start of the next scheduled shift after the conviction. Failure to provide such notification will subject the employee to disciplinary action. Likewise, any conviction off-duty requires immediate notification to employer.

When the Federal government requires a Village to notify the Federal contracting office of an employee's drug conviction in the workplace, the Village of Fredonia will provide such notification to the contracting office within ten (10) days of receiving such notice of conviction.

## 3. PREVENTION AND REHABILITATION

The goals of this policy are prevention and rehabilitation whenever possible. The Village encourages employees who have an alcohol or other drug problem to seek help to deal with their problem.

**For more details on this, contact the Department Head or supervisor, or call the Employee Assistance Program at 800-236-3231.** Help is available twenty-four (24) hours a day.

## 4. PRESCRIPTION MEDICATION

Employees are to notify their Department Head immediately, and no later than the first day after which the employee began using a prescription drug, when taking any medication may interfere with the safe and effective performance of their duties or operation of Village equipment. Said information will be kept in complete confidentiality as expressed in HIPAA laws.

## J. DRUG/ALCOHOL TESTING POLICY

**POLICY:** To comply with applicable federal and state mandates, this policy applies to all departments, all employees (except those departments with a specific testing policy) and all job applicants, as may be required by applicable state or federal mandates. A department-specific policy shall apply to the employees of that department in lieu of these general procedures.

### **DEFINITIONS**

***Village premises or Village facilities:*** all property of the Village of Fredonia including, but not limited to, the offices, facilities and surrounding areas on Village-owned, managed, or leased property, parking lots, and storage areas. The term also includes Village-owned or leased vehicles and equipment wherever located.

***Drug test:*** The compulsory production and submission of urine and/or blood by an employee, in accordance with Departmental procedures, for chemical analysis to detect prohibited drug usage of controlled substances and alcohol.

***Reasonable suspicion:*** That quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts, and any rationally derived inferences from those facts about the conduct of an individual that would lead the reasonable person to suspect that the individual is or has been using drugs while on or off duty. The term includes 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 quality or quantity of the employee's productivity, judgment, reasoning, concentration, demeanor, appearance, odor, ability to walk or stand, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable suspicion" situations.

## 1. PROHIBITED ACTIVITIES

- A. No employee shall illegally use, sell, transfer, or possess any alcohol while on Village premises or while performing Village business. No employee shall illegally use, sell, transfer, or possess any controlled substance while on or off duty.
- B. No employee shall intentionally ingest any controlled substance or other dangerous substance, unless prescribed by a license medical practitioner.
- C. Any employee who unintentionally ingests, or is made to ingest, a controlled substance, shall immediately report the incident to his supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
- D. An employee having a reasonable basis to believe that another employee is illegally using, or is in possession of, any controlled substance or alcohol shall immediately report the facts and circumstances to the immediate supervisor or Department Head, or to the Village Administrator.

## 2. PRESCRIPTION MEDICATION

- I. If an employee is required to use prescription medicine that he or she has been informed has the potential to impair job performance, he or she shall immediately notify the immediate supervisor or Department Head, as directed by the respective Department or Division' policy or practice. The employee shall advise the supervisor of the known side effects of such medication as well as the prescribed period of use.
- II. The Village at all times, reserves the right to consult with a physician, pharmacist or other licensed medical practitioner, that use of prescription medication does not pose a threat to safety and that the employee's job performance is not significantly affected. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action as determined by the Department Head.
- III. The Village, at all times, reserves the right to judge the effect that a legal drug may have on job performance and to restrict the employee's work activity or presence at the workplace accordingly.

## 3. DRUG AND ALCOHOL TESTING OF EMPLOYEES

The Village will perform drug or alcohol testing of any employee who:

- manifests "reasonable suspicion" behavior
- is involved in an accident
- is subject to drug or alcohol testing pursuant to federal or state rules, regulations or laws

**An employee's consent to submit to drug or alcohol testing is required as a condition of employment, and the employee's continued employment with the Village. The employee's refusal to consent to drug or alcohol testing shall result in disciplinary action, including discharge.** When an employee is required to undergo drug and/or alcohol

testing pursuant to this policy, the supervisor is to notify the Village Administrator and arrange with another supervisor to transport the employee to the collection site where the alcohol/drug test will be administered as soon as possible, but no later than three hours following the determination of reasonable suspicion requiring the test, and the drug test must be administered within 24 hours of the determination of reasonable suspicion requiring the test. No supervisor shall transport an employee alone. In the event an employee is sent home due to suspicion or proof of drug use, a supervisor or designee will drive them home.

An employee who is subject to testing must be available for the testing or will be deemed to have refused to submit to the testing. In addition, an employee who is subject to testing shall not consume alcohol or drugs within eight hours of the accident or of being notified by the supervisor of the test requirement, or until tested. The employee's consumption of alcohol or drugs during this time period will be deemed to constitute a refusal to submit to the test. If an employee refuses or is deemed to have refused to be tested pursuant to the above, he or she shall be immediately dismissed from employment.

An employee who is tested in a "reasonable suspicion" situation may be placed on administrative leave pending receipt of written tests results and whatever inquiries may be required.

#### **4. APPEAL OF A DRUG OR ALCOHOL TEST RESULT**

An employee whose drug or alcohol reported positive will be offered the opportunity of a meeting to offer an explanation. The purpose of the meeting will be to determine if there is any reason that a positive finding could have resulted from some cause other than drug or alcohol use. The Village, through its Village Administrator, in consultation with a physician or other licensed medical practitioner, will judge whether an offered explanation merits further inquiry.

An employee whose drug or alcohol test is reported positive will be offered the opportunity to:

- I. Obtain and independently test, at the employee's expense, the remaining portion of the urine specimen that yielded the positive result;
- II. Obtain the written test result and submit it to an independent medical review at the employee's expense.

During the period of a review and any resulting inquiries, an employee will be placed on an administrative leave. An employee who is on leave pending review will be permitted to use any available PTO in order to remain in an active pay status. If the employee has no PTO or chooses not to use it, the leave will be without pay.

#### **5. REHABILITATION AND EMPLOYEE ASSISTANCE**

Rehabilitation assistance and a last chance agreement in lieu of discharge will be offered solely at the Village's discretion, depending on the totality of the circumstances.

An employee who is in rehabilitation will be placed on leave, whether paid or unpaid depending on the employee's paid-time-off accruals. However, when indicated by the circumstances of the case and the written recommendation of a licensed medical practitioner or recognized rehabilitation professional, an employee may be permitted to work while undergoing rehabilitation. The written recommendation must include a statement to the

effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-workers or others.

An employee who is in rehabilitation or who has completed rehabilitation will be allowed to return to work upon presentation of a written release signed by a licensed medical practitioner or recognized rehabilitation professional. The release must include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-worker or others.

## **6. DISCIPLINE**

Any employee who is found to be in violation of this policy will be subject to discipline up to and including discharge. It should also be understood that discharge due to failing of a random drug test may result in the loss of unemployment compensation insurance, even when the consumption of said drugs are done on or off duty with the Village. (McNeil v. Labor and Industry Review Commission and Waste Management-Madison 1/19/12).

## **7. INSPECTIONS AND SEARCHES**

To the extent permitted by law, the Village may conduct unannounced general inspections and searches for drugs or alcohol on Village premises or in Village vehicles or equipment wherever located, whenever there is reasonable belief to conclude that an employee is in violation of this policy. Employees are expected to cooperate.

Search of an employee and his or her personal property may be made when there is reasonable suspicion to conclude that the employee is in violation of this policy.

An employee's consent to a search is required as a condition of employment, and the employee's refusal to consent may result in disciplinary action, including discharge, even for a first refusal.

## **8. CONFIDENTIALITY**

Except in disciplinary proceedings, all records pertaining to required drug tests shall remain confidential, unless disclosure is otherwise required by law, or overriding public health and safety concerns exist, or authorized in writing by the employee subject to the test. Test results reported will be provided to the Department Head or immediate supervisor and the Village Administrator. Copies of test results reported by number will be provided only to the Department Head or immediate supervisor and Village Administrator.

Drug test results and records shall be retained in the employee's personnel file for an indefinite period.

## **9. ADDITIONAL PROVISIONS**

Department-specific policies for testing under this Section shall override this policy for those employees in case of conflict.

## **K. EMPLOYEE CONDUCT AND WORK RULES**

**POLICY:** The Village of Fredonia recognizes that its employees are the "face" of the Village to its residents, taxpayers, and customers. The orderly and efficient operation of the Village requires that employees and Village officials maintain discipline and proper personal standards of conduct at all times. Discipline and proper standards of conduct are necessary to protect the health and safety of all employees, to maintain uninterrupted service to the citizens of Fredonia

and to protect the Village's goodwill and property. All interactions with co-workers, department heads, supervisors, elected and appointed Village officials, the residents, taxpayers and customers of the Village of Fredonia, and the general public shall be in a helpful, friendly and respectful manner.

1. To ensure orderly operations and provide the best possible work environment, the Village expects you to follow rules of conduct that will protect the interests and safety of all employees and the organization.
2. General employee responsibilities shall include:
  - a. Treating the public and co-workers courteously. If questions arise about the work of the Village, the employee is expected to refer the inquiry to the employee's supervisor.
  - b. Be responsible for all Village tools, equipment, property, or records assigned to or requisitioned by him/her in his/her custody and care and to return to the Village all such tools, equipment, property, or records upon completion of the particular work assignment and upon separation from employment. An employee is not to remove from Village premises (one's area of using such items) without proper supervisor direction, any Village tools, equipment, property or records. An employee may be required to reimburse the Village for the loss or damage of such tools, equipment, property or records, in the sole discretion of the Village.
  - c. Reporting for work on time and remaining at work at all times, physically fit for duty to perform to the best of the employee's ability as directed by the Department Head or supervisor. Employees are expected to maintain personal appearance and wear approved attire. No employee shall leave his/her place of work prior to the end of the work shift except with proper, prior authorization of his/her supervisor.
  - d. Respecting and protecting another employee's tools, equipment or property and shall not restrict or interfere with others in the performance of their jobs or engage or participate in any interruption of work.
  - e. Adhering to the standards of conduct contained in this handbook and department or division specific rules of conduct, as may be established from time to time.
  - f. Not engaging in any type of violence in the workplace; in gambling, fighting, horseplay, immoral or unlawful conduct or indecency that affects his/her job, Village property, reputation, or goodwill; in insubordinate conduct or refusal to follow the supervisor's orders.
  - g. Maintaining accuracy in all reports and records and not falsifying any reports or records, including personnel, absence, sickness, and official documents, or not violating any safety rules or practice or engage in any conduct, which tends to create a safety hazard.
  - h. Not posting, distributing, removing, or altering any printed or written material (Village Notices) without written authority from the Department Head or designee, or the Village Administrator.
  - i. Maintaining confidentiality or information where appropriate.
3. It is not possible to list all of the forms of behavior that are considered unacceptable in the workplace. The listing provided below is illustrative and not intended to be all-inclusive. The following are examples of infractions that may result in disciplinary action or termination:

- a. Theft or inappropriate removal or possession of property.
  - b. Falsification of timekeeping or other Village records or documents.
  - c. Fighting or threatening violence in the workplace.
  - d. Verbal or physical abuse; discourteous, insulting or inflammatory language or conduct towards another person.
  - e. Boisterous or disruptive activity in the workplace.
  - f. Negligence or improper conduct leading to damage of Village-owned property or property belonging to others.
  - g. Insubordination or other disrespectful conduct.
  - h. Violation of safety or health rules.
  - i. Smoking in prohibited areas or Village-owned equipment or vehicles.
  - j. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
  - k. Excessive absenteeism or tardiness.
  - l. Unauthorized use of telephones, mail system, or other Village-owned equipment.
  - m. Unsatisfactory performance or conduct.
  - n. Gambling on Village property.
  - o. Not maintaining confidentiality where appropriate.
  - p. Taking any fee, reward, gift, gratuity, or other form of payment in addition to regular Village compensation from any source for the performance of duties in the capacity as an employee of the Village.
  - q. Improper political activities during work hours.
  - r. Conduct that brings discredit to the Village.
  - s. Dishonesty.
  - t. Sleeping during work hours.
  - u. Leaving the job without permission.
  - v. Violation of any policies/rules contained in this handbook, including, but not limited to, attendance, discrimination, harassment, workplace violence, technology policy, ethics code, drugs and alcohol, driving, or cell phones.
4. **Disciplinary Action:** The purpose of discipline is to correct inappropriate conduct, violation of personnel policies, improper behavior or performance problems. Disciplinary action may include, but is not limited to, oral or written warnings, suspensions without pay, work restrictions, job transfers, termination or any other form of discipline deemed necessary under the circumstances. The nature of the discipline will depend upon the nature and severity of the violation, and the surrounding circumstances, as determined by the Village.

## **L. EMERGENCY WEATHER**

When an emergency, such as severe weather conditions, fires, power failures, etc., occurs in the Village, employees are expected to report for work. If you are unable to make it in due to the weather conditions, then you must follow your department protocols in contacting your supervisor. Vacation pay or compensatory time may be used for the hours not worked. If you do not have any accrued leave time, the hours missed will be unpaid.

## **M. EMPLOYEE INFORMATION**

It is important that you immediately notify Administration in the event of any change in any of the information contained in your personnel file. This assists the Village in keeping all information in personnel files and your benefit coverages current. You must report, as soon as possible, any changes in name, mailing address, phone number, marital status, number of dependents, beneficiary designations, and emergency contact information.

## **N. EMPLOYMENT OF FAMILY MEMBERS**

Village departments can employ relatives or domestic partners but not when an employee would directly supervise a relative or domestic partner, or where such employment would otherwise create potential problems, safety or security concerns, a conflict of interest or is otherwise not deemed by the Village to be in the best interests of the department.

## **O. FINANCIAL POLICIES AND PROCEDURES**

Purchasing policies, asset disposal and other requirements are as outlined in the Village's Purchasing Policy. This Policy can be found on the Public Drive or in the Village Clerk's Department.

## **P. FOOD EXPENDITURES POLICY**

### **1. Purpose:**

To establish uniform guidelines on when food and beverages may be purchased at Village expense.

### **2. Statement of Policy:**

An employee is eligible for meal expense or reimbursement consistent with the Village's travel expense policy.

An employee's meal service may be purchased at Village expense when the meal is provided as part of the registration cost for attending a training session which is sponsored by an entity other than the Village.

Reasonable and necessary costs for food and non-alcoholic beverages may be purchased at Village expense when provided as part of orientation, recognition, service, elections or working meeting with volunteers, citizen groups, or other groups. Any invoice submitted for payment must indicate date, purpose, group served and Village Administrator approval.

Food purchased as part of special events, training or orientation activities will be covered, when those activities are sponsored by the Village and held at times normally associated with meal service. Regular recurring meetings and sessions, such as staff meetings, shall be scheduled during normal work hours and are not eligible for food service.

Workshops, meetings, and training sessions involving the Village Board of Trustees or members of Village Boards or Commissions may include food service provided at Village expense, provided that the meeting, workshop, or training session is scheduled over a time period normally associated with meal service. Any invoice submitted for payment must indicate the date, meeting times, group served, and have Village Administrator approval.

When an employee retires, a cake and related refreshments may be purchased at Village expense when provided as part of the official retirement farewell.

## **Q. GRIEVANCE PROCEDURE – DISCIPLINE & SAFETY**

### **1. Purpose and Scope.**

- a. The purpose of this policy is to provide guidance for employees and supervisors concerning discipline of Village employees and to implement the grievance procedure mandated by Section 66.0509(1m), of the Wisconsin Statutes. Nothing in this policy is intended to create a legally binding contract or to change the at-will nature of employment with the Village of Fredonia, as the Village reserves its management rights to exclusively manage its operations in the best interest of the taxpayers of the Village.
- b. Employment with the Village of Fredonia is voluntarily entered into and employees are free to resign at any time with or without cause. For purposes of this procedure, the term “employee” includes “supervisor,” but does not include: (a) statutory/political appointee, (b) limited term employee, (c) seasonal employee, (d) independent contractor, (e) Village officers for which there is a specific discipline or termination procedure enumerated in the Village of Fredonia Municipal Code, (f) employees for which there is a specific discipline or termination procedure enumerated in the Wisconsin Statutes, and (g) elected officials. The Village may terminate the employment relationship at will at any time for any reason or no reason, provided there is no violation of applicable federal, state or local law.
- c. For purposes of this policy, “grievance” means a dispute regarding the application of Village policies regarding an employee's discipline or termination of employment or a dispute concerning workplace safety. The grievance is personal to the employee, and not subject to representation by any other third party except as permitted below. No grievance shall be processed under this policy unless it is in writing and submitted to the Village Administrator, which shall contain the following: (a) the name and position of the person filing the grievance, (b) a clear and concise statement of the grievance, (c) the issue involved, (d) the relief sought, (e) the date the incident or alleged violation took place, (f) the specific section of the Employee Handbook or the specific workplace safety rule alleged to have been violated and (g) the signature of the person filing the grievance and the date. All forms must be fully completed by the individual in order to be considered submitted. If not fully completed, the grievance will not be considered submitted and is not subject to this procedure. The signature of the person filing the grievance indicates that the information contained on the grievance form and any attachments are true and factual to the best of the person's knowledge. Untruthful statements made on the form, any attachments or during the processing of the grievance are subject to disciplinary action up to and including termination from employment.

### **2. Discipline and Termination.**

Wherever possible, it is in the best interests of the employees and the Village of Fredonia to ensure fair treatment of all employees 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. Disciplinary action may call for any of four steps—verbal warning, written warning, suspension, demotion or termination of employment—depending on the problem and the number of occurrences. Disciplinary action does not include these items: placing an employee on paid or unpaid administrative leave pending an internal investigation; counseling, meetings or other pre-disciplinary action; actions taken to address work performance, including use and implementation of a performance evaluation or appraisal, a performance

improvement plan, a corrective action plan or implementation of job targets; work assignment or change in job assignment, transfer or reassignment within the department or division or between departments and divisions, reduction in hours, revision of job descriptions or similar job-related administrative activity, and other personnel actions taken by the employer that are not a form of progressive discipline. There may be circumstances when one or more steps of progressive discipline are bypassed. Certain types of employee actions are serious enough to justify either a suspension or, in extreme situations, termination of employment without going through the usual progressive discipline steps.

"Termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions: voluntary quit, voluntary resignation or retirement or any other voluntary leave or voluntary separation from employment; layoff or failure to be recalled from layoff at the expiration of the recall period; retirement; job abandonment, "no-call, no-show," or other failure to report to work; or termination of employment due to medical condition, lack of qualification or license, or other inability to perform job duties. The Village reserves the management right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

### **3. Employee Discipline or Termination Procedures**

- A. This procedure addresses issues concerning employee discipline and termination.
- B. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen. Accordingly, employees should first discuss complaints or questions with their immediate supervisor.
- C. If the problem cannot be resolved with the employee's immediate supervisor, a written grievance must be filed with the department head or designee in the absence of the department head, no later than five (5) working days from the date that the employee first became aware, or should have reasonably been aware, of the condition or circumstance giving rise to the grievance. The department head or designee may schedule a meeting to review the matter within ten (10) working days of receiving the grievance. The department head or designee will provide a written response within ten (10) working days of receiving the grievance or within ten (10) working days of the meeting, whichever is later. In the event that the department head is also the immediate supervisor, the written grievance shall be filed with the Village Administrator or designee in the absence of the Director, and the same time periods for response will apply. If the Village Administrator is not available, the grievance form may be filed with Village President.
- D. The written decision provided in paragraph C, above shall be final unless the employee files a written request with the Village Administrator no later than five (5) working days of the date of the response required by paragraph C, above. The Village Administrator or designee may schedule a meeting to review the matter within ten (10) working days. The Village Administrator or designee will provide a written response within ten (10) working days of receiving the grievance or within ten (10) working days of the meeting, whichever is later. In the event that the Village Administrator or designee has already reviewed the matter as required by paragraph C above, the provisions of this paragraph do not apply and the next step is before an impartial hearing officer, as outlined in paragraph E below.

- E. The written decision shall be final unless the employee files a written request with the Village Administrator, or designee, no later than five (5) working days of the date of the response under paragraph D, above for a hearing before an impartial hearing examiner. The Village will provide an examiner who shall not be a Village of Fredonia employee. The employee may be represented at the hearing by an attorney at the employee's own expense. The hearing shall be conducted as soon as practicable and may or may not be transcribed, subject to the examiner's discretion. The examiner may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Village carries the burden of production of evidence and the burden of proof which shall be a preponderance of the evidence. Subject to the examiner's discretion, witnesses may also present information but only in person and under oath or affirmation, and written documents may also be submitted. The sole issue before the examiner shall be: Based on the evidence presented, is the written decision of the Village Administrator, or designee, arbitrary and capricious? The examiner may request oral or written closing arguments and replies. The examiner shall provide a written decision.
- F. The decision of the impartial hearing examiner shall be final unless the employee files with the Village Clerk a request for the decision to be reviewed by the appropriate governing body of the Village of Fredonia no later than five (5) working days of the date of the decision issued under paragraph E, above. For all employees, the appeal shall be before the Board of Trustees. The Board shall review the matter as soon as practicable and in accordance with its procedures for public participation. The Board shall examine any records produced at the hearing before the impartial examiner and determine whether a rational basis exists for the examiner's written decision. Findings of fact shall be upheld unless they are clearly erroneous. The Board shall not conduct a de novo hearing, nor substitute its judgment for that of the hearing examiner. A simple majority vote of the Board membership shall decide the appeal and shall be final.
- G. Failure to process a grievance by the employee within the time limit, or agreed upon extensions, shall constitute termination of the grievance and will be considered resolved on the basis of the last answer. Failure of a management representative to meet the time limits shall cause the grievance to move automatically to the next step in the procedure. Time limits shall be strictly observed, but may be extended by agreement in writing of parties at any step of the procedure.

#### **4. Workplace Safety**

For purposes of this policy, "workplace safety" means those conditions related to physical health and safety of the employee not enforceable under federal or state law or Village rule related to safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence and accident risk.

"Workplace safety" must relate to issues personal to the employee completing the grievance form and may not relate to third persons or property or other extraneous issues. "Workplace safety" does not include conditions of employment unrelated to physical health and safety matters, including but not limited to: hours; overtime; sick, family or medical leave; minimum or maximum staffing concerns; work schedules; breaks; matters involving employee discipline or discharge; vacation; performance reviews and compensation.

## 5. Workplace Safety Matter Procedures

- A. Any employee personally involved in a workplace safety issue or incident must notify his/her supervisor of the issue or incident as soon as reasonably practicable, but no later than 24 hours after the incident or issue arose, in order to be processed as part of this procedure. **All safety issues, no matter how insignificant the situation may appear to be, must be reported.** Within five (5) business days of the incident or issue, a written report of the incident or issue outlining the events that transpired and resolution, if any, shall be created by the supervisor involved in the incident and signed by all concerned parties and submitted to Administration for review and consideration.
- B. After receipt of the written report, the Village Administrator or designee will conduct additional investigation, if needed, and normally issue a final report on its findings and conclusions within ten (10) business days of meeting to review the written representative's report. Copies of the report will be given to the grievant, the person(s) who signed the written report and to the Village Administrator.
- C. The written report shall be final unless any person who signed the written report files a written request with the Village Administrator or designee no later than five (5) working days of the date of the response under paragraph B, above for a hearing before an impartial hearing examiner. The Village will provide an impartial hearing examiner who shall not be a Village of Fredonia employee. The hearing shall be conducted as soon as practicable and may or may not be transcribed, subject to the examiner's discretion. The appealing party carries the burden of production of evidence and the burden of proof which shall be a preponderance of the evidence. The examiner may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. Subject to the examiner's discretion, witnesses may also present information but only in person and under oath or affirmation, and written documents may also be submitted, the examiner may request oral or written closing arguments and replies. The examiner shall provide a written decision, based on the evidence presented, answering one of these three propositions: 1) Sustaining the conclusions of the Village Administrator, or designee; 2) Denying the conclusions of the Village Administrator, or designee; or 3) Recommending additional investigation prior to a final determination. At no time, does the examiner have the authority to recommend or authorize any expenditure.
- D. The decision of the impartial hearing examiner shall be final unless the employee files with the Village Clerk a request for the decision to be reviewed by the appropriate governing body of the Village of Fredonia no later than five (5) working days of the date of the decision issued under paragraph C, above. For all employees, the appeal shall be before the Board of Trustees. The Board shall review the matter as soon as practicable and in accordance with its procedures for public participation. The Board shall examine any records produced at the hearing before the impartial examiner and determine whether a rational basis exists for the examiner's written decision. Findings of fact shall be upheld unless they are clearly erroneous. The Board shall not conduct a de novo hearing, nor substitute its judgment for that of the hearing examiner. A simple majority vote of the Board membership shall decide the appeal and shall be final.
- E. Failure to process a grievance by the employee within the time limit, or agreed upon extensions, shall constitute termination of the grievance and will be considered resolved

on the basis of the last answer. Failure of a management representative to meet the time limits shall cause the grievance to move automatically to the next step in the procedure. Time limits shall be strictly observed, but may be extended by agreement in writing of the parties at any step of the procedure.

**6. Costs**

Each party shall bear its own costs for witnesses and all other out-of-pocket expenses including possible attorney fees in investigating, preparing or presenting a grievance. The costs/fees of the examiner will be borne by the Village.

**7. Exclusive Remedy**

This procedure constitutes the exclusive process for the redress any grievance as defined in this Policy. However, nothing in this grievance procedure shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with administration, and employees are encouraged to do so. The Village administration shall review such matters, subject to any applicable Village policy or directive, to resolve the matter.



Village of Fredonia  
**Employee Grievance Form**  
*(Use additional sheets if necessary)*

Name of Employee/Grievant:		Today's Date:
Job Title:	Department:	Immediate Supervisor:
Home Address:	Work Telephone: Work Email:	Home Telephone: Home Email:
Brief Statement of the Issue Involved:		
Clear and Concise Summary and Detail of Relevant Facts <i>(Please state facts and be specific as to the date, place and individuals involved; use attachments if necessary):</i>		
Date(s) and Place(s) of Occurrence:		
The Specific Issue involved and the Specific Section of Policy Manual or Workplace Safety Rule:		
Were informal efforts made to resolve the Grievance (orally or in writing) prior to completion of this form? If yes, please detail those efforts here.		
What solution do you seek to resolve your grievance?		
<b><i>My signature indicates that the information contained on this form and attachments are true and factual to the best of my knowledge. Untruthful statements made on this form, any attachments, or during the processing of this grievance are subject to disciplinary action up to and including termination from employment.</i></b>		
Signature of Employee/Grievant:		Date:

## **J. HONORARIUM**

**POLICY:** The Village of Fredonia Municipal Code prohibits public officials and employees from engaging in conduct that creates a conflict of interest.

This policy implements uniform rules concerning employees who receive fees, gratuities, honoraria, stipends or any other form of compensation for their presence at speaking or leadership engagements or for presentations given to groups or organizations that have been secured through employment with the Village in the ordinary course of the employee's Village work duties. The Village encourages its employees, under appropriate circumstances, to accept such invitations as representatives of the Village of Fredonia.

- A. Subject to the supervisor's prior approval. The employee may accept an invitation for one's presence at speaking or leadership engagements or for presentations given to groups or organizations that have been secured through employment with the Village in the ordinary course of the employee's Village work duties. Provided that such presentation, including any travel time, does not create overtime situations unless the supervisor has given prior approval to such overtime.
- B. Employees who receive any form of compensation for such activities shall endorse the check for such duty and turn it over to the Village or, if reimbursed cash or anything of value, shall turn it over to the Village by the end of the employee's next workday. The employee shall continue to receive the full normal pay for the time spent traveling to and from, and at such functions, subject to overtime considerations listed in paragraph A, above.
  - 1. If the employee gives the presentation on the employee's own time, the employee may donate the compensation, honorarium or stipend to the charity or non-profit organization of the employee's own choosing or keep the compensation, honorarium or stipend, subject to the Code of Ethics. The employee shall use any available paid time off leave, subject to the rules for requesting such leave that exist in the employee's work place. If the employee does not have paid time off available, that employee shall take leave without pay for time spent traveling to and from, and for attending the engagement or giving the presentation.
  - 2. The Village's Travel Expense Policy applies to all reimbursement requests in this regard only if the employee is receiving the employee's regular pay from the Village. If an employee gives the presentation on his or her own time and/or receives reimbursement for such expenses from the group or organization, the employee shall not be eligible for such reimbursement from the Village.

## **R. MEDIA RELATIONS**

The Village of Fredonia intends to manage media communication with its residents, businesses, and visitors by creating a media policy.

The purpose of this policy is to identify employees who are empowered to speak on behalf of the Village on significant communications in order to ensure the accurate dissemination of information. It is intended to reduce the likelihood of conflicting, unauthorized information from being released which may be inaccurate and misrepresenting. This policy applies to all employees while acting in the scope of their employment.

The policy is not intended to address public officials. Issues concerning any elected official's contact with the media are exclusively within the purview of the Board of Trustees and are

presumed to restrict any and all information discussed in closed session pursuant to Section 19.85, Wis. Stats., until it can be released.

## **1. POLICY**

- A. The Village Administrator is the final authority for the Village's media communications, with the exception of the common or non-critical public safety issues. All Village employees shall notify the administrator's office about any non-routine media inquiry (non-routine is defined as a matter that is not pertaining to general information). An example of routine information is, "What are the operating hours of Freedom Park or what the holiday trash pickup schedule is?" An example of non-routine information is, "I understand the Village changed its Village Hall Office Hour's New Year's Eve hours compared to previous years, why is that?" The majority of Village media requests are initiated when a reporter contacts a Department Head or designee.
- B. It is important that all departments respond as soon as possible when a request is made, even if that response is simply an acknowledgment with details to come. Specific guidelines for responding to media requests follow.

## **2. VILLAGE SPOKESPERSONS**

Unless otherwise authorized, the Village of Fredonia's spokespersons are:

- A. Village Administrator
- B. Village Clerk and Treasurer
- C. Marshal's Office and Fire Department Chiefs and/or Designees
- D. Public Works Director
- E. Exceptions regarding departmental spokespersons may be made at the discretion of a department head with approval of the Village Administrator.

## **3. ROUTINE MEDIA INQUIRIES**

- A. Any media inquiries received by Village personnel should be reported immediately to the Department Head.
- B. If the employee receiving the inquiry is unable to respond, an appropriate response to the media is, "Thank you for reaching out. I don't have the full information at this time. I will pass along your request to my Department Head, who will respond to you as soon as possible."
  - 1. Obtain the reporter's name, publication, phone number, email address, topic of story and deadline.
  - 2. Inquire if the reporter has reached out to other departments at the Village.
- C. Before you respond, check with colleagues to see if they received a similar call/email to coordinate your answer and provide the most accurate information.

## **4. SENSITIVE OR CONTROVERSIAL ISSUES**

- A. All television, radio, newspaper or other media inquiries regarding sensitive or controversial issues should always be referred immediately to the employee's Department Head, who will contact the Village Administrator to coordinate a response. Any matters relating to pending litigation or personnel matters shall be referred to the Village Administrator who will consult with the Village President and/or legal counsel before responding. Under no circumstances shall an employee respond to inquiries about either subject matter.
- B. The Village Administrator will designate a single spokesperson. The following are examples of potential sensitive issues, which should be reported immediately to the Village Administrator, unless it is a criminal matter involving a Village employee who shall then be referred to the Village Marshal or investigating agency.
  - 1. Controversial statements, accusations or debates occurring in meetings of advisory boards, committees or commissions.
  - 2. Disruptions in Village services such as broken water mains, water distribution problems, power outages, garbage collection, sewer system backups or lift station outages.
  - 3. Personnel issues such as misconduct, suspensions, employee work stoppages or terminations.
  - 4. Industrial accidents that involve injury or death to contractor's employees or vendors doing business with the Village.
  - 5. Natural disasters and public health emergencies.
  - 6. Accidents or emergencies on Village property resulting in injury or death to citizens or employees, i.e. a fall in a Village building, or a drowning at a Village park or riverfront.
  - 7. Pending or resolved litigation.
  - 8. Incidents involving Village personnel and injury or death:
    - a. Police chase incidents, or work vehicle traffic accident
    - b. Police shooting
    - c. Allegations of a criminal nature

## **5. CONTROVERSIAL LITIGATION, PERSONNEL AND ELECTION ISSUES**

- A. Generally, the business conducted by the Village of Fredonia is public and therefore, is public information. Inquiries regarding pending litigation, matters involving significant exposure to litigation and personnel related information are exceptions. (Contact your Department Head, Village Clerk or the Village Attorney with questions regarding public information or the Open Records Law.)
- B. Inquiries regarding pending litigation or exposure to litigation must be referred to the Village Administrator.
- C. Inquiries regarding personnel related information should be referred to the Village Administrator.

- D. If it appears that other Village staff is likely to be interviewed as part of the same story, a pre-interview briefing may be in order. Allow other staff members to be informed of what was covered in order to avoid conflicting statements.

## **6. PERSONAL POINTS OF VIEW**

It is recognized that all employees have the right to their personal point of view regarding any issue. However, personal points of view may conflict with official Village policy. Employees shall refrain from presenting personal points of view when speaking on behalf of the Village while in official capacity with the Village and when at work. This includes comments and opinions on social media.

## **7. VILLAGE INITIATED INFORMATION**

- A. Village staff is encouraged to think of new and creative ways of engaging the news media, including proactively suggesting positive news coverage and working collaboratively with Administration.
- B. Proactive media contact is initiated through the Village Spokespersons. This includes issuing press releases and media advisories and personal contacts with reporters and editors for non-routine news coverage.
- C. Departments seeking public input for Village events or activities should bring the issue to the applicable Village Spokesperson as soon as practical to ensure the best media coverage of their activities. Departments should not initiate non-routine news media contacts before notifying the Village Administrator.
- D. Construction or repair projects that require barricades, rerouting of traffic, detours and/or any other service interruption should be discussed with the Director of Public Works and shared with the Village Administrator with enough lead time to let the message out and avoid any ambiguity within the community.

## **S. OPEN DOOR POLICY**

Your opinions, suggestions and questions are important to us. Feel free to talk with your immediate supervisor about issues at work that concern you or conflicts that you are having with a co-worker. We will attempt to provide straightforward responses to your questions and comments. If you are unable to resolve your issues, please contact the Village Administrator or Village President.

## **T. OUTSIDE EMPLOYMENT**

- 1. All full-time and regular part-time employees are expected to place the responsibilities and obligation of their positions with the Village first. You shall be permitted to engage in outside, non-Village employment, subject to the following conditions:
  - a. There shall be no possible conflict of interest or activity between the secondary employment and your Village work and/or work of the Village.
  - b. The Village may request you to cease any outside work, or terminate your employment in the event of a refusal to surrender the secondary employment, if, in the Village's opinion, such work is affecting the efficiency, quality, and effectiveness of your work with the Village or a potential conflict of interest develops.

- c. There shall be no professional consulting work of any kind carried on by any of the professional members of the Village staff anywhere within the limits of the Village.
- d. No such outside employment or consulting work shall be carried on during your work hours for the Village, or in the Village offices, buildings, or on Village land, nor shall Village vehicles, equipment, supplies, machines, or other Village property be used for such work.
- e. All employees will be required to provide the Village with a listing of their outside employment annually on the proper form.

**U. PERFORMANCE EVALUATIONS**

Periodic evaluations are an important opportunity to let you know how you are performing, how performance can be improved and to receive input from you concerning training, supervision, job difficulties and other valuable feedback. In addition, performance is directly related to the Village's merit plan.

**V. PERSONAL APPEARANCE**

As a Village employee, your appearance reflects upon the Village. You are expected to present yourself for work in a professional, presentable, modest, well-groomed manner at all times, in attire authorized by your Department Head or Village Administrator. All clothing must be clean, neat and in good repair. Athletic shoes are permissible if they have a clean appearance. Sandals that are of a professional appearance may be worn. You are required to adhere to the guidelines of the Safety Policy to the extent they are applicable to your position. Depending on considerations of individual departments, as set by the Department Head, certain employees may have to meet special dress, grooming, and hygiene standards that may be required for health or safety reasons, customer and public contact, or other professional/service considerations. These restrictions may include such things as tattoos, body piercings, facial hair, hairstyles and similar considerations.

**W. PERSONAL PROPERTY**

The Village reserves the right to conduct searches and inspections of employees, their personal items, and Village-provided property when a business need, probable cause or reasonable suspicion exists in the Village's opinion. Searches and inspections may be conducted without notice.

**X. PERSONNEL RECORDS AND RETENTION**

Personnel records are the property of the Village and access to the information they contain is restricted.

1. Requests by an employee to inspect his/her personnel file:
  - a. Access to your personnel records is governed by the provisions of Wisconsin Statute § 103.13. Should you want to review your personnel record, you must make such request in writing to the custodian of such records.
  - b. The Village shall grant two (2) such requests by an employee in a calendar year. Such opportunity to inspect records shall be within seven (7) working days after the request is made.

- c. An employee may designate a representative to view his/her record, and such opportunity shall be provided as in a. and b. above.
- d. If the employee disagrees with any information in his/her file, a removal or correction can be mutually agreed upon by the employee and employer. If no such agreement can be reached, the employee has the right to attach a written statement to the record explaining the employee's position.

2. Requests for information by outside parties:

- a. All requests from sources outside the Village for personnel information or employment references concerning applicants, current employees, and former employees shall be forwarded to the Village Administrator.
- b. The Village will release information on a need-to-know basis through written requests only, except for telephone verification for credit reporting or reference purposes.
- c. The Village will provide only objective information, not subjective judgements, to the extent permitted by law. In general, information will be released concerning employment dates, position(s) held, and wage rates.
- d. Requests for records (including open records requests) that include personal information about an employee shall be processed according to applicable public records law requirements.

3. Retention:

- a. Employment applications shall be retained in an active file for one (1) year following their receipt. This applies to applicants who are accepted or rejected for employment. Thereafter, the application will be retained in an inactive file for one (1) additional year.
- b. Active employees. All files created on active employees shall be retained during the service of the employee.
- c. Inactive employees:
  - i. The Administration Office will place these inactive files on hold for a five (5) year period after separation.
  - ii. The Administration Office will purge the file after this period and retain those medical and retirement records that are required to be maintained.

**Y. RECYCLING**

The Village of Fredonia supports conservation of scarce resources by encouraging recycling and waste reduction in its business practices and operating procedures. This commitment and support includes the purchase, use and disposal of products and materials in a manner that will appropriately utilize natural resources and minimize any adverse impact on the natural environment.

**Z. SAFETY – LOSS CONTROL PROGRAM POLICY**

The Village of Fredonia is committed to providing a safe and productive work environment for its employees. Efforts made to achieve and maintain this type of environment will reduce the personal cost of accidents in the form of pain and lost wages as well as the number and cost of claims.

### **Responsibilities:**

1. The Board of Trustees and Village Administrator are responsible for setting policy and for monitoring the objectives and results of the loss control program.
2. The Village Administrator shall serve as the Village's risk manager and shall:
  - a. Ensure that the Village follows proper hiring procedures.
  - b. Meet with insurance company loss control representatives at least annually.
  - c. Review copies of all insurance company loss control reports and require that all recommendations are addressed.
  - d. Review copies of supervisor's accident reports on all claims forwarded to the insurance company. Discuss all lost time accidents with the appropriate department head or supervisor.
  - e. Review loss statements and produce reports to the departments on their loss activity.
3. Department Heads, or supervisors if so designated, shall:
  - a. Maintain and update their knowledge and skills in loss control on an annual basis.
  - b. Train employees in safety, including:
    - new employee safety orientation (including transfers)
    - discuss proper lifting techniques and PPE (personal protective equipment)
    - training on safe operation of department equipment
    - job-specific safety training
  - c. Safety rules will be annually reinforced with employees and enforced through written discipline if required.
  - d. Make workplace safety audits and observations of employee work practices with emphasis on:
    - violations of safety standards
    - unsafe conditions
    - unsafe work practices
  - e. Investigate accidents as required
  - f. Return injured employees to work as soon as possible. To facilitate an early return to work, each Department Head will make periodic contacts with each injured employee who is off the job. Employees will be returned to work on light/modified duty as soon as possible, whenever possible.
4. All Employees shall:
  - a. Conduct yourself carefully and in a safe manner at all times.
  - b. Follow all safety rules and procedures and to report to your Department Head or supervisor all unsafe situations and practices.
  - c. Use required personal protective equipment (PPE).

- d. Keep all work areas clean and free from debris and clutter. Tools and equipment must be kept clean and in good repair.
- e. Immediately report any accident, hazard, or unsafe condition or equipment to be corrected to a supervisor. If you are involved in or witness an accident while working, you must report it immediately to a supervisor.

## **AA. SMOKING POLICY**

POLICY: To provide a healthy, comfortable and productive work environment for its employees. In keeping with this commitment, the Village prohibits smoking, including electronic cigarettes, or the use of any tobacco products in its buildings, on certain Village owned properties and in Village owned vehicles. This policy is in conformance with State Statutes 101.123 which prohibit smoking in public buildings and on other Village property. The policy is intended to promote the health and safety of all individuals who work in or visit Village indoor or outdoor facilities.

## **BB. TECHNOLOGY POLICY**

### **1. Overview.**

- a. The Village of Fredonia provides you and other authorized users with access to and the use of a variety of information technology resources. These resources are provided to you in an effort to allow you to be more efficient, productive, and to have access to information that is necessary to carry out your responsibilities on behalf of the Village.
- b. You are expected and required to use these information technology resources in a manner consistent with your position and work responsibilities with the Village. The Village establishes policies and monitors operations to protect you from creating legal liabilities and negative publicity for yourself and the Village, either knowingly or unknowingly. The Village expects you to act responsibly, and always in the best interests of the Village.
- c. Use of the Village's Information Technology Resources contrary to the policies contained herein may result in discipline or termination. If an employee is unsure about what constitutes acceptable use, he/she should consult with the Village Administrator.

### **2. Definitions.**

- a. User: Any employee or individual who has been authorized and granted access to and use of any Information Technology Resource by the Village of Fredonia.
- b. Information Technology Resources: For the purpose of this policy, the Village of Fredonia defines Information Technology Resources as any equipment, hardware, software or network account/access that is assigned and/or available for Users to use in the course of their employment. These resources include but are not limited to the following: security access cards and/or FOB's, telephones, mobile phones, iPads or tablets, printers, fax machines, software applications, Internet access, social media access, voice mail, email, computer workstations, laptop computers, storage media, digital cameras, radios, plotters, scanners, mobile data computers and copy machines. This policy also applies to access of national and statewide criminal information networks and databases intended for law enforcement purposes.
- c. Electronic Communications: For purposes of this policy, "electronic communications" includes, but is not limited to, the sending, receipt, and use of information through the

Village of Fredonia's electronic information network (Intranet), the Internet, email, voice mail, telephones, cell phones, law enforcement related information networks and databases, or any other information technology resource.

### 3. General Provisions.

- a. The Village's Information Technology Resources are designed for Village business use only. The Village recognizes that you may occasionally utilize Information Technology Resources for personal use. Such utilization must not interfere with the use of equipment for Village purposes. Further, such use can only be incidental in nature, meaning that it is to be occasional, casual, minor, or insignificant and does not interfere with job performance or impede business-use operations. Finally, the User must provide all non-incidental consumables for such activity, i.e.... colored ink, diskettes, flash drives, CD's etc.
- b. Your voice mail, texts, social media messages, or other electronic communications may be read or heard by someone other than the intended recipient, and may even have to be disclosed to outside parties pursuant to public records laws or as part of discovery in connection with litigation. Accordingly, you must ensure that your messages are appropriate, courteous, professional, and in compliance with all other policies, procedures, and ordinances in this Handbook or otherwise created or issued by the Village.
- c. Any record which is stored on a Village computer or phone which would be subject to the Open Records Law in hard copy, is probably an open record on computer also. Users should keep this in mind when creating these records as well as in deleting them. Prior to deleting records, a conscious decision should be made whether the record should be printed and/or stored for required timelines. (Remember when deleting records that the file may still exist in back up or in another location if it has been transmitted.)
- d. **WI-FI Access.** The Village has multiple WI-FI networks – public and private. Only approved devices may connect to the private network. The public WI-FI network is comprised of multiple sub-networks for different uses. The public WI-FI network is used for visitors who are making presentations, and the media. Employee's personal devices may connect to the employee WI-FI network. All internet traffic from WI-FI networks is monitored and subject to the computer use policy. All WI-FI passwords are subject to change at any time.

### 4. Systems Management and Privacy.

- a. To protect the integrity of any of the Village's Information Technology Resources, and protect legitimate users from the effects of unauthorized or improper use of these facilities, the Village maintains the authority to take any of several steps. This includes the authority to limit or restrict your use of the resources; the authority to access, inspect, copy, remove or otherwise alter any data, file, system, or technology resource that may undermine the proper use of such resources; and any other steps deemed necessary to manage and protect the Village's technology resources. This authority may be exercised with or without notice to you.
- b. All work products created through the use of the Village's Information Technology Resources are the property of the Village of Fredonia. All communications created, sent or retrieved through the Village of Fredonia information technology systems, including but not limited to, the Internet, are also the property of the Village of Fredonia.

- c. Users shall have no expectations of privacy with respect to any electronic communication or any use of any Village of Fredonia Information Technology Resources, even those that are password-protected.
- d. The Village of Fredonia reserves the right to monitor, access, review, copy, store, or delete any electronic communications, including personal messages, from the system for business purposes and to disclose them to supervisors or others as it deems appropriate, or as may be required by law. Accordingly, you should not utilize any Information Technology Resource to send, receive, or store any messages or information that you wish to keep private.
- e. The Village of Fredonia shall not be liable for, assume any legal responsibility for, or bear any costs arising out of electronic communications or other information flowing in or out of the Village's Information Technology Resources. The Village of Fredonia assumes no responsibility for any consequences resulting from any employee or other User who uses any of its Information Technology Resources for any fraudulent or other illicit purposes, or otherwise contrary to the provisions of this Policy.
- f. The Village may provide access to the Internet for some employees. This capability is also provided on an as needed and revocable privilege. Any email sent or received to a Village email address is permanently archived upon receipt and may be made available at the request of management, Village officials or by the Village attorney in regard to an Open Records Request. The confidentiality of the email should not be assumed.

All email sent from a Village owned computer must include the full name, title, and contact information of the person sending such email.

5. **Prohibited Activity and Use of Good Judgment.** In addition to the policies set forth above, prohibited activities concerning the Village's Information Technology Resources include but are not limited to the following:
  - a. Users will not transmit confidential information unless it is part of the User's scope of Village-related duties.
  - b. Users will not alter any technology resource without authorization from the Ozaukee County Information Technology (IT) Director. This includes the installation, removal and/or modification of hardware, software or network equipment.
  - c. Users will refrain from activity that wastes or overloads computing resources such as streaming audio and video, unless prior approval has been obtained from the IT Director.
  - d. Users will not initiate, propagate or perpetuate electronic chain letters.
  - e. Users will not knowingly or carelessly perform an act that will interfere with the normal operation of computers, terminals, peripherals, or networks.
  - f. Users shall not use Village computers or network facilities to gain unauthorized access to any computer systems.
  - g. Users will not connect personal laptops, tablets or mobile computing devices to their computers or Village network without approval from the IT Director.
  - h. Users shall not make unauthorized attempts to circumvent data protection schemes or uncover security loopholes. This includes creating and/or running programs that are designed to identify security loopholes and/or decrypt intentionally secure data.

- i. Users will not violate terms of applicable software licensing agreements or copyright laws.
- j. Users will not use Village resources for commercial activity, personal gain, religious or political causes or any other prohibited activity.
- k. Users will not use electronic communications or any other technology resource to harass, threaten or intimidate others or to send materials that might be deemed inappropriate, derogatory, prejudicial, or offensive. This includes sending repeated, unwanted or unsolicited electronic communications to another user.
- l. Users will not transmit or reproduce materials that are slanderous or defamatory in nature, or that otherwise violate existing laws, regulations, policies or which are considered to generally be inappropriate in a workplace.
- m. Users will not intentionally display images or text that could be considered obscene, lewd, sexually explicit or harassing. Exceptions would include any images or text involved in a law enforcement investigation.
- n. Users will not create, send, store, or forward any messages or information that may reasonably be deemed to be intimidating, hostile or offensive in nature, and/or which are discriminatory on the basis of race, color, religion, age, sex, national origin, sexual orientation, disability, or any other protected class under Wisconsin or federal law; see Equal Employment Opportunity policy of the handbook.
- o. Users will not forge the identity of a user or machine in an electronic communication or in any other manner.
- p. Users will not use someone else's identity and password for access to information technology resources without approval of the IT Director or Department Head.
- q. No email or other electronic communication may be sent which hides the identity of the sender or represents the sender as someone else. All messages communicated on Village email and other electronic communications systems must contain the sending User's name.
- r. Users will not allow unauthorized individuals to access or use information technology resources.
- s. Users will not attempt to monitor or tamper with another user's electronic communications, or read, copy, change, or delete another user's files or software without written permission of the IT Director or Village Administrator.
- t. Some of the messages or information sent, received or stored in the Village's Information Technology Resources may be privileged communications between the Village and its attorneys, or other entities. Upon receipt of any such message, do not forward or share it or its contents with any other person in the Village without the authorization of the sender and the Village Administrator. Never forward such messages or information to anyone outside of the Village.

## **6. Intellectual Property and Licensing.**

- a. The ease of copying through various electronic communications systems poses a serious risk of intellectual property infringement. Users will not violate copyright laws and their fair provisions through inappropriate reproduction and/or distribution of audio, video, still images or copyrighted text or software. Software that may be marked as "free," "public domain," and "public use" may be free for personal use, but not Village use.

Always obtain approval from the IT Director before using any publicly available software package.

- b. Do not copy software licensed to the Village of Fredonia unless you are authorized under the Village of Fredonia's license to do so. **Only software purchased by or licensed to the Village may be installed on Village computers.** The use of this software must be compliant with the manufacturer's license agreement and cannot be copied to multiple computers unless permitted by the license agreement. Shareware, freeware, or User-owned software can only be installed on Village computers with prior authorization of the IT Director and where not in conflict with copyright laws.
7. **Disposal of Obsolete Hardware and Software.** The IT Director is solely responsible for the proper disposal of all Village-owned software and hardware.
8. **Reporting Misuse.** Any employee or User who becomes aware of misuse of any of the Village of Fredonia's Information Technology Resources must report it to the IT Director or Village Administrator immediately.

## **CC. TELECOMMUTING**

This policy establishes guidelines the Village of Fredonia will use to select and manage those employees approved to telecommute in a limited capacity with the Village.

### **1. Scope**

The scope of work for employees is focused on serving the residents of the Village of Fredonia and requires full public confidence and trust of these members of the community. The Village values face-to-face interaction with residents and co-workers and as such there is no position where an employee can do 100% of their work remotely and still perform the essential functions of their job.

The Village recognizes that circumstances may arise where employees in certain positions may temporarily work remotely.

This policy is meant as a guide for those who are allowed by the Village Administrator and/or Department Head to telecommute, work from home or another location.

The ability to work remotely is a privilege, and the Village reserves the right to deny, limit or revoke telecommuting privileges at the Village's discretion.

### **2. Policy Guidelines**

**Communication and contact with primary location.** Employees approved for telecommuting are responsible for maintaining regular contact with their supervisor. The supervisor will act as the employee's primary contact at the Village. Both the employee and the supervisor are expected to work together to keep each other informed of any developments during the workday

**Responsibilities.** Position requirements and responsibilities will not change due to telecommuting. Workers face the same expectations in relation to professionalism, timeliness, work output, and customer service, regardless of where the work is being performed. The amount of time an employee is expected to work in a given day will not lessen, although the exact scheduling of allotted hours will be left up to the discretion of the employee and the employee's direct supervisor.

If an employee's physical presence is required at the Village's primary work location, then he or she is expected to report in person.

Non-exempt employees must record the time worked on their time sheet, consistent with Village of Fredonia code and policy. All overtime must be authorized and approved by the employee's department head or designee.

**Non-work activities.** Non-work activities should not interfere with working remotely.

**Equipment, software, and security.** Employees approved for telecommuting will be supplied by the Village of Fredonia with the equipment required to perform their duties. The Village of Fredonia will not pay for any maintenance or charges such as telephone or internet connection charges. In the event of hardware equipment failure, the employee working remotely is responsible for the loss of work hours and should notify the Village of Fredonia of the problem immediately. Employees are also responsible for notifying their supervisor of any internet provider outages.

All equipment purchased by the Village remains the property of the Village. All equipment is to be returned in a timely fashion should the employee cease telecommuting operations for any reason.

Any equipment provided by the Village for use both on- and off-site is intended for legitimate Village business only, consistent with existing computer use policy.

Security of the Village of Fredonia's data systems and citizen/customer information must be respected as it is on-site. All Village equipment and documents must be in a secure place. All employees who work off-site are obligated to provide secure network connections and should refrain from using unsecured WI-FI and hotspots. The employee is required to utilize the Village's VPN client to remote into their work files and programs.

**Home employee support.** IT will provide equipment and support to the Village issued devices and VPN. The employee is responsible for setting up their connectivity and equipment off-site. The Village will not provide support for an employee's personal equipment.

**Liability.** The Village of Fredonia has a legal responsibility to provide liability and workers' compensation coverage to its employees. Such legal responsibilities may extend only to authorized, off-site work locations during scheduled work time. The Village is responsible only for injuries, illnesses and damage that result directly from official job duties. As to any legal obligations under these insurance coverages, the Village will comply with applicable law and grants no additional coverage to employees authorized under this policy. The Village accepts no responsibility for employee personal property.

Employees must provide a safe and ergonomic work environment which includes their work area, kitchen and bathroom. As the Village of Fredonia could foreseeably be held responsible for an injury befalling an employee in their off-site work area, the Village reserves the right to inspect off-site locations for safety concerns. Such an inspection will always be planned in advance.

**Salary and hourly wages.** Benefits and wages are the same for working remotely as they are when working at Village facilities.

**Personal accounts.** The use of personal accounts to perform the Village of Fredonia business is not allowed. Emails and other records created or maintained on a personal

computer or mobile device, or from a personal email account, constitute records if they relate to government.

### 3. **Home Agreement**

- I have read and understand the terms of the telecommuting policy and agree to the conditions and responsibilities described therein.
- I understand the requirements regarding my conditions of employment, home site and work hours as described in the policy guidelines.
- During my participation under this policy, the Village of Fredonia will not be responsible for personal phone and data line connection charges.
- I understand that if I experience phone or PC downtime at home, I will notify my supervisor immediately.
- I understand that if the quality of my phone or internet connection is deemed too poor for satisfactory work from remote use, then I will work with my supervisor on alternatives.
- I agree to communicate as soon as possible to my supervisor any problems or concerns I may have as I work remotely.
- The Village of Fredonia will not pay for utility costs associated with computer use or being home /or working remotely during scheduled work hours, maintenance or repairs of privately owned equipment.
- The Village is not liable for any costs associated with the telecommuting policy other than stated in this agreement.
- I will return all Village of Fredonia equipment as soon as possible following my last day of telecommuting work, or upon request by the Village.

I have read and agree to the terms of this work from home agreement. This agreement is not an employment contract and does not replace any policies or procedures currently required by the Village of Fredonia.

Employee Name (Printed): \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### **DD. TELEPHONE USE**

Personal calls, whether using Village telephones or your own cell phone, must be kept to a minimum. Every attempt should be made to make and receive personal calls during lunch or breaks. In the event a long distance call is made at work from a Village phone, an employee must reimburse the Village for the full cost of that phone call. The employee will need to keep a log of any personal long-distance calls made from work and submit them to the Finance Director at the end of each month. The employee will be provided a bill for the amount of long-distance calls.

## **EE. UNAUTHORIZED USE OR POSSESSION OF VILLAGE PROPERTY**

Personal use of Village resources, such as equipment, tools, physical spaces or buildings, and similar items for personal reasons not related to your job is prohibited. If you are contemplating the personal use of a Village resource for a reason that you believe is justifiable, you must obtain the written permission of the Village Administrator prior to using the Village resource.

## **FF. UNIFORM, TOOL AND SAFETY EQUIPMENT ALLOWANCES**

Each department is responsible for establishing its own practices concerning uniform and tool requirements and allowances for employee purchase of such items. As a condition of employment, the employee must adhere to all uniform requirements including the use of personal protection gear, safety glasses, safety shoes, and other safety equipment, as dictated by the department or division. **Failure to do so will subject an employee to discipline up to and including discharge.** Reimbursement is subject to department or division practice provided funds are available for such reimbursement. All reimbursed equipment shall remain the property of the Village and must be returned to the department or division upon the employee's separation from the Village.

## **GG. WORKPLACE VIOLENCE & WEAPONS PROHIBITION**

### **1. Introduction**

The Village prohibits weapons and all threats to use weapons, intimidation or violence, in the workplace. For purposes of this policy, a weapon is considered to be any firearm, loaded or unloaded, any electric weapon as defined in Wis. Stats. 941.295, or any other device or instrumentality which is calculated, intended to, or likely to produce death or bodily harm.

### **2. Policy**

- a. This policy does not apply to law enforcement personnel, Fire/EMS personnel, those engaged in official military activities sponsored by the federal or state government, or employees who use knives or other objects that could potentially be used as weapons, when the activity of these personnel are performed, or objects are used, within the scope of their official job duties.
- b. Village employees shall not possess firearms, or any other weapons as defined in Section 1 in the workplace. This prohibition applies even though you may be licensed in your private capacity within the Village to carry a concealed weapon. This prohibition also applies to locations where you may be conducting Village business outside of your normal workplace.
- c. Village employees are prohibited from engaging in any violent behavior towards others. Any physical, verbal, or visual act (with or without a weapon) that harms, threatens, harasses, bullies, attempts to intimidate, creates fear, has the purpose of unreasonably interfering with an individual's work performance, or creates an intimidating, hostile or offensive work environment, is prohibited. This includes aggressive or hostile behavior, intentionally damaging property, committing acts motivated by, or related to, workplace harassment or domestic violence.
- d. Non-exclusive examples of conduct which is prohibited:
  - i. Causing physical injury to another person;

- ii. Making threatening remarks;
- iii. Acting aggressively or hostilely, creating reasonable fear of injury for another person or subjecting another individual to emotional distress;
- iv. Damaging employer or employee property;
- v. Possessing a firearm or dangerous weapon while in the workplace or while on Village business;
- vi. Committing hostile acts motivated by, or related to, workplace harassment or domestic violence;
- vii. Conducting harassing surveillance, i.e. stalking;
- viii. Other conduct of a similar nature.

### **3. Procedure**

- a. You must report any weapon, threat or violent behavior to your supervisor, Department Head, the Village Administrator, or the Village President.
- b. Appropriate disciplinary action or termination will result for violations of this policy.
- c. Retaliation against any person who, in good faith, reports a potential violation of this policy is strictly forbidden. Any acts of retaliation must be reported immediately to the appropriate Department Head, Village Administrator, or Village President.

### **4. Additional Employee Obligations**

- a. If you have reason to believe a person outside the workplace may harm you or another employee in any way in the workplace, you are required to report those concerns to your supervisor, Department Head, the Village Administrator or Village President.
- b. If you have obtained any legal protection order, such as a “No Contact,” Anti-Harassment,” or restraining order against any other individual, you are required to report that order to the Village Administrator. Such information will be kept confidential to the extent possible but may be provided to appropriate personnel on a “need to know” basis.
- c. You should immediately report any concerns not specifically mentioned herein about your personal safety to your Department Head, Village Administrator or Village President.

~ End of Handbook ~



## EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I have received a copy of the Village of Fredonia Employee Handbook (also referred to as a policy manual, or employee manual, or Village policies and procedures manual). It is solely my obligation to read and to understand its contents and comply with the policies contained in this handbook and any revisions made to it. I acknowledge that I should consult the Village Administrator regarding any questions not answered in the handbook.

I understand that it is my responsibility to comply with all Village policies, rules and expectations as set forth in this Handbook, as well as policies, rules and expectations that the Village may otherwise establish or change from time to time. I further understand and acknowledge that this Handbook provides guidelines and information, but this Handbook is not, nor is it intended to constitute, an employment contract of any kind. I understand that any contract or employment agreement must be authorized and approved by the Village of Fredonia Board of Trustees, their hired Village Administrator or Department Head. I acknowledge that I have not entered into any such individual agreement or individual contract by acknowledging receipt of this Handbook or by following any of the provisions of this Handbook. I understand that the contents of this Handbook, my compensation and benefits, and my hours and conditions of employment may be changed by the Village at any time, with or without notice to the extent permitted by law.

I understand that my employment is a voluntary relationship that can be terminated at the option of either the Village of Fredonia or me, at any time for any reason, unless otherwise prohibited by an applicable collective bargaining agreement. I understand that this Handbook and this Employee Acknowledgment Form do not vary or modify the at-will employment relationship between the Village and me.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

After you have read and signed this page, please detach the page from the Handbook and return to your supervisor, who will submit to the Administration Office to be placed in your personnel file.

For Administration use only:

Received in the Administration Office and placed in employee's personnel file.

\_\_\_\_\_  
Village Administrator Signature

\_\_\_\_\_  
Date

Employee Name: \_\_\_\_\_  
(Please Print)