



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final

Human Resources & Information Technology Committee

Wednesday, May 12, 2021

6:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[21-0617](#) Minutes 4-14-2021

Attachments: [Minutes 4-14-21.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[21-0618](#) Request to modify the Salary Administration Policy regarding assigned shift change.

Attachments: [Assigned Shift Change.pdf](#)
[Salary Administration Policy changes 2021.pdf](#)

[21-0619](#) Request to approve Department of Public Works - Parking Utility to eliminate one full time Ramp Attendant position.

Attachments: [DPW Parking TO Change.pdf](#)

[21-0621](#) ORGANIZATIONAL MATTERS:
Elect a Vice-Chair
Set meeting date/time
Designate a contact person
Discuss committee meeting topics

6. Information Items

[21-0620](#) Interim Information Technology Department leadership plan.

Attachments: [HRIT Interim IT Leadership Plan.pdf](#)

- [21-0622](#) Changes to the AED Policy
Attachments: [AED Policy.pdf](#)
- [21-0623](#) Changes to Fringe Benefit Policy
Attachments: [Fringe Benefit Policy.pdf](#)
- [21-0624](#) Changes to Electronic Communication Policy
Attachments: [Electronic Communicaton Policy.pdf](#)
- [21-0625](#) Changes to Military Leave Policy
Attachments: [Military Leave Policy.pdf](#)
- [21-0626](#) Changes to Restricted Duty Policy
Attachments: [Restricted Duty.pdf](#)
- [21-0627](#) Changes to EAP Policy
Attachments: [EMPLOYEE ASSISTANCE PROGRAM Policy.pdf](#)
- [21-0628](#) Recruitment Status Report 5-6-21
Attachments: [RSR thru 5-6-21.pdf](#)

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

Questions on agenda contact Jay Ratchman at 920-832-6427



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes Human Resources & Information Technology Committee

Wednesday, April 14, 2021

6:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

2. Roll call of membership

Present: 3 - Firkus, Martin and Van Zeeland

3. Approval of minutes from previous meeting

[21-0351](#)

Minutes from 3-10-21

Attachments: [Minutes 3-10-21.pdf](#)

Martin moved, seconded by Van Zeeland, that the minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 5 - Thao, Fenton, Firkus, Martin and Van Zeeland

4. **Public Hearings/Appearances**

5. **Action Items**

[21-0121](#)

Discuss Alderperson salaries

Attachments: [Elected Alderperson official salary.pdf](#)

[alderperson comparison 2019.pdf](#)

[Alderperson Raises Deadline memo_HR.IT_2-23-2021.pdf](#)

[2020 Alderperson Compensation.pdf](#)

Alderperson salary item to be held until the 9/8/21 committee meeting

Martin moved, seconded by Fenton, that the Report Action Item be held. Roll Call. Motion carried by the following vote:

Aye: 5 - Thao, Fenton, Firkus, Martin and Van Zeeland

[21-0439](#)

Request to approve overhire for Help Desk Analyst position in I.T.

Attachments: [Help Desk Over Hire Memo.pdf](#)

Martin moved, seconded by Van Zeeland, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Thao, Fenton, Firkus, Martin and Van Zeeland

6. Information Items

[21-0352](#)

Interim Human Resources Director appointment

Attachments: [Interim HR Director Appointment.pdf](#)

This information item was received and filed

[21-0353](#)

Recruitment Status Report 4-8-21

Attachments: [RSR thru 4-8-21.pdf](#)

This Report was received and filed

7. Adjournment

Van Zeeland moved, seconded by Fenton, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 5 - Thao, Fenton, Firkus, Martin and Van Zeeland



MEMO

TO: Human Resources Committee

FROM: Paula Vandehey, Director of Public Works *PAV*
Jay Ratchman, Interim Human Resources Director

DATE: April 28, 2021

SUBJECT: Request to Modify the Salary Administration Policy regarding Assigned Shift Change.

The current policy regarding how a non-exempt Department of Public Works employee is paid based on an assigned shift change is confusing and administratively cumbersome. In addition, this method of payment is not in-line with Public Works Departments in similar communities. Examples of when an employee would receive an Assigned Shift Change premium are typically related to emergency snow/ice operations.

In order to simplify our payroll process, provide clarity for employees whose shift is being changed, and to be more in-line with comparative cities, we recommend that the Salary Administration Policy be modified as shown on the attached strike and bold document. We are not recommending any changes to the Assigned Shift Change language for the Utilities Department as their operation differs from the Department of Public Works. Most shift changes within Utilities are preplanned as a result of coverage for staff vacancies.

The financial impact for this proposal is approximately \$5,900 spread across several budgets including Central Equipment Agency, Water, Stormwater and General Fund. We expect that these costs can be absorbed within the existing budgets.

Thank you for your consideration of this proposed policy modification. Please feel free to contact us with any questions you may have regarding this request.

<p align="center">CITY OF APPLETON PERSONNEL POLICIES</p>	<p align="center">TITLE: SALARY ADMINISTRATION</p>	
<p>ISSUE DATE: February 18, 2005</p>	<p>LAST UPDATE: September 4, 2001 February 2006 September 10, 2003 October 2006 February 18, 2004 July 2008 February 17, 2005 August 2009 December 2011 September 2012 September 2013 July 2014 April 2018 December 2019</p>	<p>SECTION: Human Resources</p>
<p>POLICY SOURCE: Human Resources Department</p>	<p>AUDIENCE: All regular full and part-time benefited employees covered by the Non-represented compensation plan. Excludes represented employees.</p>	<p>TOTAL PAGES: 7</p>
<p>Reviewed by Legal Services Date: December 2000 September 12, 2003 February 2006 September 2009 August 2013 July 2014 March 2018</p>	<p>Committee Approval Date: March 9, 2000 September 24, 2003 May 12, 2004 February 9, 2005 February 22, 2006 July 23, 2008 October 28, 2009 December 12, 2011 September 24, 2012 September 9, 2013 August 11, 2014 October 6, 2014 April 11, 2018</p>	<p>Council Approval Date: March 15, 2000 October 1, 2003 May 19, 2004 February 16, 2005 March 1, 2006 August 6, 2008 November 4, 2009 December 21, 2011 October 3, 2012 September 18, 2013 August 20, 2014 October 15, 2014 April 18, 2018</p>

I. PURPOSE

To outline the guidelines utilized for administration of the compensation plan.

II. POLICY

It is the policy of the City of Appleton to provide competitive compensation to attract and retain competent staff and to encourage and reward superior performance within the financial resources available.

III. DISCUSSION

This policy provides the current salary administration guidelines. This policy is subject to change with approval of the Common Council. The Human Resources Director shall be responsible for the administration of the compensation policy.

IV. DEFINITIONS

A. Fair Labor Standards Act (FLSA): A federal act that sets minimum wage, overtime pay, equal pay, record keeping and child labor standards for employees who are covered by the act and who are not exempt from specific provisions. An employee classified in the compensation plan as “Exempt” is not eligible for the overtime compensation provisions of FLSA.

B. Base Pay: An employee's initial rate of compensation, excluding extra lump sum compensation,

shift differential etc. An employee's base pay can be expressed as a base hourly rate of pay or as an annual salary.

- C. Compensation Plan: A schedule of pay ranges listing the job classifications Minimum, Maximum and Control Points. All regular positions shall be placed in one of these ranges based on a job questionnaire and point factor job evaluation.
- D. Emergency: For purposes of this policy, an emergency shall be defined as an unplanned, significant event that affects the operation, or service level of the department (as determined by the Department Director and/or the Mayor)
- E. Interim Assignment: When an employee is assigned to a different position on a temporary basis, because of a vacancy.
- F. Job-Questionnaire (JQ): A job analysis that outlines the responsibilities and the requirements necessary to perform the functions of the position. The JQ is utilized to evaluate the position responsibilities using the City' point factor job evaluation system for allocation to the appropriate pay grade. A JQ also functions as the key document for pay plan maintenance.
- G. Non-base pay adjustment: Pay adjustments generally in the form of a lump sum or other forms that do not increase the employee's base pay.
- H. Red-circled: The maintenance of an employee's pay rate above the established range maximum. An employee whose pay rate is at or above the range maximum may be eligible for a non-base performance adjustment.

V. PROCEDURES

A. DETERMINATION OF PAY RANGES

The compensation plan shall be based on the principle of equal pay for equal work. Pay ranges within the compensation plan shall be determined with regard to factors including, but not limited to: uniformity of pay for each class; relative difficulty, complexity, and responsibility of work; competitive recruiting, education and experience requirements; and prevailing rates of pay for similar jobs in public and private employment as determined by the City.

B. ENTRANCE PAY RATE

The entrance pay rate shall be within the Minimum and the Control Point of the pay range. All appointments (including department heads) above the Control Point must be authorized, in advance, by a majority of the Mayor, Human Resources Committee Chair and Human Resources Director.

- C. RECLASSIFICATION The Position Classification Review Process is the method for determining pay range assignment of new positions or reclassification actions involving substantial changes in the duties and responsibilities of an existing position.

(a) Classification or Reclassification Consideration

A request for reclassification of a current position or the classification of a new position may be initiated by a staff member seeking reclassification, by the staff member's department director, or by the Human Resource Director. Requests for reclassifications may occur throughout the year as positions are created or become vacant.

Reclassification consideration for existing positions requires that the employee and the department director document substantial changes in existing duties since the most recent review. Duty changes may be from substantial, immediate reassignment of duties due to reorganization, or may be the result of a logical and gradual change of responsibilities over a period of time.

To be considered for reclassification, changes should be stable and typically should have been in effect for at least six months preceding the reclassification request so that it is clear that the changes that exist are likely to remain for some period of time. Reclassification will not be considered for temporary changes in duties.

A request for classification or reclassification consideration must be in writing and include a new JQ with notes indicating duties that have changed since the last review. The Questionnaire must be completed and signed by the employee, then reviewed and signed by the supervisor and department director. The supervisor and department director must verify or comment on the accuracy of the responses.

(b) Review of Requests

Following internal review by the Human Resource Director, the Human Resource Director may submit the Questionnaire and any supporting documentation to the consultant for evaluation if the criteria for reclassification is met. If the reclassification is appropriate, the consultant will recommend a grade assignment for the position. The consultant may request further information from the Human Resource Director and may request that other positions affected by the reclassification changes be reviewed as well.

(c) The Employer's Response to the Consultant's Recommendations

The employee and the department director will be informed of the final decision in writing. The effective date of any compensation changes will be based on the specific circumstance of the reclassification.

D. COMPENSATION PLAN COMPONENTS

(a) Pay Range Adjustment

Pay Range adjustments are typically made on an annual basis. The Human Resources Director shall recommend such adjustments to the Mayor and Finance Director based on the general level of pay adjustments in the job markets where the City competes for its staff, as well as internal adjustments (e.g. collective bargaining settlements). These adjustments are also made in consideration of general changes in cost-of-living indices.

The adjustment takes the form of an adjustment to pay ranges with the goal of maintaining market competitiveness of the pay plan.

No increase will be made to an employee's pay as a result of a pay range adjustment.

(b) Pay for Performance

The amount allocated for performance pay shall be established each year by the Mayor and included in the annual budget, subject to approval by the Common Council. Upon approval of the budget the amount will be divided and allocated to each individual department based on total base wages of eligible employees within the plan. Upon conclusion of the annual employee performance review process, individual department directors will then divide the allocated amount to individual employees within their department based on the employee's annual performance evaluation score.

E. PAY RATE ADJUSTMENTS

The Human Resources Director and the applicable Department Director shall determine the pay status of an employee based on the following:

- (a) Transfers - When an employee is transferred from one class to another with a common pay range, ~~he/she~~ the employee shall continue to receive the same pay rate unless a different rate is deemed appropriate.
- (b) Promotion - When an employee is promoted from one class to another having a higher pay range, ~~he/she~~ the employee shall receive an increase as deemed appropriate but not to exceed the Control Point of the range unless approved by the Committee as outlined in the above Entrance Pay Rate section. If the employee's pay rate is higher than the control point of the new position prior to promotion, no authorization is needed from the Committee. For consideration of placement into the new salary range, such factors as the average value of overtime lost, average value of extra hours worked in a non-exempt capacity as well as other internal and external factors shall be considered.
- (c) Demotion - When an employee accepts a position in a lower pay grade for any reason, a rate of pay shall be determined. For consideration of placement into the new salary range, such factors as experience, qualification, length of service, average value of overtime lost and the level of pay similar to employees in the pay range shall be considered.
- (d) Upward Re-Classification - When an employee's position is reclassified into a higher pay grade, the reclassification shall be treated the same as a promotion under (b) above.
- (e) Downward Re-Classification - When an employee's position is reclassified into a lower pay grade, the reclassification shall be treated the same as (c.) above.
- (f) Equity Adjustments
Equity adjustments are salary changes outside of the normal salary programs (as listed above) to remedy salary issues such as external pressure in high demand areas, internal salary compression, and/or retention considerations.

F. MINIMUM AND MAXIMUM RATES

Generally, an employee shall be paid within the pay range of his/her position.

An employee may be paid below the minimum of his/her pay range as the result of not receiving a pay adjustment due to their performance.

An employee who receives a base pay adjustment cannot exceed the maximum of their pay range.

In the event of a reclassification, or re-evaluation of a pay range that results in an employee's pay falling outside the maximum of the newly assigned pay range, such employee's pay rate may be red-circled.

G. OVERTIME

(a) Employees in the Compensation Plan who meet the exemption under the Fair Labor Standards Act shall be exempt from all premium pay provisions except as otherwise outlined in this policy.

(b) Employees who are required to work Sunday, not part of their regular schedule, shall receive double time pay. Utility Department employees who work Sunday, as part of their regular schedule, shall receive double time pay.

(c.) All non-represented non-exempt employees in the Compensation Plan shall be paid no less than the minimum compensation required pursuant to the FLSA, including overtime compensation on a time and one half basis, for all hours worked in excess of 40 hours per week subject to the following:

1. Compensatory Time, Sick leave, PTO Sick, approved non-paid leave and FMLA non-paid leave hours shall not be counted as hours worked for purposes of computing overtime compensation; and,
2. Scheduled City holiday hours, vacation, PTO, funeral leave, jury duty and approved paid FMLA leave (except PTO Sick, see #1 above) may be counted as hours worked for purposes of computing overtime compensation (except when employee is called to work, then see #3 below); and,
3. Hours worked and paid at a Sunday or Holiday double time rate*, where the employee is also paid an additional call pay premium, shall not be counted as hours worked for purposes of computing overtime compensation.

*Holiday double time rate refer to Fringe Benefit Policy.

(c) Battalion Chiefs and Deputy Fire Chiefs who fill in for other Chief Officers, when overtime would otherwise be required, shall receive straight time pay for all such hours worked in addition to his/her regular bi-weekly rate. Operations Battalion Chiefs who are required by the Chief to attend extended (generally more than four (4) hours) training on his/her off-duty time may be eligible for straight time pay for attendance at such training at the discretion of the Fire Chief.

(d) Police Lieutenants and Captains will receive compensation at time and one half of the top senior sergeant rate when working beyond their normal schedule for Grants, Off-Duty Police Services, Avenue Detail and special events.

(e) Overtime shall be approved in advance by the Department Director or supervisor and reviewed periodically by the Department Director. Overtime shall be kept to a minimum and shall be

utilized to relieve specific occasional peak workloads or emergencies.

H. SHIFT PREMIUM

Non-exempt employees shall be eligible for a \$.50 shift premium added to their base pay if the employee is regularly scheduled (through shift selection or designated assignment) to work a 2nd or 3rd shift schedule (3rd or 4th shift schedule for Police).

K. TELEPHONE CALL

Non-exempt employees who are called by a supervisor on the telephone, outside of his/her regularly scheduled hours, to provide information related to the operation of the department shall be paid for the time actually spent on the telephone, but not less than one hour's straight time. This does not apply to employees receiving the Stand-by Duty pay.

L. EMERGENCY CALL-IN

Non-exempt employees who have left the worksite or are in a paid leave status, and who are called to return to work outside of their regularly scheduled hours to handle emergency situations that could not be anticipated, will be eligible for a lump sum of \$100 as call-in pay.

M. ASSIGNED SHIFT CHANGE UTILITIES

This applies to ~~Department of Public Works and~~ Utilities employees who operate on shifts.

When a non-exempt employee is required to work outside their assigned shift ~~he/she~~the employee will be paid as follows:

Employees notified for a change of assigned shift for a duration of more than one week and are given 48 hours or more notice shall be paid \$1.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift for a duration of one week or less and are given 48 hours or more notice shall be paid \$2.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift and are given less than a 48 hour notice shall be paid \$50 per day for the first 48 hours and then the employee shall be paid pursuant to the above.

The \$1.00 and \$2.00 premium pay shall be added to the employee's regular base rate for purposes of calculating the overtime rate.

N. ASSIGNED SHIFT CHANGE DEPARTMENT OF PUBLIC WORKS

This applies to Department of Public Works employees who operate on shifts.

When a non-exempt employee is required to work outside their assigned shift the employee will be paid as follows:

Employees notified for a change of assigned shift shall be paid \$50 per day.

O. STAND-BY DUTY

Employees who are required by his/her department director to be on stand-by duty (required to remain within a one (1) hour response area, accessible by phone or pager, etc.) shall receive one hour's pay for each day of stand-by and (2) two hours if on the actual holiday (does not include the observed holiday).

All employees required to be on stand-by must remain physically fit and ready for duty and must continue to abide by City policies (i.e., Drug-Free Workplace).

P. CALL DUTY - EMERGENCY RESPONSE (Excludes Directors, Deputy Directors and Assistant Police Chief)

Any exempt employee, not on Stand By Duty, who is required to report to duty for emergency operations (e.g. snowplowing, water main breaks, facilities and grounds and technology issues, storms & other disasters, police investigations, SWAT calls etc.) may be eligible for additional compensation in the form of a bonus as outlined below:

- ◆ If the employee reports for work and works more than one (1) hour but less than four (4) hours, the employee shall be entitled to \$50.00 for each report.
- ◆ If the employee reports for work and works four (4) hours or more, shall be entitled to \$200.00 for each report.



MEMO

TO: Municipal Services Committee
Human Resources Committee

FROM: Paula Vandehey, Director of Public Works *PAV*

DATE: April 23, 2021

SUBJECT: **Proposed Modification to the Department of Public Works Table of Organization – Parking Utility.**

The Parking Utility's ramp pay equipment has a customer Call Button for when customers have questions regarding how to enter or exit the parking ramp, have trouble with the equipment, etc. The Call Button is a phone line that goes directly to either a Parking Utility staff member (4:00 am to 9:00 pm) or to the Police Communications Center during late hours and weekends.

Through networking and research, our Parking Utility Supervisor has identified a calling service that integrates with our TIBA parking equipment. The service answers the emergency call and responds to the individual issue based on business rules we provide to them for each scenario. Benefits of this service include:

1. 24/7 365 coverage, including Holidays
2. Translation services, such as Spanish, are available
3. Data is collected in a format that provides us metrics that can help us make improvements (i.e. additional signage for a repeat issue).
4. Police Communications Center would be relieved of these calls
5. Allows us to condense our parking staff hours to the most needed, instead of trying to provide phone coverage.

The parking employee tasked with carrying the emergency call phone is limited in the work they can be assigned. For instance, it is not practical to be on the sweeper or snow removal equipment if you need to be able to hear, and immediately respond to, an emergency call. With the increased flexibility of hours we can assign staff, and the tasks that can be accomplished without the additional responsibility of the emergency call phone, we believe that we can eliminate a position in the Parking Utility. (See attached Table of Organization)

The Parking Utility currently has a vacant position, therefore, we do not anticipate any employee losing their job due to the proposed change to our Table of Organization.

The associated costs and savings of our proposed Table of Organization change are as follows:

COSTS:

- On-time conversion of TIBA equipment to be reprogrammed with Parker technology Call Center technology.
- Monthly Call Center Service Contract of \$638.64 for all three parking ramps (\$7,664 annually).

SAVINGS:

- Elimination of Parking Ramp Attendant Position (\$35,000 plus benefits) annually.

Therefore, I request approval of the proposed modification to the Department of Public Works Table of Organization – Parking Utility to eliminate one Ramp Attendant Position.

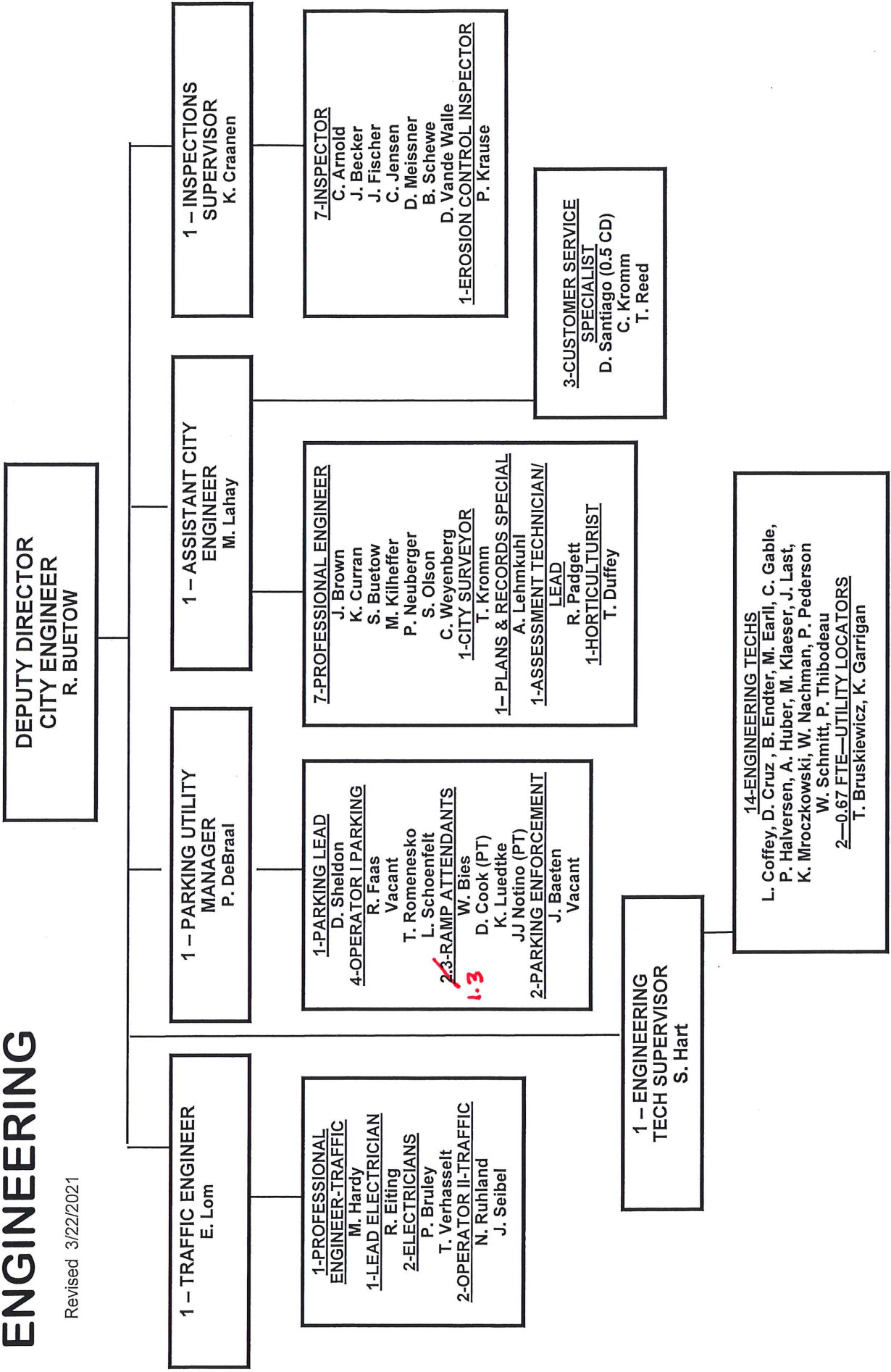
Attachment

C: Tony Saucerman, Finance Director
Jay Ratchman, Interim Human Resources Director
Lisa Lau, Managerial Accountant Coordinator

DEPARTMENT OF PUBLIC WORKS

ENGINEERING


Revised 3/22/2021





"...meeting community needs...enhancing quality of life."

OFFICE OF THE MAYOR
Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Human Resources & Information Technology Committee
FROM: Mayor Jacob A. Woodford 
DATE: May 5, 2021
RE: Interim Information Technology Leadership Plan

Information Technology Director Dean Fox's last day with the City of Appleton was May 4. He has taken a position in a municipality in Arizona.

As the City works to complete other open Department Director positions (Health Officer – active search; HR Director – search commencing mid-June), we continue to be mindful of the organizational capacity required to mount senior-level hiring processes. Until we launch a process to establish permanent leadership of our Information Technology department, department leadership will be as follows:

- Network Administrator Brad Schumann will be appointed Interim Deputy Director of Information Technology. He will retain his position as Network Administrator.
- Finance Director Tony Saucerman will serve as Interim Director of Information Technology in addition to his duties as Finance Director.

It is anticipated that the search for a new Director of Technology Services will begin before Fall 2021. In the meantime, the department will be in good hands with the interim leadership of Director Saucerman and Interim Deputy Director Schumann.

CITY OF APPLETON POLICY	TITLE: Automatic External Defibrillator (AED) All City Facilities (except Police & Fire)	
ISSUE DATE: February 2007	LAST UPDATE: August 2011 October 2012 June 2017 March 2021	SECTION: Safety
POLICY SOURCE: Human Resources Department	AUDIENCE: All City Facilities except Police, Fire	TOTAL PAGES8
Reviewed by Attorney's Office Date: December 5, 2006 September 29, 2011 August 18, 2017 March 2021	Committee Approval Date: January 24, 2007 December 12, 2011 October 11, 2017 April 2021	Council Approval Date: February 7, 2007 December 21, 2011 October 18, 2017

I. PURPOSE

The purpose of this policy is to provide guidelines for the use of the Automatic External Defibrillators (AED) which are located in City buildings (except those in Police and Fire) as these departments have their own AED guidelines.

The purpose of this policy is to also follow the provisions of State Statute 895.48 (4)(am) which provides immunity “from civil liability for the acts or omissions of a person in rendering in good faith, emergency care by use of an automated external defibrillator to an individual who appears to be in cardiac arrest”. This immunity is provided to the following: the person who renders the care, the owner of the automated external defibrillator, the person who provides the automated external defibrillator for use, if the person ensures that the automated external defibrillator is maintained and tested in accordance with any operational guidelines of the manufacturer and any person who provides training in the use of an automated external defibrillator to the person who renders care.

II. POLICY

The City of Appleton has placed AEDs in key locations of City buildings where people work or visit. A list of the City’s AED locations is attached. The goal is to have AEDs readily available for use by City staff and bystanders should someone experience a Sudden Cardiac Arrest (SCA).

The AEDs are intended for use by City staff, members of the public, other first responders, physicians, or authorized emergency medical response personnel.

It is each department’s responsibility to notify Human Resources of any new AED that is added to their facility.

To comply with Wisconsin Senate Bill 186 section 4, it is Human Resources responsibility to notify Gold Cross or the nearest emergency medical services program of any changes to the locations of the City’s AEDs.

III. DEFINITIONS

Automatic External Defibrillator (AED) – electronic device used to apply electrical shocks to the heart via paddles or pads placed on the patient’s chest.

Electrocardiogram (ECG) – shows a graphic recording of the electrical activity of the heart.

Emergency Medical System (EMS) – the pre-hospital medical system that includes the request for and dispatch of emergency medical response personnel, the field medical treatment of ill/injured patients, and the transport of the ill/injured patients to a hospital for definitive care.

Emergency Medical Responders (EMR) – person trained in emergency medical care (i.e. Police & Fire personnel).

Emergency Medical Technician (EMT) – person specially trained in pre-hospital care of a sick or injured patient.

Medical Director – medical person who oversees the City’s AED program. The Medical Director for the City of Appleton is the Medical Director for Gold Cross Ambulance Service.

Sudden Cardiac Arrest (SCA) – sudden cessation of cardiac output and blood circulation.

Ventricular Fibrillation (VF) – a serious disturbance in a cardiac rhythm.

IV. DISCUSSION

Sudden Cardiac Arrest can happen anywhere to people of all ages and at any time. SCA is usually caused by an electrical malfunction that makes the heart quiver ineffectively in an abnormal rhythm called Ventricular Fibrillation (VF). It sometimes is triggered by a heart attack but can also happen even without any blockage of blood flow to the heart. A lifesaving pulse of electricity must be delivered quickly to restore the heart’s normal rhythm and pump blood throughout the body.

~~Defibrillation is the only effective treatment for SCA caused by VF.~~ Research has shown that shortening the time between the onset of VF and defibrillation increases the survival rate of victims.

Cardiac Chain of Survival: A person in cardiac arrest will have the greatest chance of survival if the following steps occur:

- Early recognition and early access – The sooner someone recognizes that a person is in cardiac arrest and calls 9-1-1, the sooner advanced medical care arrives.
- Early CPR – This helps circulate oxygen-containing blood that provides oxygen to vital organs until an AED becomes available.
- Early defibrillation – Defibrillation (delivery of an electrical shock using an AED) may restore an effective heart rhythm significantly increasing the person’s chance of survival. According to the American Red Cross and the American Heart Association, each minute that defibrillation is delayed reduces the chance of survival by about 10 percent.
- Early advanced medical care – Trained medical personnel such as EMS personnel and EMTs provide further care and transportation to hospital facilities.
- Integrated post-cardiac arrest care – After the person is resuscitated, an interdisciplinary team of medical professionals work to stabilize the person’s medical condition, minimize complications, and diagnose and treat the underlying cause of the cardiac arrest to improve survival outcomes.

~~State Statute 895.48 provides immunity “from civil liability for the acts or omissions of a person in rendering in good faith, emergency care by use of an automated external defibrillator to an individual who appears to be in cardiac arrest”.~~

V. PROCEDURES

This procedure provides guidelines for the use of the AEDs located in City buildings on adults, children and infants. According to the American Red Cross, it is safe to use adult AED pads and adult levels of energy on a child or infant. ~~or adolescents 12 years or older. If a child is under age 12, provide rescue breathing and/or CPR until emergency personnel arrive.~~

If you find yourself in an emergency situation, put on your gloves (if available) and follow these recommended steps: ~~the following emergency steps should be taken:~~

- Check the scene for safety. Check for hazards that could jeopardize your safety or the safety of bystanders. Don't move a person unless there is immediate danger.
- Check the person:
 - If the injured or ill person is a child or infant and their parent or legal guardian is present, get their consent before giving any care beyond calling 911.
 - If the person is responsive and is breathing normally, obtain consent before providing further care and then begin to gather additional information about the nature of the person's injury or illness. Be prepared to provide CPR, first aid and/or call 911.
 - If the person appears to be unresponsive, shout, using the person's name if you know it. If there is no response, tap the person's shoulder (if the person is an adult or child) or the bottom of the person's foot (if the person is an infant) and shout again while checking for normal breathing (steady rising and falling of the person's chest). Check for responsiveness and breathing for no more than 5 to 10 seconds. If the person does not respond and is not breathing or only gasping, carefully roll the person onto his or her back if the person is face-down. If necessary, move the person to a firm, flat surface.
- ~~➤ Check for consciousness by tapping their chest and/or gently shaking their shoulders and asking if they are ok. If the person does not respond and is not breathing or only gasping...~~
 - ~~○ Put the person on his or her back on a firm surface~~
- Call – Have a co-worker or bystander call 911. If you are the only person at the scene, shout for help. If no one arrives, call 9-1-1. You should always call first (before providing any care) if there is an unconscious adult or adolescent 12 years or older as these emergency conditions are often attributed to cardiac arrest. If it is an adolescent under age 12 and they are not breathing and/or have no pulse provide rescue breathing and/or CPR chest compressions for 2 minutes, then ~~go~~ call 9-1-1.
- ~~➤ Check – For signs of life (movement or breathing) in an adult~~
 - ~~1. Airway – open the airway using the head-tilt/chin lift technique. If a neck injury is suspected, pull only the jaw (using the jaw thrust technique) to open airway.~~
 - ~~2. Breathing – Look for signs of breathing for no more than 10 seconds, watching to see if the chest rises and falls. If there are no signs of breathing you must assume the problem is a cardiac emergency and begin CPR immediately.~~
- Care – Full CPR or cardiopulmonary resuscitation is a skill that is used when a person is in cardiac arrest to keep oxygenated blood moving to the brain and other vital organs until advanced medical (EMS) help arrives. CPR involves giving 5 sets of 30 compressions (in about 15 seconds) by compressing the center of the chest at least 2 inches deep for adults and children / 1 ½ inches for infants and then followed by sets of 2 rescue breaths (while maintaining an open airway). If you are unable or unwilling for any reason to give full CPR, you can give compression-only CPR instead. In compression-only CPR, you give continuous chest compressions (2 inches deep for adults and children / 1 ½ inches for infants) with no

rescue breaths. Full CPR (30 compressions and then 2 breaths) or compression-only CPR should be continued until an AED becomes available, another responder takes over or more advanced medical personnel takes over.

~~Hands-only CPR should be done if no pocket mask is available. Start CPR by giving 30 compressions (in about 15 seconds) by compressing sternum at least 2 inches deep for adults and children / 1 ½ inches for infants, then two rescue breaths. CPR SHOULD BE CONTINUED UNTIL AN AED BECOMES AVAILABLE OR MORE ADVANCED MEDICAL PERSONNEL ARRIVES AT THE SCENE.~~

A. Defibrillation – Prepare to operate the AED when it becomes available

DO NOT use the AED when a **patient person shows has** any of the following:

- Consciousness
- Normal breathing
- A pulse or other **obvious** signs of life.

B. Using the AED

1. For safety remember the following:

- DO NOT use near or in puddles of water.
- DO NOT use near flammable agents, such as gasoline (remove clothing that may be contaminated with flammable agents).
- ~~ALWAYS stay clear of the person when delivering the AED shock.~~ Do not touch and do not allow others to touch any part of the person while the AED is analyzing the person's heart rhythm or when delivering the AED's shock.
- It is safe to use an AED when the person is lying on a metal surface, as long as appropriate precautions are taken. Do not allow the AED pads to contact the metal surface and ensure that no one is touching the person when the shock is delivered.
- It is safe to use an AED on a woman who is pregnant.
- Avoid placing AED pads directly over a person's pacemaker or metallic jewelry/body piercings. Instead, adjust AED placement as needed.
- ~~DO NOT touch the electrode surfaces, the person or any conductive material near the person during the ECG analysis or shock~~

2. Turn on the AED.

3. Follow the prompts as directed by the AED Unit.

4. Dry the person's chest **skin** if necessary and shave the person's chest hair **ONLY** if it **is so** could interfere with proper AED pad-to-skin contact. ~~excessive it prevents a good seal between electrodes AED pads and the skin.~~ Apply **electrodes pads** according to the diagram on **electrode** the AED pads package to the victim's bare chest. Press pads **firmly** to their skin.

5. Stand clear of **patient** the person while **the AED machine** analyzes their heart rhythm. **Advise** others to stand clear of the person as well.

6. If treatment (**SHOCK ADVISED**) is indicated, make sure no one is touching the **person patient** (Say "EVERYONE CLEAR") and then press the lighted "Heart" **on the AED unit.** ~~in center of unit.~~

7. If no shock is advised, perform **full** CPR (~~for two minutes~~) or compression-only CPR for **two minutes.**

8. After two minutes of CPR, the AED unit will automatically re-analyze the person's heart rhythm. If "No Shock" is indicated, continue full CPR or compression-only CPR until another responder or professional help arrives and takes over.
 9. When the EMS personnel arrive, follow their instructions.
- C. Transferring the patient to the EMS personnel upon arrival
1. Give a summary of the event including:
 - a. Time of event
 - b. Total number of shocks
 - c. Any additional pertinent information about the patient.
 2. EMS personnel will take over the resuscitation efforts
 - a. EMS personnel will have their own equipment and may transfer the patient over to their own monitors or continue the use of the attached AED depending on the step of the process.
 - b. EMS personnel will direct ongoing CPR efforts and you may be asked to continue with CPR or to step aside.
- D. Report the event
1. After the event, complete the AED Incident Report (Exhibit 1) and forward to Human Resources Department.
 2. The Human Resources Department will notify the City's Medical Director and verify the AED will be available for future use.

VI. NOTIFICATION OF USE

Human Resources will notify the City's Medical Director immediately after each AED use.

A. Incident Review

1. The Medical Director should may review a detailed download from the AED.
- ~~2. A review and report of the incident should be provided to the Human Resources Department.~~
3. The Medical Director may discuss the incident with the local EMS personnel to obtain feedback.
4. The Medical Director may check with the hospital on the patient and provide feedback to the site.

B. Debriefing

1. If requested by anyone involved in the emergency occurrence, an incident review and debriefing conducted by Police, Fire or Gold Cross should be scheduled as soon as it can be arranged. (Exhibit 2). An AED Post Incident Critique Form (Exhibit 2) should be completed with a copy of this information forwarded to the Human Resources Department.
2. The debriefing is intended to provide support in the following areas:
 - Success rates and expectations during a resuscitation
 - The human dimension of CPR
 - Recognition of successful aspects of the rescue efforts
 - Stress reactions of rescuers, witnesses, and families after resuscitation attempts
 - Identify any areas for improvement

3. Equipment Readiness

After each use, the Parks, Recreation and Facilities Management Department should be notified to check the AED batteries and the related equipment so it can be restocked and checked for readiness. ~~by the Parks, Recreation and Facilities Management Department.~~

VII. TRAINING

A. Required CPR and AED Training

Both OSHA (Occupational Safety and Health Administration) and WI DSPS (Department of Safety and Professional Services) require employers to provide CPR and AED training for the following employees:

- Any employee serving the role as an authorized attendant or entrant when involved with entry into a permit-required confined space.
- Those employees involved in logging operations.
- Employees required to respond to medical emergencies in the workplace.
- Employee members of a dive team.

B. ~~CPR and AED Refresher Course~~ Voluntary CPR and AED Training

The Appleton Fire Department may periodically conduct CPR and AED training courses for those city employees that want this training on a voluntary basis. Training videos from the manufacturers of city-placed AED's will also be available through our intranet.

C. CPR and AED Training Certification and Re-Certification

When CPR and AED training is required, this training will be certified and re-certified according to either the American Heart Association (AHA) ~~and~~ or the American Red Cross (ARC) Guidelines. CPR and AED certifications from both the AHA and ARC are valid for two years from the date of issuance.

VIII. EQUIPMENT MAINTENANCE

The following are suggested steps to maintain the AED:

- A. The Parks, Recreation and Facilities Management Department will conduct equipment checks on a quarterly basis. Batteries and equipment will be replaced as needed.
 - B. Replace the AED pads if the date on the pads is expired or they are no longer fully sealed in their original package.
 - C. Replace CPR supplies after each use of the equipment.
- A. Cleaning the Unit
- A. After each use, clean and disinfect the unit with a soft damp cloth using 90% isopropyl alcohol, soap and water or chlorine bleach and water mixture (30ml/liter water).
 - B. Do not immerse any part of the unit in water.
 - C. Do not use ketones (MEK, acetones, etc.) to clean the unit.
 - D. Avoid using abrasives (e.g. paper towel) on the display unit or IrDa port.
 - E. Do not sterilize the device.
- B. AED Tracking

~~U.S. Federal Law requires the tracking of defibrillators. The City will~~ is responsible to notify its Medical Director and Gold Cross immediately of any changes to the locations of the City's AEDs. ~~if the AED is lost, stolen, or removed in any way from the locations.~~

Exhibit 1

AED INCIDENT REPORT

Patient & Incident Data	
Patient Name:	Patient Age :
Incident Date:	Incident Time
Incident Location:	

Incident History		
Patient activity prior to incident		
Patient complaints prior to incident		
Was incident witnessed? Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, by whom?	What Time?
Was CPR started? Yes <input type="checkbox"/> No <input type="checkbox"/>	If yes, by whom?	What Time?

Assessment and Treatment		
Was patient unresponsive?	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Were the airway, breathing, and circulation checked?	Yes <input type="checkbox"/> Time: No <input type="checkbox"/>	If yes, by whom?
Was rescue breathing started?	Yes <input type="checkbox"/> Time:	
Was CPR Started? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time?	If yes, by whom?
Was Shock Advised? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time	
Was shock #1 delivered? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time?	If yes, by whom?
Was shock #2 delivered? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time?	If yes, by whom?
Was shock #3 delivered? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time?	If yes by whom?
Did the person's heart re-start?	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Did the person regain consciousness?	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Return of Pulse:	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Return of Respiration:	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
EMS arrival at patient?	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Was the patient transferred to EMS?	Yes <input type="checkbox"/> Time:	No <input type="checkbox"/>
Patient condition at EMS hand-off:		
Care given by rescue personnel:		
Time Patient transported:		
Patient transported to: (hospital)		

COMMENTS:

Report Completed by: _____ Date: _____

Exhibit 2

**AED
POST INCIDENT CRITIQUE FORM**

COMMENTS:

Report Completed by: _____ Date: _____

Medical Director Signature: _____ Date: _____

Police, Fire or Gold Cross Signature: _____ Date: _____

City of Appleton AED Inventory (excluding those in Police and Fire)

Building	AED Location	Manufacturer	Serial Number	Monthly Inspection (Responsibility)	Software Updates (Responsibility)
City Hall	6 th Floor Lobby	Zoll AED Plus	X04L046541	Facilities	Risk Manager
City Hall	5 th Floor Lobby	Zoll AED Plus	X04J045902	Facilities	Risk Manager
City Hall	1 st Floor Lobby	Zoll AED Plus	X06H093080	Facilities	Risk Manager
PRFMD	Office Lobby	Zoll AED Plus	X08H168049	Facilities	Risk Manager
PRFMD	Rec. Programmer's Office	Philips	B16C-00057	Facilities	Risk Manager
Library	1 st Floor on Cement Pillar in Main Entry	Zoll AED Plus	X04E033372	Facilities	Risk Manager
Municipal Services Bldg.	Hallway by Office	Zoll AED Plus	X08H168091	Facilities	Risk Manager
Transit Center	1 st Floor Lobby	Philips	B07L-01040	Facilities	Risk Manager
Wastewater Plant	First Aid Room in S Building	Zoll AED Plus	X08H168063	Facilities	Risk Manager
Water Treatment Plant	1 st Floor Lobby	Zoll AED Plus	X09L434424	Facilities	Risk Manager
Appleton Memorial Park	Jones Bldg. Main Entrance Lobby	Zoll AED Plus	X12H562454	Facilities	Risk Manager
Mead Pool	Mead Pool Managers Office	Zoll AED Plus	X06G090475	Facilities	Risk Manager
Erb Pool	Erb Pool Managers Office	Zoll AED Plus	X07A103774	Facilities	Risk Manager
Golf Course	Clubhouse	Zoll AED Plus	X16I864047	Facilities	Risk Manager
Dance Studio	Studio 2	Zoll AED Plus	X20C260936	Facilities	Risk Manager
Scheig Center	Front Desk	Zoll AED Plus	X206260842	Facilities	Risk Manager
Appleton Police Department	1 st Floor Lobby	Philips	B07H 01403	Ryan Neff	Ryan Neff / Gold Cross
Appleton Police Department	Mobile in Squads	Zoll	X07H124702	Ryan Neff	Ryan Neff / Gold Cross
Appleton Police Department	Mobile in Squads	Zoll	X07H124898	Ryan Neff	Ryan Neff / Gold Cross
Appleton Police Department	Mobile in Squads	Zoll	X07H125110	Ryan Neff	Ryan Neff / Gold Cross
Appleton Police Department	Mobile in Squads	Zoll	X07H124859	Ryan Neff	Ryan Neff / Gold Cross

Appleton Police Department	Mobile in Squads	Zoll	X07H125113	Ryan Neff	Ryan Neff / Gold Cross
Appleton Police Department	Mobile in Squads	Zoll	X07H125115	Ryan Neff	Ryan Neff / Gold Cross

CITY OF APPLETON POLICY	TITLE: FRINGE BENEFITS	
ISSUE DATE: April 6, 2000	LAST UPDATE: December 18, 2002, April 17, 2003 September 11, 2003, July 2004, February 2006 November 2006, September 2009, January 2010 November 2011, August 2012, April 2014, December 2015, September 2016, December 2017, April 2019, <u>February 2021</u>	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	POLICY AUDIENCE: All Employees Excludes Valley Transit, Police and Fire protective employees covered by a collective bargaining agreement.	TOTAL PAGES: 17
Reviewed by Legal Services Date: March 2000 July 21, 2004 September 2009 June 27, 2014 December 2015	Committee Approval Date: March 28, 2000 July 28, 2004 March 22, 2006 October 28, 2009 December 12, 2011 August 20, 2012 July 21, 2014 December 7, 2015 December 11, 2019	Council Approval Date: April 5, 2000 August 4, 2004 April 5, 2006 November 4, 2009 December 21, 2011 September 5, 2012 August 6, 2014 December 16, 2015 December 18, 2019

I. PURPOSE

To outline for employees the fringe benefits available to all employees, excluding represented Valley Transit, Police and Fire protective employees.

II. POLICY

It is the policy of the City of Appleton to make available fringe benefits as outlined in this policy. It is also the policy of the City of Appleton to provide incentives, recognize significant levels of responsibilities, and to attract and retain qualified employees by offering comparable benefits.

III. DISCUSSION

This policy provides the current fringe benefits available. These benefits are subject to change with approval of the Common Council.

IV. DEFINITIONS

A. Regular Full-Time (exempt): Employees who work a minimum of 2080 hours per year or 80 hours bi-weekly and not eligible for overtime or compensatory time for any hours worked beyond 40 hours per week. A full-time exempt employee is expected to work whatever hours necessary to complete the job they have been hired for. Employees who are classified as exempt are paid on a “salaried basis” meaning that the person will be paid the same full salary for any week in which work is performed without regard to the number of hours worked.

B. Regular Full-Time (non-exempt): Employees who work 2080 hours per year and are eligible for

overtime after working 40 hours per week.

- C. Regular Part-Time (exempt): Employees who are normally scheduled to work a minimum 1040 hours per year but less than 2080 hours per year and are not eligible for overtime or compensatory time for any hours worked beyond their standard bi-weekly hours.
- D. Regular Part-Time (non-exempt): Employees who are normally scheduled to work a minimum 1040 hours per year but less than 2080 hours per year and are eligible for straight time pay for hours worked beyond their standard biweekly hours and for overtime after working 40 hours per week.
- E. Non-represented: All employees whose benefits are not covered by a Collective Bargaining Agreement.
- F. Represented: Employees whose benefits are covered by a Collective Bargaining Agreement. Those include: Valley Transit Teamster Local 662, Appleton Professional Police Non-supervisory Unit and the Appleton International Association of Firefighters Local 257.
- G. Domestic Partner: Persons without registration that meet the following criteria:
 - a. Each individual is at least 18 years old and competent to enter into a contract;
 - b. Neither individual is married to, or in a domestic partnership with, another;
 - c. They share a common residence
 - d. Their partnership must not violate Wisconsin Statutes which bar marriage between certain persons based on kinship and divorce;
 - e. They must consider themselves to be members of each other's immediate family and
 - f. They must agree to be responsible for each other's basic living expenses.

Employees who wish to utilize the funeral leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

- H. Look-Back Measurement Period: Rules set by Health Care Reform to offer coverage to an employee who at time of hire wasn't eligible for medical insurance coverage. If during measurement period the employee's hours increase to over 30 hours per week on average then must be offered medical insurance. Measurement Period is the 12 months the City will use to review hours worked in the calculation. Administrative Period is the 60 day period for the City to administratively compute hours work to know if insurance should be offered. Stability Period is the 12 month period of time that once an employee qualifies must be allowed to stay on medical insurance.

V. BENEFITS

A. Health and Dental Insurance

1. Health Insurance:

Regular full-time and part-time employees working 30 hours or more per week, shall be eligible for health insurance benefit plan options as outlined in Attachment A.

Effective January 1, 2013 part-time employees who are enrolled in the City health insurance program shall be grandfathered and will continue to be eligible for health insurance benefits provided they maintain their enrollment in the plan. If said employee chooses to drop coverage

the part-time employee must work 30 hours per week to re-enroll.

Health insurance is effective upon the 31st calendar day of employment. Employees not enrolling at this time will be required to provide a certificate of previous insurance coverage or will have to wait until the open enrollment period for coverage the following calendar year.

Premiums will be deducted from the employee's payroll check. All premiums will be taken on a pre-tax basis unless the employee notifies the Human Resources Department in writing of their desire to have the premium deducted on a taxable basis. Any payments for insurance premiums that cannot be taken through payroll, are due on or before the first of the month for the month of coverage to the Human Resources Department. Failure to make timely payments may cause cancellation of coverage.

Employees who have a spouse who also work for the City must select either one family plan or two single plans.

The City will follow the Health Care Reform Act look-back provision in order to determine if a previously not eligible employee becomes eligible for medical insurance. The Measurement Period will be November 1 through October 31. The Administrative Period will be November 1 through December 31. The Stability Period will be January 1 through December 31.

2. Dental Insurance:

Regular full-time and part-time employees shall be eligible for a dental insurance benefit plan as outlined in Attachment B.

Premiums will be deducted from the employee's payroll check. All premiums will be taken on a pre-tax basis unless the employee notifies the Human Resources Department in writing of their desire to have the premium deducted on a taxable basis. Any payments for insurance premiums that cannot be taken through payroll, are due on or before the first of the month for the month of coverage to the Human Resources Department. Failure to make timely payments may cause cancellation of coverage.

Dental insurance is effective upon the 31st calendar day of employment. Employees not enrolling at this time will have to wait until the open enrollment period for coverage the following calendar year.

Employees who have a spouse who also work for the City must select either one family plan or two single plans.

Life Insurance

1. **Basic Life Insurance:** Regular full-time and regular part-time employees are eligible for term life insurance in an amount equal to one times the employee's annual salary rounded to the next even thousand increment to a maximum of \$50,000. The City shall pay the full cost of the premium.

2. **Optional Life Insurance:** In addition to the \$50,000 term life insurance, regular full-time and regular part-time employees can purchase optional life insurance in \$10,000 increments. Optional life insurance can be purchased for spouse and dependent children. The employee must pay the full premium for all optional life insurance.

Life insurance is effective on the first of the month after thirty-one (31) calendar days of employment.

B. Long-Term Disability Insurance

Regular full-time and regular part-time employees will be eligible for long-term disability insurance. Coverage will be provided at 60 % of the employee's salary for non-work related injuries or illnesses after a ninety (90)-calendar day waiting period. The carrier must deem employees eligible. The City shall pay the full cost of the premium.

Long-term disability insurance is effective on the first of the month after ninety (90) (uninterrupted) calendar days of employment.

C. Wisconsin Retirement System

The City shall pay one half of all actuarially required contribution for funding benefits under the retirement system for regular full-time and regular part-time employees, this excludes Police and Fire protective employees. Participation in the Wisconsin Retirement System is mandatory.

D. Deferred Compensation Program (Section 457 Plan)/Roth

Regular full-time and regular part-time employees are eligible to participate in the City Deferred Compensation Program upon enrollment into the program anytime on or after their first day of employment. Any amounts contributed to the program, which must be by payroll deduction, are paid for fully by the employee. Under this plan, you may contribute money (on a pre-tax basis) in a tax deferred investment of your choice to earn tax deferred interest until you are ready to receive distributions, usually at retirement. There is also a Roth option that must be by payroll deduction and is paid for fully by the employee. This allows you to contribute money (on an after tax basis) to investments of your choice.

E. Post Employment Health Plan (PEHP)

The City of Appleton participates in the PEHP for Non-Represented Public Employees in accordance with the terms and conditions of the Plan's Participation Agreement.

1. Monthly Contributions:

The City agrees to contribute to the Plan on behalf of all regular full-time non-represented employees. The City shall contribute for each Eligible Employee the amount of ten dollars (\$10) per month.

The City shall pay the annual administration fee on behalf of the eligible active employee. The procedure for payment of the administration fee shall be accomplished by a deduction and reimbursement directly into the employee's account.

Regular part-time employees are not eligible for payment of the annual administration fee or the monthly contribution to the PEHP.

2. Additional Contributions:

In addition to the monthly contribution amount, the City will contribute upon retirement, the value of unused sick leave of an Eligible Employee's accumulated sick leave balance to the maximum as follows:

90 days for formerly represented AFSCME employees;
90 days plus any accumulated physical fitness bonus incentive for Police Captains and Lieutenants and;
120 days plus any accumulated physical fitness bonus incentive for Police/Fire administrative protective status personnel and
120 days for all other employees
(For purposes of the additional contribution, an Eligible Employee is an employee who is qualified for an annuity under the Wisconsin Retirement System.)

PEHP contributions are not reportable earnings to the Wisconsin Retirement System.

Contributions to the PEHP may only be used after an employee leaves employment with the City of Appleton. Monthly contributions are placed into an account that may be used to pay for IRS qualified expenses. The additional contributions are placed into an account that may be used to pay for premium contributions only.

- F. Flexible Spending Account: All regular full-time and regular part-time employees are eligible to participate in the flexible spending account program. Enrollment shall be January 1 of each year for existing employees or within thirty (30) calendar days for newly hired employees or for qualifying status changes. This program allows the employee to use pre-tax funds to pay for IRS qualified expenses. It also allows pre-tax funds for dependent day care expenses for children under the age of thirteen (13) or day care expenses for disabled dependents.
- G. Worker's Compensation: Regular full-time employees and regular part-time employees shall receive worker's compensation benefits based on state worker's compensation laws, with the exception's that there shall be no cap on the weekly (TTD) temporary total disability payments and they be compensated for the first three days at 66 2/3% following the date of injury, after the 7 day period is met. All protected police and fire personnel shall receive the same benefit afforded to the represented employees in the department.
- H. Tuition Reimbursement: All regular full-time non-represented employees who successfully complete job related continuing education courses toward a degreed program shall be reimbursed for fifty percent (50%) of the cost of tuition and books. The total amount reimbursed will not exceed fifty percent (50%) of the amount charged by the University of Wisconsin system for similar courses that is paid by the employee.

Library employees shall be reimbursed for up to 25% of the cost of tuition and books, paid by the employee, not to exceed that charged by the University of Wisconsin system for similar courses for graduate Library education.

The department head and the Director of Human Resources must approve participation in such courses, in advance. Successful completion shall mean a passing grade if the course or program is graded on a pass/fail basis or a grade of "C" or better if letter grades are issued. Class participation will be on the employee's own time.

All tuition reimbursement requests shall be subject to available departmental funds. Reimbursements from other sources will offset City contributions. (ie; grants).

- I. Direct Deposit: All employees are required to have their payroll checks direct deposited into a bank or credit union of their choice. The full amount of the deposit must go into one account.

J. Employee Assistance Program (EAP): The City sponsors an EAP to help employees and those living in their households maintain healthy levels of emotional, work-life, and physical well-being, and to limit the effect of personal problems on job performance. All employees and those living in their households are eligible to utilize resources and services offered through the EAP. This benefit comes at no cost to the employee or participant and is designed to provide short-term confidential counseling and referral services, financial information and resources, legal support and resources, work-life solutions, and Guidance Resources Online. Services rendered by the EAP are provided through a contract with a private employee assistance consulting firm.

JK. Other Benefits: Other voluntary benefits may be offered based on the City's discretion.

VI. PAID LEAVE

Employees shall receive a total of twelve (12) holidays per year (this includes scheduled holidays, as listed below). When a holiday falls on Saturday or Sunday, it shall be determined by the Mayor in November of the previous year, if service to the public will be required on the Friday or Monday. If it is determined that service will be provided to the public, employees shall work those days as part of their normal workweek and will be given a floating holiday off in lieu of the Friday before and/or the Monday after a holiday to be scheduled with supervisory approval. Department Directors will inform employees the November prior to the beginning of the following year of any variations of the following schedules. For those employees who are not required to service the public as noted above, when New Years, Independence Day, or Christmas falls on Saturday they shall be observed on the preceding Friday and when they fall on Sunday they shall be observed on the following Monday.

A. Holidays: the City (excluding Valley Transit and Library) shall observe the following holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Day after Thanksgiving
7. Last working day before Christmas
8. Christmas Day
9. Four floating holidays
10. Any additional holidays granted by the Common Council

Valley Transit shall observe the following holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Christmas Day
7. Six floating holidays
8. Any additional holidays granted by the Common Council.

The Appleton Public Library shall observe the following holidays:

1. New Year's Day

2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Christmas Eve
7. Christmas Day
8. New Year's Eve
9. Four floating holidays
10. Any additional holidays granted by the Common Council and Library Board

Regular full-time employees are eligible for holidays based on eight (8) hours for each of the above listed holidays. . Police Lieutenants and Captains who are required to work (minimum staffing) on Thanksgiving Day, Day after Thanksgiving, Christmas Eve or Christmas Day shall be entitled to receive \$100 compensation and will be allowed to take an alternative day off.

Regular part-time employees are eligible for holidays pro-rated based on the approved budgeted position. If one of the above listed holidays falls on a regularly scheduled day off for a regular part-time employee, the employee may have the option, with department head approval, of taking pay for the holiday, taking an additional day off during the pay period or scheduling the holiday as a floating holiday to be used by December 31.

Floating Holidays may be charged in one quarter hour increments and/or pursuant to departmental policy. Floating Holidays must be used during the calendar year or they will be lost. Department directors/ or designee shall approve the number of employees off on a floating holiday at any one given time, as well as how employees will pick floating holidays and whether or not employees will be allowed to cancel scheduled floating holidays.

In order for regular full-time and regular part-time employees to be eligible for holiday pay, they must work their regularly scheduled work day immediately preceding and following the holiday, except in the case of an employee on an approved paid leave. Floating holidays will be pro-rated in the year of hire and termination/resignation/retirement as follows:

	Hired	Leaving
January-March	3	0
April-June	2	1
July-September	1	2
October-December	0	3

Non-exempt employees who work on any of the scheduled holidays shall receive double time pay for all hours worked on the holiday unless otherwise noted in departmental policies or have received an additional day off as noted above.

When an exempt employee is required to work one of the holidays listed above, that supervisor shall be given an additional floating holiday off, to be scheduled with supervisory approval. This provision shall not apply to Fire personnel working a 24-hour shift.

Non-represented Fire Personnel working a 24-hour shift shall be granted pay for scheduled holidays in accordance with the current International Association of Fire Fighters Local 257 collective bargaining agreement. In addition to the pay for scheduled holidays, 24-hour shift personnel shall be entitled to floating holidays based on the following schedule:

Upon promotion or year of hire:	one (1) floating holiday
After five (5) years of city service:	two (2) floating holidays
After eight (8) years of city service:	three (3) floating holidays

Floating Holidays shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

- B. Vacation: All regular full-time employees shall be entitled to paid vacation benefits as of January 1 of each year based upon their length of continuous service. For purposes of determining future vacation eligibility, the year of hire shall be treated as a full year of service.

Regular part-time employees are eligible for vacation pro-rated based on the approved budgeted position. Regular part-time employees shall use vacation based on the number of hours scheduled to work on the day or days for which the vacation is requested.

Paid vacations shall be provided in accordance with the following:

Vacation Schedules: Existing employees shall be placed on the schedule below effective January 1, 2012. Employees will not lose earned vacation as a result of that placement and shall move to the next increment based on their years of service on the schedule below.

Year of hire: Persons hired prior to July 1 of any year shall receive one week (5 working days) of vacation during their year of hire subject to approval of their department head or Mayor if appropriate and in accordance with department policies.

1. Non-exempt:

After one year of continuous service: one week of vacation (five working days.)

After two years of continuous service: two weeks of vacation (ten working days.)

After six years of continuous service: two weeks plus two days of vacation (twelve working days.)

After eight years of continuous service: three weeks of vacation (fifteen working days.)

After twelve years of continuous service: four weeks of vacation (twenty working days.)

After fifteen years of continuous service: four weeks plus two days of vacation (twenty-two working days.)

After twenty-years of continuous service: five weeks

2. Exempt:

After one year of continuous service: two weeks (ten working days.)

After five years of continuous service: three weeks (fifteen working days)

After eight years of continuous service: three weeks plus three days of vacation (eighteen working days.)

After twelve years of continuous service: four weeks plus two-days of vacation (twenty- two working days.)

After twenty years of continuous service: five weeks plus four days of vacation (twenty-nine working days.)

3. Fire Personnel working a 24-hour shift:

After one year of continuous service: three days of vacation.

After two years of continuous service: six days of vacation.
After five years of continuous service: seven days of vacation.
After eight years of continuous service: ten days of vacation.
After twelve years of continuous service: thirteen days of vacation.
After sixteen years of continuous service: fourteen days of vacation.
After twenty years of continuous service: sixteen days of vacation.

Administration of Vacation:

Department directors/or designee shall approve the number of employees off on vacation at any one given time, as well as how employees will pick vacations and whether or not employees will be allowed to cancel vacations.

With the exception of the year of hire, vacation credits are earned in one year and are available for use in the following year. All employees entitled to three (3) weeks or more of vacation must schedule and take at least two (2) weeks of vacation during the year of entitlement. All employees entitled to less than three (3) weeks of vacation must schedule and take at least one (1) week of vacation during the year of entitlement. Employees who do not schedule the minimum required vacation will have it scheduled for them at a time determined by the department. If a department is unable to schedule the minimum required vacation for the employee, the time will be lost.

Vacation benefits shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

When a holiday falls during an employee's vacation, he/she shall not be required to use a vacation day in lieu of the holiday.

In the event an employee or family member becomes ill during an employee's vacation, the employee will not be allowed to substitute sick leave for vacation unless the need for sick leave commences prior to the start of the approved vacation.

Regular employees who move from one position to another by transfer, promotion, or demotion, in the City, shall be credited with accumulated vacation leave in their new position.

An employee whose employment status is changed from temporary to regular status without a break in service shall receive vacation credits from the original date of hire. Library employees whose status is changed from temporary to regular status will have their vacation based on their status effective date change.

No credit for vacation leave shall be granted for time worked by an employee in excess of their normal workweek.

Use of vacation time must be approved in advance by the department head.

Vacation Carry-Over:

Any employee may carry over, from one year to the next, up to a maximum of five (5) days (forty hours) vacation.

Non-represented Fire employees working a 24-hour shift may carry over, from one year to the next, three (3) days.

Any vacation time that is carried over into a subsequent year shall be considered the first vacation time used by the employee in the subsequent year. The process at year end for employees who have unused vacation will be as follows:

1. Any unused eligible balance up to forty hours will automatically be carried over to the next year.
2. Any remaining balance up to forty hours may be paid to the employees PEHP or H.S.A. account. (No more than a total of up to 40 hours for the two plans combined)

Any employee wishing to have their remaining balance paid to the PEHP (up to 40 hours maximum), must enter the hours of the remaining balance in the payroll system on the payroll that includes 12/31 and use a code of "VT" in Iseries or 822 in Munis.

Any employee wishing to have their remaining balance paid to their H.S.A. account (up to 40 hours maximum), must enter the hours of the remaining balance in the payroll system on the payroll that includes 12/31 and use the code of "XV" in Iseries or 818 in Munis.

Fire personnel employees who have vacation balances as of December 31, will have the unused eligible balance up to three days for Fire personnel working a 24 hour shift, automatically carried over to the next year and any remaining balance up to three days for Fire personnel working a 24 hour shift may be paid to their PEHP account or their H.S.A. account: (No more than a total of up to 40 hours for the two plans combined)

In both payout options, Fire employees working a 24-hour shift will have their shift hours converted to a 40 hour paid work week.

All eligible vacation not used in the year in which it is available and not carried over, must be entered into the payroll system with the VT or XV codes for payment to their PEHP or H.S.A. account or the vacation time will be lost.

At termination or retirement, any unused vacation will be paid to the employee in a lump sum. Vacation cannot be used over payroll periods to extend the last day of employment.

Exceptions to the above vacation carryover and PEHP/H.S.A. contribution beyond forty hours and three days for Fire personnel working a 24 hour shift, may be made in unusual circumstances as pre-approved by the Department Director or Mayor as appropriate and the Human Resources Director.

The Human Resources Director may request exceptions to the vacation provisions as it relates to placement on the schedule, on a case-by-case basis with a report to the Human Resources Committee.

- C. Paid Time Off: (PTO) Employees shall receive six (6) PTO days January 1 of each year to be used as paid time off. Part-time employees shall receive a pro-rated amount based on their approved budgeted position. For newly hired employees, PTO days shall be pro-rated based on the month hired. Employees will be allowed to carryover three (3) PTO days not used as of December 31st. Any request made for PTO days shall follow the normal procedure for the type of leave being requested. (e.g. vacation, floating holidays and sick leave must follow the normal guidelines used for requesting that type of benefit)

PTO days shall be pro-rated in the year of hire/termination/resignation/retirement as follows:

	Hired	Leaving
January-February	5	0
March-April	4	1
May-June	3	2
July-August	2	3
September-October	1	4
November-December	0	5

Fire employees working a 24-hour shift shall receive four (4) PTO days on January 1st of each year to be used as paid time off. Fire employees will be allowed to carryover two (2) PTO days not used as of December 31st.

PTO days for Fire employees working a 24-hour shift shall be pro-rated in the year of hire/termination resignation/retirement as follows:

	Hired	Leaving
January-March	3	0
April-June	2	1
July-September	1	2
October-December	0	3

Employees who use more PTO than they are entitled to in the year they leave employment shall owe the City the time back, unless the employee leaves employment as a result of physician certified disability.

PTO days shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

- D. Sick Leave: Employees who have sick leave on the books will have that balance grandfathered as of December 31, 2011 and employees will no longer earn sick leave.

Sick leave that has been grandfathered may be used for an absence due to illness of, or injury to, the employee or an immediate family member living in the employee's residence, unless otherwise qualified under the Family Medical Leave Act.

Sick leave cannot be used until all Paid Time Off (PTO) days have been exhausted unless otherwise qualified under the Family Medical Leave Act. Employees must use the 2nd sick leave bank before accessing the regular bank;

1. PTO
2. 2nd sick leave bank
3. Regular sick leave bank

Sick leave and PTO may be used for doctor or dental appointments, which cannot be scheduled during an employee's regular time off. Employees are encouraged to schedule routine appointments that minimize the operational impact to the department.

Sick leave and PTO shall be charged in no less than one quarter-hour increments provided it is

pre-approved by the employee's supervisor and/or pursuant to departmental policies or guidelines

A regular employee who moves from one position to another by transfer, promotion, or demotion, in the City, shall have their total sick leave credits transferred to the new department.

Employees who wish to utilize the sick leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) under Definitions (G) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

- E. Funeral Leave: In the case of the death of the employee's spouse, domestic partner, child, or step child regular full-time employees may be paid for scheduled time lost up to ten (10) working days, but not to exceed (80) eighty hours, at the employee's regular straight time rate. Leave must be taken within 60 days of the death.

In the case of death in the immediate family of a regular full-time employee, the employee will be paid for the scheduled time lost up to three (3) scheduled work days, but not to exceed (24) twenty-four hours at the employee's regular straight time hourly rate.

For purposes of funeral leave, immediate family shall be defined as the employee's grandchild; mother or step-mother; father or step-father; legal guardian; sister or brother; mother-in-law or father-in-law; any other relative living in the employee's residence at the time of death; or the mother or father of the employee's domestic partner.

Fire employees working a 24-hour shift shall be eligible for funeral leave based on the following:

Spouse, domestic partner, child or stepchild: 5 work days without loss of pay

Immediate Family: 2 work days

Employees who wish to utilize the funeral leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) under Definitions (G) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

Regular part-time employees are eligible for funeral leave pro-rated based on the approved budgeted position.

- F. Compensatory Time: Non-exempt regular full-time employees will be paid-overtime at time and one-half for all hours in excess of forty hours worked in a pay week. Non-exempt regular full-time employees, with the prior approval of their supervisor, may have the option of converting additional time worked to compensatory time off up to a maximum of 40 hours. Request for usage of compensatory time shall be pursuant to departmental policies.
- G. Jury Duty/Witness Duty: Regular full-time and regular part-time employees shall receive full pay for any work day the employee serves as a juror or if subpoenaed on witness duty if the employee was scheduled for work. In order for an employee to be eligible for witness duty pay, the reason for being a witness must be related to their employment with the City of Appleton. As a condition for such payment, the employee shall report for work for their regularly scheduled hours immediately before and following such duty when reasonably possible and shall immediately notify the Employer upon receipt of the jury summons or subpoena. The employee

shall complete a Jury Duty Request form and submit it to their supervisor as soon as they are notified by subpoena of their requested appearance.

In order to receive full pay the employee is required to, upon receipt of jury or witness pay, submit their jury or witness pay to the City payroll office. The payroll office will cash the employees check, retain the portion of the check representing per diem payments, and give the employee the mileage and meal reimbursement portions of the check.

Employees, at their option, may use paid time off for a day of jury or witness duty and thereby retain the jury or witness pay as well as full pay for the day(s).

VII. LEAVE OF ABSENCE

Leaves of absence may be granted without pay subject to the following conditions:

Leave without pay shall be granted at the City's discretion. Request for leave of absence must be requested at least 30 days prior to the taking of such leave or in emergency cases as soon as reasonable or practicable. No leave of absence shall be granted for more than one calendar year.

When such leave is requested as an extension of medical leave, an acceptable physician's certificate shall be required.

The employee must exhaust all available paid time off benefits prior to the commencement of an unpaid leave of absence.

Leaves will be granted at the total discretion of the Department Head and the Human Resources Director. Requests for Leave of Absence for Appleton Public Library employees must also be approved by the Library Board.

Return to work earlier than the scheduled termination of leave date may be arranged by the department head and the employee with the approval of the Human Resources Director, provided it does not conflict with the physician's certification.

Employees on an unpaid leave of absence with the City may not be employed elsewhere unless otherwise approved by the Human Resources Director.

If an employee is unable to return to work on the date stipulated, he/she may submit a written request to extend their leave of absence, subject to the approval of the Human Resources Director. If, on the date following the expiration of the leave of absence, an extension is not requested and granted and the employee has not returned to their position, the employee shall be considered to have voluntarily resigned from City employment.

The appropriate Department Head may approve leaves of absence without pay for a period of less than 3 days in a given year provided that all available paid time off benefits have been exhausted prior to the requested leave dates.

Any employee absent from work without approval shall receive no pay for the duration of the absence, and shall be subject to corrective action up to and including discharge.

VIII. BENEFIT STATUS DURING LEAVE OF ABSENCE

Employees on an approved leave of absence without pay may elect to continue health, dental, and life insurance coverage during the period they are on leave beyond the first thirty days in addition to any voluntary insurance policies they may have elected. The employee shall be responsible for paying the full premium(s), due on or before the first of the month, in the Human Resources Department for all of the desired coverage. Failure to make timely payments will cause cancellation of coverage.

Paid time off and vacation shall not be earned by an employee during a leave of absence without pay, a suspension without pay, or when the employee is otherwise in a non compensable status, excluding approved FMLA, should such period without pay exceed thirty calendar days in any calendar month. In this case, the employee's vacation, floating holiday and PTO entitlement for the following year shall be pro-rated.

IX. PHYSICAL FITNESS PROGRAM-POLICE & FIRE SWORN PERSONNEL

Exempt non-represented protective status personnel shall have the option of participating in the Physical Fitness Salary Incentive and Physical Fitness Bonus Incentive program.

All participating protective status personnel will be tested on the schedule for the represented employees within their respective departments, either annually (Fire) or bi-annually (Police).

A. Physical Fitness Salary Incentive:

Annual Testing: Participating employees receiving a score of "excellent" will be paid a physical fitness salary incentive of 2% of base pay and those receiving a score of "good" will be paid a physical fitness salary incentive of 1% of their base pay until the next testing date. Such payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing results and shall be calculated on the basis of 2% or 1% of the employee's annual base pay, calculated on the rate of pay at the time of the test. Employees receiving a score of "adequate" or "poor" will not be eligible for a physical fitness salary incentive.

Bi-Annual Testing: Participating employees receiving a score of "excellent" will be paid a physical fitness salary incentive of 2% of base pay and those receiving a score of "good" will be paid a premium of 1% of their base pay until the next testing date. Such payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing results and shall be calculated on the basis of 2% or 1% of one half of the employee's annual base pay, calculated on the rate of pay at the time of the test. Employees receiving a score of "adequate" or "poor" will not be eligible for a physical fitness salary incentive.

B. Physical Fitness Bonus Incentive:

Annual Testing: Participating employees shall be eligible for eight (8) hours of physical fitness bonus pay for each testing period that the employee receives a score of "excellent" and four (4) hours of physical fitness bonus pay for each testing period that the employee receives a score of "good". Employees who score as "adequate" or "poor" will not be eligible for a physical fitness bonus incentive.

Bi-Annual Testing: Participating employees shall be eligible for four (4) hours of physical fitness bonus pay for each testing period that the employee receives a score of "excellent" and two (2) hours of physical fitness bonus pay for each testing period that the employee receives a score of "good". Employees who score as "adequate or "poor" will not be eligible for a physical fitness bonus incentive.

The accumulated total physical fitness bonus incentive shall be paid to the eligible employee upon retirement (as defined by WRS) to the PEHP. Such payment will be made in accordance with and in addition to the retirement benefits outlined in section V. (Benefits) E. (Post Employment Health Plan) and section XI. (Termination Benefits) of this policy.

X. TERMINATION BENEFITS

- A. Retirement: Employees retiring, with proper notice, at or above the normal retirement age established under the Wisconsin Retirement System and/or eligible for a retirement annuity from the Wisconsin Retirement System shall be eligible for the following benefits:
- a. A lump sum pay-out of their accumulated and carry-over vacation balance *
 - b. A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section IV-Paid Leave, of this policy.**
 - c. A lump sum pay-out of their accumulated compensatory time.
 - d. Accumulated and unused sick leave to a maximum of one hundred and twenty (120) days, (90 days maximum for formerly represented AFSCME employees and Police Captains and Lieutenants), shall be paid to the Post Employment Health Plan. Additionally, any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the PEHP).
 - e. If the employee has completed at least five (5) years of service with the City, the employee may be eligible for a medical plan option exclusive of Dental. Such medical option may be made available to employees and spouses at their own expense, up to the time the employee and/or spouse turns age 65 or becomes eligible for Medicare, provided they exercise this option prior to their last day of work.
 - f. The option of continuing dental coverage for a period of eighteen (18) months following the month in which their retirement occurred, in accordance with state and federal laws.
- B. Resignation: Employees who resign their employment with proper notice shall be eligible for the following benefits:
- a. A lump sum pay-out of their accumulated and carry-over vacation balance. *
 - b. A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section IV Paid Leave, of this policy.**
 - c. A lump sum pay-out of their accumulated compensatory time.
 - d. The option of continuing the medical and dental coverage for a period of eighteen (18) months following the month in which their resignation occurred, in accordance with state and federal laws.
- C. Retirement or Resignation without proper notice: Employees who retire or resign their employment without proper notice (unless the reason for lack of proper notice is due to a physician certified disability) may be eligible for the following benefits:

- a. A lump sum pay-out of any carry-over vacation balance.*
 - b. A lump sum pay-out of any accumulated vacation balance based upon the following proration
 - 1. Employees required to give a (2) week notice will have a reduction of 10 days.
 - 2. Employees required to give a (30) thirty day notice will have a reduction of 30 days.
 - c. Floating holiday and/or PTO**
 - d. Employees will receive a lump sum pay-out of their accumulated compensatory time.
 - e. The option of continuing the medical and dental coverage for a period of up to eighteen (18) months following the month in which their retirement or resignation occurred, in accordance with state and federal laws.
 - f. Accumulated and unused sick leave to a maximum of one hundred and twenty (120) days, (90 days maximum for formerly represented AFSCME employees and Police Captains and Lieutenants), shall be paid to the Post Employment Health Plan. Additionally, any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the PEHP).
- D. Termination: Employees benefits:
- a. A lump sum pay-out of any carry-over vacation *
 - b. Floating holiday and/or PTO**
 - c. Employees will receive a lump sum pay-out of their accumulated compensatory time.
 - d. The option of continuing the medical and dental coverage for a period of up to eighteen (18) months following the month in which their termination occurred, in accordance with state and federal laws.
- E. Death of an employee: In the event of the death of an employee, the following benefits shall be direct deposited into the employee's account:
- a. A lump sum pay-out of their accumulated and carry-over vacation balance.*
 - b. A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section VI Paid Leave, of this policy.
 - c. A lump sum pay-out of their accumulated compensatory time.
 - d. A lump sum pay-out of accumulated and unused sick leave to a maximum of ninety (90) working days. For those employees who are eligible, up to an additional thirty (30) days of accumulated sick leave (beyond the 90 days) and any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the employee's spouse and if no spouse is living, the employee's estate.
 - e. A medical plan option exclusive of Dental, may be made available to the employee's spouse at their own expense, up to the time the spouse turns age sixty-five (65) or becomes eligible

for Medicare, provided they exercise this option within thirty days of the employee's death.

- f. The spouse shall have the option of continuing dental coverage for a period of eighteen (18) months following the month in which the employee's death occurred, in accordance with state and federal laws.

*Employees leaving with less than eighteen (18) months of service shall have vacation prorated based on the following formula:

5/6 vacation day for each month of completed service minus any vacation time used between their date of hire and their last day of work. In the event the employee has used more vacation than they were entitled, based on this formula, the employee shall have an amount equal to the paid but unearned vacation deducted from their final pay (unless the employee leaves employment as a result of a physician certified disability).

**Employees who have used more floating holiday and/or PTO benefit than they were entitled pursuant to Section VI Paid Leave, of this policy in the last year of their employment will have an amount equal to the paid but unearned benefit deducted from their final pay (unless the employee leaves employment as a result of a physician certified disability).

CITY OF APPLETON PERSONNEL POLICY	TITLE: ELECTRONIC COMMUNICATION (INTERNET, CELL PHONES)	
ISSUE DATE:	LAST UPDATE: September 2003 October 2006 January 2007 October 28, 2010 February 6, 2013 October 28, 2015 October 2018 February 2019 <u>February 2021</u>	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	POLICY AUDIENCE: City Employees and Volunteers	TOTAL PAGES: <u>4.5</u>
Reviewed by Legal Services Date: September 12, 2003 February 5, 2007 February 6, 2013 January 2016 December 2015 December 2019	Committee Approval Date: September 24, 2003 April 18, 2007 December 8, 2010 July 15, 2013 April 11, 2016 January 13, 2019	Council Approval Date: October 1, 2003 May 2, 2007 December 15, 2010 July 24, 2013 April 20, 2016 February 20, 2019

I. PURPOSE

To provide guidelines for the use of City electronic communications systems and/or equipment, whether issued or funded by the City or personally owned, while on-duty or when used for work-related purposes (including but not limited to e-mail, FAX, Internet, voicemail, calendars, telephones, computer applications, internal network or any device that is used to access or monitor any of these services). The City of Appleton provides this policy to set standards for users to adhere to when utilizing these resources.

II. POLICY

Generally, any communications transmitted by, received from or stored in City of Appleton systems and/or equipment are the property of the City of Appleton and are subject to open records (see Public Records Policy). Some personal communications may be exempt pursuant to law, however, (even if deleted) they are still not considered private if created or transmitted using City equipment (computers, cell phones, instant messaging, etc.).The use of City equipment for private or personal purposes must be pre-authorized by a supervisor. Failure to follow this policy may result in discipline up to and including discharge.

For purposes of Library administered systems, networks and/or equipment, Library Administration and Network Services serve the review and approval functions of Human Resources and Information Technology as listed below. Library rules and procedures are subject to review and approval by Human Resources, Information Technology and Legal Services.

III. DISCUSSION

The City of Appleton reserves the right to monitor City systems and/or equipment to ensure they are being used for legitimate business purposes, to ensure City systems and/or equipment are being used appropriately, and to access information at any time with or without notice. While monitoring an employee's electronic communication, the City of Appleton will have the right to access all information to which an employee has gained access or created.

Employees should recognize that legally they do not have a personal privacy right in any matter created, sent, received or stored in a City of Appleton system and/or equipment. When an employee deletes a message this does not guarantee that it has been erased.

Employees who are provided City equipment or devices for purposes of electronic communication related to City business will be expected to utilize them for City business to facilitate compliance with open records laws. All materials created, sent, received or stored in a City of Appleton system or device will remain City of Appleton property and may, subject to applicable laws, be monitored or recorded by authorized staff as applicable, including Human Resources, Legal Services or Information Technology staff and such records may be subject to discovery and disclosure.

All City equipment should be used by the employee only. Employees should take a common-sense approach to care for the equipment (securing in the trunk of a vehicle to deter theft, taking inside when below freezing, not letting it out of sight in a public setting, etc.).

IV. GENERAL GUIDELINES

When using City of Appleton electronic communication systems and/or equipment, employees will be required to follow these guidelines:

- A. Employees should have prior supervisory approval before utilizing City resources for personal use and personal use must be kept to a minimum (limited frequency and duration). Department directors have the right to restrict usage to workplace use only. An employee is expected to wait until non-work time or breaks for personal usage of electronic devices, unless extenuating circumstances arise. Employees shall not allow persons not employed by the City to utilize City issued devices and/or equipment.
- B. Usage will be audited and monitored by the department director and/or Mayor if applicable. The department director, or Mayor and Finance Director will determine whether the employee should reimburse the City for any personal or unauthorized services (e.g., cell phone overage charges or text message charges). An authorized supervisor may request to monitor systems by making the request to both the Human Resources Director and the Information Technology Director.
- C. Employees shall not access, send, solicit, display, print or otherwise distribute material that may harass, threaten or embarrass others or that is sexually explicit, fraudulent or otherwise inappropriate for a professional environment. This also violates the City's Harassment & Discrimination and Workplace Violence policies.

- D. No employee shall intentionally intercept any communication without consent. The Privacy Act of 1986 makes any interception without consent illegal and punishable under the law.
- E. Employees shall not copy, download, disseminate or print copyrighted materials except within 'fair use' rules, applicable licenses, contracted agreements, with express permission of the copyright holder, or as otherwise allowed by law. This includes articles, images, games, software, music, etc.
- F. Employees shall not use City of Appleton equipment/resources to engage in personal, non-employer-related activities for gain or profit as referenced in the Code of Conduct Policy. Examples include, but are not limited to, consulting for pay or advertising or selling goods or services for personal gain.
- G. Employees shall not engage in illegal activities or use any City of Appleton communication system for any illegal purposes, including initiating or receiving communications that violate any laws or regulations. The City of Appleton will fully cooperate with lawful requests from law enforcement agencies and internal investigations for logs, diaries, data and archives on any computing activities.
- H. Employees are prohibited from using cameras or other video-capable recording devices within the City without the express prior permission of their department director and of the person(s) present at the time (unless it is at a public meeting or public gathering place). Use of cameras or other video-recording devices are explicitly banned from City restrooms and locker rooms.
- I. Employees are prohibited from knowingly visiting inappropriate Internet sites, unauthorized chat rooms or instant messaging services through the City systems. If an employee inadvertently connects to an inappropriate internet site he/she must disconnect immediately and inform the supervisor of the incident. This would not pertain to employees during times they are required to access an inappropriate site in the course of their job duties. ~~Designated staff at the Library may use instant messaging services for work related purposes on Library systems at the discretion of the Library Director. These services may only be used with log files enabled and will be subject to regular review by the Library Director or designee.~~

If an employee receives an unsolicited/inappropriate joke, advertisement etc. these messages should be immediately deleted. If an employee receives a grossly inappropriate message, they should immediately notify their supervisor.
- J. When an employee is using the City of Appleton equipment to perform union business, they must follow the same procedures as outlined for personal business.
- K. Any employee who uses City systems and/or equipment off-duty is doing so voluntarily and will not be compensated for off-duty use unless they have received prior approval from their department director.
- L. Employees should inform a supervisor if he/she becomes aware that a fellow employee is violating any of the guidelines listed above.
- M. The City of Appleton will report any illegal usage to the police.

V. SPECIFIC GUIDELINES

A. Cell Phones

1. Employees are expected to follow applicable state or federal laws and regulations regarding the use of cell phones/tablets at all times. As a part of Wisconsin law (as of December 1, 2010), employees are prohibited from texting while driving any motor vehicle.
2. Employees should refrain from using their cell phone/tablet while driving and/or operating equipment. Employees should pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are encouraged to use hands-free technology. These guidelines will not supersede stricter departmental rules.
3. Employees who are charged with traffic violations resulting from the use of electronic communications equipment while driving for the City may be held personally liable for the consequences of such actions.
4. Activation of services beyond the normal plan (e.g., internet activation, data charges, text messaging, roaming charges, long distance, etc.) on a City-issued cell phone must have prior written authorization from the employee's department director and/or Mayor if applicable.

B. Fax/Copy Machines

Reasonable use of copy machines and fax machines for personal needs must have supervisor approval. High volume personal usage is prohibited. As a guide to define reasonable usage, please consider this to be 20 sheets of paper or less.

VI. PERSONALLY OWNED COMMUNICATION DEVICES

Employees may carry a personally owned communication device while on-duty, subject to the following conditions and limitations:

- A. Permission to carry a personally owned communication device may be revoked if it is used contrary to provisions of this policy.
- B. The City accepts no responsibility for loss or damage to a personally owned communication device.
- C. The device and any associated services shall be purchased, used and maintained solely at the employee's expense.

VII. SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- A. Ensuring that employees under their supervision are provided appropriate training on the use of electronic communications systems and equipment consistent with this policy.
- B. Monitoring, to the extent practicable, the use of City systems and equipment in the workplace and take prompt corrective action if a member is observed or reported to be improperly using City systems and/or equipment.
 1. An investigation into improper conduct should be promptly initiated when circumstances

- warrant.
2. Before conducting any administrative search of an employee's personally owned device, supervisors should consult with Human Resources or the City Attorney's office.

If you are uncertain at any time how to apply these guidelines or have any questions, you should seek guidance from your supervisor, or the Human Resources Department or Legal Services prior to engaging in electronic communications activities or using City-owned electronic communications equipment.

Formatted: Right: 0.47", Numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.83" + Indent at: 1.08"

Formatted: Centered

CITY OF APPLETON POLICY	TITLE: MILITARY LEAVE	
ISSUE DATE:	LAST UPDATE: March 7, 2005 August 2010 July 2012 October 2015 <u>February 2021</u>	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All employees serving in the military forces of the United States of America and all employee who are members of the Wisconsin Civil Air Patrol	TOTAL PAGES: 10
Reviewed by Legal Services Date: September 10, 2003 August 2010 August 2012 November 2015	Committee Approval Date: November 5, 2003 September 22, 2010 December 10, 2012 February 8, 2016	Council Approval Date: November 24, 2003 October 6, 2010 December 19, 2012 February 17, 2016

I. PURPOSE

To outline for employees who are members of the military forces of the United States of America, either on active duty, in the Reserves or members of the National Guard, their responsibilities and rights as City of Appleton employees, as well as the procedures for compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

This policy also outlines the rights and responsibilities of employees who are members of the Wisconsin Civil Air Patrol.

II. POLICY

It is the policy of the City of Appleton to allow military leave to all employees who temporarily leave the service of the City to join the military forces of the United States. Such leave will be without pay for all regular part-time, seasonal, temporary and grant-funded non-represented employees. Regular full-time employees shall be granted a leave of absence from their position without loss of pay for a period not to exceed two consecutive calendar weeks in any calendar year. The City will pay such an employee for time lost in the amount equaling the difference between the military pay and their normal City pay.

The City of Appleton will allow Wisconsin Civil Air Patrol members unpaid leave for up to five consecutive days per incident, not to exceed a total of 15 days of leave in a year.

NOTE: For exigency leave please refer to the City of Appleton FMLA policy.

III. DEFINITIONS

~~All definitions are taken from 32 CFR 104.03 (USERRA).~~

~~A. Critical mission. An operational mission that requires the skills or resources available in a Reserve component or components.~~

~~B. Critical requirement. A requirement in which the incumbent possesses unique knowledge, extensive experience, and specialty skill training to successfully fulfill the duties or responsibilities in support of the mission, operation or exercise. Also, a requirement in which the incumbent must gain the necessary experience to qualify for key senior leadership positions within his or her Reserve component.~~

~~C.A. Escalator position. This is established by the principle that the returning Sservice member is entitled to the position of civilian employment that the Service member~~he or she~~ would have attained had ~~he or she~~the Service member remained continuously employed by that civilian employer. This may be a position of greater or lesser responsibilities, to include a layoff status, when compared to the employees of the same seniority and status employed by the company.~~

~~D.B. Impossible or unreasonable. For the purpose of determining when providing advance notice of uniformed service to an employer is impossible or unreasonable, the unavailability of an employer or employer representative to whom notification can be given, an order by competent military authority to report for uniformed service within forty-eight hours of notification, or other circumstances that the Office of the Assistant Secretary of Defense for Reserve Affairs may determine are impossible or unreasonable are sufficient justification for not providing advance notice of pending uniformed service to an employer.~~

~~E.C. Military necessity. For the purpose of determining when providing advance notice of uniformed service is not required, a mission, operation, exercise or requirement that is classified, or a pending or ongoing mission, operation, exercise or requirement that may be compromised or otherwise adversely affected by public knowledge is sufficient justification for not providing advance notice to an employer.~~

~~F.D. Uniformed service. Performance of duty on a voluntary or involuntary basis in the Armed Forces, the Army National Guard and the Air National Guard, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency ~~Army, the Navy, the Air Force, the Marine Corps or the Coast Guard, including their Reserve components~~, when ~~the Service member is~~ engaged in active duty, ~~active duty for special work~~, active duty for training, initial active duty for training, inactive duty training, ~~annual training or~~ full-time National Guard duty, ~~and, for purposes of this part,~~ a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform such duty, and funeral honors duty performed by members of a Reserve component.~~

IV. PROCEDURES

All employees requesting military or Civil Air Patrol leave, whether full or part-time, shall complete the Military Leave Notification form (Exhibit 1). ~~This form helps determine how to pay the employee while on leave, whether their military leave will be paid or unpaid by the City.~~ This form shall be completed prior to said leave or the employee will be considered on an unpaid leave, unless precluded by military necessity.

Any regular, full-time employee who, by reason of membership in the United States Military Reserve is ordered by the appropriate authorities to attend a training or encampment under the supervision of the United States Armed Forces or by reason of membership in the National Guard is required by the authority thereof to do so, shall be granted a leave of absence from their position without loss of pay for a period not to exceed two consecutive calendar weeks in any calendar year. The City will pay such an employee for time lost in the amount equaling the difference, if any, between the military pay and their normal City pay.

For a regular, full-time employee to receive the difference between the military pay and their normal City pay, the employee must complete the Military Leave Notification form prior to said leave unless precluded by military necessity. Upon return from said leave, the employee shall submit to the City the pay records from the military substantiating the pay they received during that time. For employees not contributing towards the Wisconsin Retirement System ~~(WRS)~~, the City shall then pay the difference in the two rates of pay, and contribute the full amount of the costs of the employee's portion of the Wisconsin Retirement Fund, but not to exceed the employee contribution rates for the period of the leave. For employees who are contributing towards the ~~Wisconsin Retirement System~~ ~~WRS~~, the state provides that the employee is responsible for making the ~~Wisconsin Retirement System~~ ~~WRS~~ employee required contributions. Upon returning from unpaid military leave, the employee has the choice whether to make up all, some or none of the total WRS employee required contributions dating to the employee's military leave of absence (Exhibits 2 & 3).

A. To preserve their rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA), employees shall provide advance written or verbal notice to the City, unless precluded by military necessity or otherwise unreasonable or impossible. Reserve component members should provide notice at least 30 days in advance when it is feasible to do so. This notice requirement can be met by providing the City a copy of the unit annual training schedule ~~and/or~~ completing the Military Leave Notification form.

B. Upon completion of service, in order to be re-employed by the City:

1. The employee's cumulative length of absences does not exceed 5 years;
2. The employee reports to, or submits an application for reemployment to, the Human Resources Department within the specified period based on duration of services, as described in section F; and,
3. The person's character of service was not disqualifying as described in sections C. 4 and C. 5 below.

C. The City is not required to reemploy a person if:

1. The employment with the City was for a brief, non-recurrent period and there was no reasonable expectation that the employment would continue indefinitely or for a significant period.
2. The City's circumstances have so changed as to make reemployment impossible or unreasonable.
3. The reemployment imposes an undue hardship on the City in the case of an individual who:

- a) Has incurred a service connected disability; or,
 - b) Is not qualified for the escalator position or the position last held and cannot become qualified for any other position of lesser status and pay after a reasonable effort by the City to qualify the person for such positions.
4. The Service member or former Service member was separated from a uniformed service with a dishonorable or bad conduct discharge, or separated from a uniformed service under other than honorable conditions.
 5. An officer dismissed from any ~~a~~Armed ~~f~~Force or dropped from the rolls of any ~~a~~Armed ~~f~~Force as prescribed under 10 U.S.C. 1161.
 6. The cumulative length of service exceeds five years and no portion of the cumulative five years of uniformed service falls within the exceptions described in section E.;
- D. The City shall not deny initial employment, reemployment, retention in employment, promotion, or any employment benefit on the basis of membership, an application for membership, performance of service or an obligation for service in the uniformed services. -No person, including a non-Service member, shall be subject to employment discrimination or any adverse employment action because they have taken an action to enforce a protection afforded a Service member, has testified or made a statement in or in connection with any proceeding concerning employment and reemployment rights of a ~~S~~service member, has assisted or participated in an investigation, or has otherwise exercised any right provided by USERRA.
- E. In order to retain reemployment rights and benefits provided by this policy and federal law, the cumulative length of absences from the City cannot exceed 5 years. Not counted toward this limit is:
1. Service beyond 5 years if required to complete an initial service obligation;
 2. Service during which an individual was unable to obtain release orders before the expiration of the 5-year cumulative service limit through no fault of their own;
 3. ~~Inactive duty training; annual training; ordered to active duty for unsatisfactory participation; active duty by National Guardsmen for encampments, maneuvers, field operations or coastal defense; or to fulfill additional training requirements, as determined by the Secretary concerned, for professional skill development, or to complete skill training or retraining~~ Required training for Reservists and National Guard members;
 4. Involuntary order, call to active duty or retention on active duty;
 5. Ordered to or retained on active duty during a war or national emergency declared by the President or Congress;
 6. Ordered to active duty in support of an operational mission for which personnel have been involuntarily called to active duty;
 7. Performing service in support of a critical mission or requirement as determined by the Secretary concerned;

8. Performing service in the National Guard when ordered to active duty by the President to suppress an insurrection ~~or rebellion~~, repel an invasion or execute the laws of the United States; and,
9. Voluntary recall to active duty of retired regular Coast Guard officers or retired enlisted Coast Guard members.

F. Applications For Reemployment:

1. For service of 30 days or less or for an absence for an examination to determine the individual's fitness to perform uniformed service, the Service member or applicant must report to work ~~not~~ later than the beginning of the first full regularly scheduled work period on the ~~first full next~~ calendar day following ~~the~~ completion of service or the examination, after allowing for an eight-hour rest period following safe transportation ~~to their residence~~ home from the military duty location.
2. For service of 31 days or more but less than 181 days, the Service member must submit an application for reemployment ~~not~~ later than 14 days after completion of service or by the next full calendar day when submitting an application within the 14-day limit was impossible or unreasonable through no fault of the Service member.
3. For service of 181 days or more, the Service member must submit an application for reemployment ~~not~~ later than 90 days after ~~the~~ completion of service.
4. If hospitalized or convalescing from an illness or injury incurred or aggravated during service, the Service member must, at the end of the period necessary for recovery, follow the same procedures, based on length of service, as described in sections F. 1 through F. 3 above. The period of hospitalization or convalescence may not normally exceed 2 years.
5. Anyone who fails to report or apply for reemployment within the specified period shall not automatically forfeit entitlement to reemployment rights and benefits, but is subject to the rules of conduct, established policies, general practices of the employer pertaining to explanations and discipline because of an absence from scheduled work.

G. If service is for 31 days or more, a Service member must provide documentation, upon request, that establishes:

1. Application to return to work within the prescribed time period;
2. Has not exceeded the 5-year cumulative service limit; and
3. Reemployment rights were not terminated because of character of service as described in paragraphs C. 4 and C. 5 of this policy.

Failure to provide documentation cannot serve as a basis for denying reemployment to the Service member, former Service member, or applicant if documentation does not exist or is not readily available at the time of the City's request. However, if after reemployment documentation becomes available that establishes that the Service member or former Service member does not meet one or more of the requirements contained in this policy, the City may immediately terminate the employment.

H. Position To Which Entitled Upon Reemployment

1. Reemployment position for service of 90 days or less:
 - a) The position the person would have attained if continuously employed (the "escalator" position) and if qualified to perform the duties or can become qualified after reasonable efforts by the City; or,
 - b) The position in which the person was employed when they departed for uniformed service, but only if the person is not qualified to perform the duties of the escalator position, despite the City's reasonable efforts to qualify the person for the escalator position.
 2. Reemployment position for service of 91 days or more:
 - a) The escalator position or a position of like seniority, status and pay, the duties of which the person is qualified to perform or can become qualified after reasonable efforts by the City; or,
 - b) The position in which the person was employed when they departed for uniformed service or a position of like seniority, status and pay, the duties of which the person is qualified to perform, but only if the person is not qualified to perform the duties of the escalator position after the City has made a reasonable effort to qualify the person for the escalator position.
 3. If a person cannot become qualified, after reasonable efforts by the City to qualify the person, for either the escalator position or the position formerly occupied by the employee as provided in this section, for any reason (other than disability), the person must be employed in any other position of lesser status and pay that the person is qualified to perform, with full seniority.
- I. If a person who is disabled because of service cannot (after reasonable efforts by the City to accommodate the disability) be employed in the escalator position, they must be reemployed:
1. In any other position that is equivalent to the escalator position in terms of seniority, status, and pay that the person is qualified or can become qualified to perform with reasonable efforts by the City; or,
 2. In a position, consistent with the person's disability, that is the nearest approximation to the escalator or equivalent position in terms of seniority, status and pay ~~to the escalator or equivalent position.~~
- J. A person who is reemployed under USERRA is entitled to the seniority and other rights and benefits determined by seniority that the person had upon commencing uniformed service and any additional seniority and rights and benefits they would have attained if continuously employed. A person who is absent by reason of uniformed service shall be deemed to be on leave of absence from the City and is entitled to such other rights and benefits not determined by seniority as generally provided by the City to employees ~~on leave of absence~~ having similar seniority, status and pay who are also on leave of absence, as provided under the contract or policy in effect during the Service member's absence because of uniformed service, except vacation. Employees who are

on an unpaid leave of absence for purposes of military leave shall not have their vacation prorated upon their return. However such employees shall not be entitled to more than one year of benefits upon their return. The individual may be required to pay the employee cost, if any, of any funded benefit ~~continued~~ to the same extent that other employees on leave of absence are required to pay.

- K. If, after being advised by the City of the specific rights and benefits to be lost, a Service member, former Service member or applicant of uniformed service knowingly provides written notice of intent not to seek reemployment after completion of uniformed service, they are no longer entitled to any non-seniority based rights and benefits. This includes all non-seniority based rights and benefits provided under any contract, plan, agreement or policy in effect at the time of entry into uniformed service or established while performing such service and which are generally provided by the employer to employees having similar seniority, status and pay who are on leave of absence.
- L. A person who is reemployed following uniformed service cannot be discharged from employment, except for cause, within 1 year after the date of reemployment if that person's service was 181 days or more; or within 180 days after the date of reemployment if such service was 31 days or more but less than 181 days.
- M. During any period of uniformed service, a person may, upon request, use any vacation, PTO, or similar leave with pay accrued before the commencement of that period of service.
- N. The City will allow the Service member to elect to continue personal health insurance coverage, and coverage for the Service member's his or her dependents under the following circumstances:
 - 1. The maximum period of coverage of a person and the person's dependents under such an election shall be the lesser of:
 - a) The 24 month period beginning on the date on which the person's absence begins; or
 - b) The day after the date on which the person was required to apply for or return to a position of employment as specified in this policy, and fails to do so.
 - 2. A person who elects to continue health plan coverage may be required to pay up to 102 percent of the full premium under the plan, except that a person on active duty for 30 days or less cannot be required to pay more than the employee's share, if any, for the coverage.
 - 3. An exclusion or waiting period may not be imposed in connection with the reinstatement of coverage upon reemployment if one would not have been imposed had coverage not been terminated because of service. However, an exclusion or waiting period may be imposed for coverage of any illness or injury determined by the Secretary of Veterans' Affairs to have been incurred in or aggravated during, the performance of uniformed service.
- O. A person reemployed after uniformed service shall be treated as if no break in service occurred, with the City maintaining the employee's pension benefit plan. Each period of uniformed service, upon reemployment, shall be deemed to constitute service with the City for the purpose of determining the non-forfeiture of accrued benefits and accrual of benefits. The City is liable ~~to~~ the plan for funding any obligation attributable to the employer of the employee's pension benefit plan that would have been paid to the plan on behalf of that employee but for their absence during a period of uniformed service. Upon reemployment, a person has three times the period of

military service, but not to exceed five years after reemployment, within which to contribute the amount they would have contributed to the pension benefit plan if they had not been absent for uniformed service. An employee is entitled to accrued benefits of the pension plan that are contingent on the making of or are derived from, employee contributions or elective deferrals only to the extent the person makes payment to the plan.

Exhibit 1

MILITARY LEAVE NOTIFICATION FORM

Employee:

Department:

The following serves as notification that I will be absent related to my duty in the National Guard/U.S. Reserve:

Date(s) of Leave: _____ (attach copy of your orders). *Employees should contact the City Benefits Coordinator at (920)832-6455 to discuss benefit impacts for leaves that extend beyond 30-days, which may result in proration of future benefits.*

- I choose to take paid leave time off to the extent such paid leave is available and will keep my pay from the military. (ie – vacation, floating holiday, comp time, PTO)
- I choose to take an unpaid leave of absence and keep my military pay.
- I choose to take regular pay to the extent such paid leave is available pursuant to the Military Leave policy or the applicable collective bargaining agreement and will turn in my pay stubs from the military.

Following provisions apply to all employees.

The state provides that the employee is responsible for making Wisconsin Retirement System (WRS) employee required contributions. Upon returning from unpaid military leave, the employee has the choice whether to make up all, some or none of the total WRS employee-required contributions dating to the employee's military leave of absence.

For leaves more than 31 days: Upon return from military leave, I will complete Section A: Employee Information of the ETF USERRA Certification (ET-4560) and hand in to my supervisor along with a copy of my DD-214 or a copy of my military orders or any other military issued paperwork reflecting that my service was other than disqualifying under 38 U.S.C. 4304. (A copy of the ETF form is attached to this form.)

USERRA allows for employee required contributions to WRS to be made beginning with the date of reemployment and ending on the earlier of: (1) three times the period of military service, or; (2) five years. This provision is for employees not covered by a collective bargaining agreement under which the employer has agreed to pay the total WRS employee required contributions.

- I elected unpaid military leave. My leave is less than 31 days and I will not receive a DD-214. Upon my return I would like to make up _____ % of the WRS employee required contributions. I understand that I have the option of paying back all, some or none of the WRS employee-required contributions dating to the military leave. I understand the employer is only required to make employer required contributions to match the contributions made by the employee.

EMPLOYEE SIGNATURE:

DATE:

SUPERVISOR:

DATE:

HUMAN RESOURCES GENERALIST:

DATE:

| Cc: Payroll Coordinator (including ETF form); Human Resources Benefits Coordinator; Supervisor

Uniformed Services Employment and Reemployment Rights Act (USERRA) Certification Form Instructions

Please read instructions before completing this form. Make a copy for your records, and then submit this form to your employer.

Important Considerations:

To qualify for Wisconsin Retirement System pension rights under USERRA, the employee must meet all of the following criteria:

1. The employee must notify his or her employer that the employee is leaving his or her job to perform service in the uniformed services.
2. Once the employee's period of active military duty ends, the employee must return to his or her pre-military service employment with the employee's WRS employer in a timely manner.
3. The employee's cumulative period of service must not have exceeded five years, with certain exceptions. (For more information on exceptions to the five-year limit, please visit the U.S. Department of Labor website at www.dol.gov/vets or contact the Wisconsin Department of Employee Trust Funds (ETF) at toll free 1-877-533-5020.
4. The employee must not have been separated from military service with a disqualifying discharge or under other than honorable conditions.
5. The employee must submit this form to his or her employer for certification.
6. The employee must have the employer submit this form to ETF.

Employee Instructions:

The employee is responsible for filling out Section A. Please read through Section A, then fill in the member information, including name, address and phone number. Next, sign and date the form, then submit it to the employer with a copy of your DD-214, or, if you did not receive a DD-214 based on the length of service, a copy of your military orders or any other military-issued paperwork reflecting your entry and discharge dates and that your service was other than disqualifying under 38 U.S.C. 4304.

Employer Instructions:

The employer is responsible for filling out Sections B and C. Employers, please:

- Review the certification form to ensure the employee has completed Section A.
- Sign and date the form in the employer certification section, Section B. By signing, the employer certifies that the employee has met all of the qualifications for reemployment under USERRA.
- List the USERRA-qualifying time period in Section C.
- Fill in the employee's deemed hours and earnings for each year that the employee was on a military leave of absence in Section C. If additional space is needed, attach an extra sheet with the employee's deemed hours and earnings for each additional year. Do not include the actual hours and earnings worked. Deemed hours and earnings are the hours of service and the earnings that the employee would have received had they'd been actively employed instead of being out on their active military leave of absence. Be sure to include any pay increases or other WRS-reportable earnings the employee would have been entitled to receive during their active military leave of absence.
- Submit form via mail, secure fax or email to ETF:

Wisconsin Department of Employee Trust Funds
P.O. Box 7931
Madison, Wisconsin 53707-7931

Employer Communications fax number: 608-266-5801

Email: ETFSMBEmployerWRS@etf.wi.gov

Department of Employee Trust Funds
 PO Box 7931
 Madison, WI 53707-7931

USERRA Certification

Section A: Employee Information

Employee Name		Social Security Number
Mailing Address		ETF ID Number
City, State, ZIP code	Email (Optional)	Phone Number
<p>I understand that I have the option of paying back all, some or none of the Wisconsin Retirement System employee-required contributions dating to the military leave of absence for which I am electing my rights under USERRA. If I choose to make up some or all of the employee-required contributions, I understand that I will need to contact my employer to arrange to have employee make up contributions deducted from my payroll.</p> <p>Yes No <input type="checkbox"/> <input type="checkbox"/> I have attached a copy of my DD-214 or other military paperwork.</p>		
Signature _____		Date _____
<p>*ETF cannot predict what impact, if any, the making-up of missed WRS employee-required contributions may have on an individual's retirement benefits.</p>		

Section B: Employer Certification

<p>I hereby certify that the employee above has met all of the qualifications for reemployment under the Uniformed Services Employment and Reemployment Act (USERRA) 38U.S.C.4301-4333.</p>			
Yes	No	<p><input type="checkbox"/> <input type="checkbox"/> This employee is subject to differential wage payments. Employer and employee contributions were paid in full prior to submission of USERRA certification. (Applicable only when full contributions are paid under a collective bargaining agreement, differential pay, or within same or next monthly remittance.)</p>	
Employer Number		Employer Name	
Certifying Person's Name		Title	
Signature	Date	Phone	Ext.

Section C: Qualifying Time Period

Fill out one row for each qualifying calendar year. Based on 2011 Wisconsin Act 10, for calendar year 2011, please complete two rows. The first row should include pre-Act 10 employee category information, and deemed hours and earnings. The second row should include post-Act 10 employee category information and deemed hours and earnings. Do not include the actual hours and earnings worked. See ER instructions for additional information.

Leave Date: _____ Return Date: _____

Employee Category	Last date of employment or paid leave prior to USERRA-qualifying time (MM/DD/YYYY)	First date of employment or paid leave following USERRA-qualifying time (MM/DD/YYYY)	Teachers/Judges/Educational Support Personnel Only (January-June)			Calendar Year-to-Date (All Employees, including Teachers, Judges & Educational Support Personnel)		
			Fiscal Hours of Service	Fiscal Earnings	Employee-Required Contributions	Calendar Hours of Service	Calendar Earnings	Employee-Required Contributions

In compliance with the Americans with Disabilities Act, ETF will provide help filling out this form upon request. You may request help by calling 1-877-533-5020 or 608-266-3285 local to Madison.

CITY OF APPLETON POLICY	TITLE: RESTRICTED DUTY POLICY	
ISSUE DATE: July 2004	LAST UPDATE: July 26, 2005 June 2009 May 2013 March 2015 <u>February 2021</u>	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	POLICY APPLICATION: All City Employees	TOTAL PAGES: <u>910</u>
Reviewed by Legal Services Date: June 2009 April 2015	Committee Approval Date: February 9, 2005 September 23, 2009 February 6, 2012 May 11, 2015	Council Approval Date: February 16, 2005 October 21, 2009 February 15, 2012 May 20, 2015

I. PURPOSE

The purpose of this policy is to establish guidelines for temporary limited term restricted duty assignments and to outline the process and administration of the City's restricted duty program.

II. POLICY

It is the policy of the City of Appleton to allow employees, when possible, the opportunity to work in a limited term restricted duty assignment, where the employee is unable to perform full and regular duty due to an injury, illness, pregnancy, childbirth or related medical condition. The availability of limited term restricted duty assignments is exclusively determined by the City and is not intended to constitute a long-term or permanent assignment.

This policy does not limit the rights of employees to seek reasonable accommodations as provided under the Americans with Disabilities Act (ADA).

III. DISCUSSION

The City is committed to providing work, when possible, for employees who have been restricted by a physician because of an injury, illness, pregnancy, childbirth or related medical condition. Restricted duty is temporary and all assignments must be within the employee's documented medical restrictions. Every effort will be made to place employees in positions within their own departments, but if necessary, employees will be placed wherever an appropriate assignment is available. Restricted duty may be at a different location, with different hours and different duties than performed in the employee's regular position.

There is no guarantee of restricted duty work. The City of Appleton may not be able to place all employees with work restrictions on restricted duty assignments. The amount and type of restricted duty work may vary from time to time based on the changing needs of the organization, budget, work restrictions, availability of work, and skill level of the employee. Other considerations may include, but

Formatted: Font: 12 pt

Formatted: Font: 12 pt

are not limited to, whether the employee is taking corrective steps to resolve their medical issue, as well as the employees past pattern of restricted duty usage. Provisions of restricted duty work are at the discretion of the City of Appleton as it determines is in its best interest at the time. Nothing in this policy shall alter, amend or add to the benefits provided to employees through a collective bargaining agreement or other contractual agreement.

IV. DEFINITIONS

- A. **Restricted duty:** A temporary duty assignment, less arduous than the employee's regular job assignments.
- B. **Work-related injury/illness:** Any injury/illness that occurs in the course of and arises out of employment.
- C. **Non work-related injury/illness:** Any injury or illness that does not occur in the course of or arise out of employment.
- D. **Limited Term Assignment:** A non-permanent assignment of short duration, in which the nature and conditions of such assignment do not permit attainment of permanent status for that assignment.

Formatted: Indent: Left: 0.5", Hanging: 0.25", Tab stops: 0.75", List tab + Not at 1"

Formatted: Indent: Left: 0.5", Hanging: 0.25", Tab stops: 0.75", List tab + Not at 1"

V. PROCEDURES

- A. Employee:
Employees who are not on worker's compensation and are requesting limited term restricted duty shall submit to their immediate supervisor a completed "Request for Limited Term Restricted Duty" form (Exhibit I) and an "Employee Work Restrictions" form (Exhibit II) completed by the treating physician. The supervisor will sign the acknowledgement and forward to the Human Resources Generalist.
- B. Human Resources Generalist shall:
 - 1. Review the request.
 - 2. Determine if there is a restricted duty work assignment that meets the employee's skills and medical restrictions. When necessary, the employee shall use accrued sick leave or may be placed on medical leave of absence until a request is approved.
 - 3. Contact the employee's supervisor or department coordinator about the availability of restricted duty assignment that meets the employee's medical restrictions within the employee's department. If no work is available within the employee's department, the Human Resources Generalist will consult with departments search the restricted duty project list for other suitable assignments outside the employee's department.
 - 4. Contact the employee's department director or designee about the availability of a suitable assignment outside the employee's department and obtain approval from the department director or designee for such assignment. The Human Resources Generalist shall also secure approval of the department director or designee of assignments of other city employees to their department.
 - 5. Notify the employee of approval or denial of the request. (Exhibit III)
 - 6. If approved, notify the department coordinator and restricted duty assignment supervisor that an employee is being assigned. (Exhibit IV)

C. Appleton Fire Department (AFD) and Appleton Police Department (APD):

- 1. The Appleton Fire Department and Appleton Police Department shall review the "Request for Limited Term Restricted Duty" and determine if a restricted duty work assignment is available

that meets the employee's skills and medical restrictions within their respective department. The AFD and APD shall coordinate restricted duty work assignments for their employees and consult with the Human Resources Generalist on assignments made.

2. If no work is available within the employee's department, the AFD and APD shall forward the request to the Human Resources Generalist.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

VI. ELIGIBILITY

A. Work-related injury/illness

An employee who has suffered a work-related injury/illness is eligible for limited term restricted duty subject to availability of work, skill level, and documented medical restrictions. Modified duty assignments are only available while the employee is subject to temporary restrictions and in a healing period. Availability of modified duty assignments will be re-evaluated every 90 days, for as long as necessary. Upon this re-evaluation, the modified duty assignment may be extended, a different modified duty assignment may be selected or the availability of modified duty may be rescinded.

An employee with a work-related injury/illness who is offered and refuses a limited term restricted duty assignment may forfeit wage benefits under the Worker's Compensation Act.

While on limited term restricted duty for a work-related injury or illness, employees will continue to receive their regular rate of pay. If an employee is only eligible for part-time work in a restricted duty capacity, the remaining time lost will be paid according to applicable contractual agreements, policy and/or the Worker's Compensation Act.

B. Non work-related injury/illness, pregnancy, childbirth or related medical condition

An employee who has suffered a non-work-related injury/illness, is pregnant or has a related medical condition may be eligible for limited term restricted duty subject to availability of work, skill level, and documented medical restrictions.

The maximum time that an employee with a non-work related injury/illness shall be allowed to work on limited term restricted duty is twelve (12) calendar weeks (cumulative) in a twelve (12) month period measured from the date that the limited term restricted duty assignment is approved. The week in which modified duty begins shall count as week one, even if only a partial week was worked on modified duty. All partial weeks of modified duty shall be counted as a full week. A calendar week is defined as Monday through Sunday.

Employees shall be allowed to work on limited term restricted duty for twenty four calendar weeks (cumulative) for each pregnancy, childbirth or related medical condition, measured from the date that the limited term restricted duty assignment is approved. The week in which modified duty begins shall count as week one, even if only a partial week was worked on modified duty. All partial weeks of modified duty shall be counted as a full week. A calendar week is defined as Monday through Sunday.

An employee who has concluded ~~theis/her~~ maximum allowable time on restricted duty assignment and who is not able to return to full duty, will be placed on medical leave of absence in accordance with contract provisions and/or City policy, and in accordance with the Family Medical Leave Act (FMLA).

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

While on limited term restricted duty for a non-work related injury/illness or for pregnancy, childbirth or related medical condition, an employee may receive a rate of pay different from ~~his/her~~the employee's regular rate. The employee may be paid at a rate that is consistent with the job ~~he/she~~the employee is performing on restricted duty and not necessarily the employee's regular rate of pay.

Formatted: Font: 12 pt

VII. RESPONSIBILITIES

A. Employee's Responsibilities

1. All employees are expected to follow their physician's recommendations, medical restrictions, and limitations, at all times, both on and off the job. Any employee, whether on or off duty, who disregards ~~his/her~~the employee's restrictions or engages in conduct inconsistent with those restrictions may be subject to discipline, up to and including discharge.

Under no circumstances shall an employee perform work that is outside of the physician's work restrictions.

Formatted: Indent: Left: 1"

2. Employees are expected to cooperate fully with the City and return to work on either full duty or restricted duty as quickly as possible. Additionally, employees with a work-related injury or illness are expected to cooperate fully with the City's third-party administrator.
3. Employees will be required to comply with all other rules and regulations while working on restricted duty assignment.
4. Employees are responsible for furnishing a written updated "Employee Work Restrictions Form" of their medical condition to the Human Resources Generalist after each physician's visit or at thirty (30) day intervals from their last physician's visit.
5. Employees will be expected to submit a completed "Employee Work Restrictions" form or an equivalent physician's certification form prior to returning to full duty. Employees may be subject to a fit for duty evaluation prior to returning to unrestricted duty.
6. Employees are expected to work diligently and efficiently to the best of their ability or assignment may be terminated.

B. Supervisor's Responsibilities

1. Supervisors shall be responsible for monitoring that employees do not perform work outside of the treating physician's restrictions. -This includes monitoring the authorized number of hours the employee is released to work on restricted duty.
2. Supervisors are required to maintain strict confidentiality regarding the employee's injury, illness, pregnancy, ~~childbirth or related medical condition and/or limitations.~~
3. Supervisors of the department/division that has the restricted duty assignment shall be responsible for the supervision of the employee assigned to perform the assignment.
4. Supervisors are responsible for contacting the Human Resources Generalist regarding any problems with performance and/or limitations involving the employee on restricted duty.
5. Supervisors are responsible for submitting the appropriate paperwork to the HR Safety Coordinator regarding request for restricted duty assignments.

Formatted: Font: 12 pt

C. Human Resources Generalist Responsibilities

1. The Human Resources Generalist shall be responsible for managing the restricted duty program including coordination and priority of restricted duty projects and coordination of a department contact list.
2. The Human Resources Generalist shall monitor the length of time an employee is working on restricted duty assignment to ensure compliance with the maximum allowable time for non-work-related and pregnancy, childbirth or related medical condition restricted duty assignment.
3. The Human Resources Generalist shall ensure that the restricted duty assignment is within the employee's work restrictions.
4. The Human Resources Generalist shall be responsible for securing approval from the department director or designee before placing an employee on assignment within their department and before placing one of their employees on an assignment in another department.

Formatted: Font: 12 pt

D. Department Coordinator Responsibilities

1. Each department ~~contact~~-coordinator shall ~~be responsible for timely response to the HR Generalist in updating the restricted duty project list and shall~~ keep the Human Resources Generalist informed on the status of restricted duty projects.
2. Each department coordinator shall be responsible for coordinating an employee's assignment to restricted duty within their respective departments. This shall include working with the supervisor of the restricted duty assignment and forwarding a copy of the "Department Notification of Restricted Duty Assignment" form (Exhibit IV) to the supervisor.

Formatted: Indent: Left: 0.75", Hanging: 0.25", Tab stops: 1", Left

E. Department Director or designee ~~R~~esponsibilities

1. Department directors or designees shall be responsible for approving all restricted duty requests for their employees.
2. Department directors or designees shall be responsible for approving assignments of other ~~C~~ity employees to their department.

VIII. PRIORITY OF ASSIGNMENT

Requests for limited term restricted duty assignments will be prioritized based on the following:

1. Work-related injury/illness,
2. Non work-related injury/illness, pregnancy, childbirth or related medical condition

Formatted: Indent: Left: 0", First line: 0.5"

Employees already working a limited term restricted duty assignment may be displaced from an assignment to accommodate a subsequent work-related request for limited term restricted duty assignment. Assignment of limited term restricted duty shall be at the discretion of the Human Resources Department.

Formatted: Indent: Left: 0.5"

An employee working restricted duty assignment will stay on restricted duty, provided there is restricted duty work available until one of the following:

- The restricted duty assignment is completed.
- The employee is released to full duty by the treating physician.

Formatted: Indent: Left: 0.5"

- The physician determines that the employee is permanently disabled from performing the ~~if~~ employee's job.
- The employee has reached the maximum time allowed for restricted duty assignment.

IX. RETURN TO WORK

Prior to returning to work, the employee may be required to undergo a fit for duty examination with a doctor chosen by the City or may be required to sign an authorization allowing the City physician to speak with the employee's treating physician. This decision will be at the sole discretion of the employee's Department Director and Human Resources Director.

Formatted: Indent: Left: 0.5"

The employee must have ~~the treating his/her~~ the treating his/her physician complete the "Employee Work Restrictions" form (Exhibit II) or equivalent form indicating that the employee is able to return to work without restrictions. This form must be submitted to the employee's supervisor prior to returning to work. The supervisor will forward a copy to the Human Resources Generalist.

Formatted: Indent: Left: 0.5"

EXHIBIT I

REQUEST FOR LIMITED TERM RESTRICTED DUTY

TO: Supervisor/Human Resources Generalist

FROM:

DATE:

I am requesting limited term restricted duty. With this request, I am providing a physician's certification, which outlines my limitations/abilities and possible duration.

While working in restricted duty status, I understand the following rules will apply:

1. While on limited term restricted duty, my assignment will depend on the work available and the nature of my injury/illness. My work week/hours may be adjusted to facilitate this duty assignment. The City reserves the right to discontinue limited term restricted duty assignments at any time.
2. I will follow all applicable City Policies and departmental rules and regulations while working in a limited term restricted duty capacity. This shall include reporting time worked, reporting timely to work, reporting any medications that I may be on, etc.---
3. I will follow all of the physician's recommendations, medical restrictions and limitations at all times both on and off the job.

I have read the above as well as the Restricted Duty Policy, and agree to limited term restricted duty status as outlined in both. I further understand that this arrangement is temporary and is an accommodation for my temporary medical restrictions.

Signed: _____ Date: _____

Name: _____
(print)

Supervisor Acknowledgement _____ Date _____

**EXHIBIT II
EMPLOYEE WORK RESTRICTIONS**

Patient Name: _____ Current Job: _____

Physician Name (please print): _____

Phone: _____ Fax: _____

Date you saw patient: ____-____-____ Time In: ____-____-____ Injury Date: ____-____-____

Full Time <input type="checkbox"/>	2nd shift <input type="checkbox"/>	Mon <input type="checkbox"/>	Fri <input type="checkbox"/>
Part Time <input type="checkbox"/>	1st shift <input type="checkbox"/>	Sun <input type="checkbox"/>	Thurs <input type="checkbox"/>
Seasonal <input type="checkbox"/>	3rd shift <input type="checkbox"/>	Tues <input type="checkbox"/>	Sat <input type="checkbox"/>
Temporary <input type="checkbox"/>	Swing <input type="checkbox"/>	Wed <input type="checkbox"/>	
Next scheduled work day ____ Shift ____			
Shift Supervisor: _____			

Patient Description of Injury: _____

Diagnosis: _____

Treatment: _____

Prescription strength meds ordered: Yes No. Meds: _____

Plan: _____

- DISPOSITION:
- Patient is unable to work at this time.
 - Recommend his/her patient's return to work with no limitations on (DATE): _____
 - He/She/Patient may return (DATE) _____ with a daily time limitation of _____ and/or with the following limitations until _____ or until re-evaluation on _____.

CHECK ONLY AS RELATES TO ABOVE CONDITION

SEDENTARY WORK. Lifting 10 pounds maximum and occasionally lifting and/or carrying such articles as docket, ledgers, and small tools. Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Jobs are sedentary if walking and standing are required only occasionally and other sedentary criteria are met.

LIGHT WORK. Lifting 20 pounds maximum with frequent lifting and/or carrying of objects weighing up to 10 pounds. Even though the weight lifted may be only a negligible amount, a job is in this category when it requires walking or standing to a significant degree or when it involves sitting most of the time with a degree of pushing and pulling of arms and/or leg controls.

LIGHT MEDIUM WORK. Lifting 30 pounds maximum with frequent lifting and/or carrying of objects weighing up to 20 pounds.

MEDIUM WORK. Lifting 50 pounds maximum with frequent lifting and/or carrying of objects weighing up to 25 pounds.

LIGHT HEAVY WORK. Lifting 75 pounds maximum with frequent lifting and/or carrying of objects weighing up to 40 pounds.

HEAVY WORK. Lifting 100 pounds maximum with frequent lifting and/or carrying of objects weighing up to 50 pounds.

N=Never/Not Able					F=Frequent up to 30x/hr.				
O=Occasional up to 4 times/hr.					C=Constant over 30x/hr.				
Specify Restrictions for 24 day									
	N	O	F	C					
Sitting/Driving					Lab Work	Yes	No		
Standing/Walking									
Climbing					X-Rays	Yes	No		
Bending									
Kneeling/Squatting/Crawling								R	L
Reaching-Horiz./push-pull									
Reaching-Vert./above shoulder									
Gross Handling									
Finger Manipulation									
Single Grasping									
Repetitive Foot Movement									

OTHER INSTRUCTIONS AND/OR LIMITATIONS: _____

SCHEDULED APPOINTMENTS:

SCHEDULED APPOINTMENTS:

Referral Clinic _____ Date: _____ Time: _____ Referral Clinic _____ Date: _____ Time: _____

Time Out: _____ Called Employer _____ Date: _____ Signature: _____

I hereby authorize my attending physician and/or hospital to release any information or copies thereof acquired in the course of my examination or treatment for the injury identified on this form to my employer or his representative.

PATIENT'S SIGNATURE

Date

PHYSICIAN'S SIGNATURE

Date

Formatted: Font: 10 pt

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 9 pt

Formatted: Font: 9 pt

Formatted: Font: Times New Roman, 10 pt

Formatted: Font: 10 pt

Formatted: Font: Times New Roman, 10 pt

Formatted: Font: 10 pt

Formatted: Font: Times New Roman, 10 pt

Formatted: Font: 10 pt

Formatted: Font: Times New Roman, 10 pt

Formatted: Font: 10 pt

Formatted: Font: Times New Roman, 10 pt

EXHIBIT III
RESPONSE TO
EMPLOYEE REQUEST FOR
LIMITED TERM RESTRICTED DUTY ASSIGNMENT

Employee Requesting Restricted Duty: _____

Employee Department: _____

I have received your release to restricted duty dated _____. The City of Appleton currently **does/does not** have work available that meets the restrictions placed by your physician.

You should report to _____, _____ at _____ on _____.
(person) (location/site) (time) (date)

Your work schedule shall be _____ to _____ from
(day of week) (day of week)

_____ to _____. Your rate of pay will be \$_____/hour.
(start time) (end time)

This assignment will include but may not be limited to :

At this time I anticipate this assignment to be available until _____. Extensions or future assignments will be evaluated as your restrictions are updated from your physician. Per the Restricted Duty Policy you are eligible for a maximum of _____ months of restricted duty.

If you have any questions please feel free to call me at 832-6458.

Human Resources Generalist _____ Date: _____

Employee Acceptance: _____ Date: _____

Department Director's authorization: _____ Date: _____

(or Designee)

cc: Department Contact
Supervisor

**EXHIBIT IV
DEPARTMENT NOTIFICATION OF RESTRICTED DUTY**

To: Restricted duty contact list

We currently have an employee who has been placed on restricted duty. The length of this restricted duty is _____.

The employee has the following restrictions:

N=Never/Not Able	F=Frequent up to 30x/hr.				
O=Occasional up to 4 times/hr.	C=Constant over 30x/hr.				
Specify Restrictions for 24 day					
	N	O	F	C	
Sitting/Driving					Lab Work Yes ___ No ___
Standing/Walking					
Climbing					X - Rays Yes ___ No ___
Bending					
Kneeling/Squatting/Crawling					
					R L BIL
Reaching-Horiz./push-pull					
Reaching-Vert./above shoulder					
Gross Handling					
Finger Manipulation					
Single Grasping					
Repetitive Foot Movement					

- SEDENTARY WORK.** Lifting 10 pounds maximum and occasionally lifting and/or carrying such articles as dockets, ledgers, and small tools. Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Jobs are sedentary if walking and standing are required only occasionally and other sedentary criteria are met.
- LIGHT WORK.** Lifting 20 pounds maximum with frequent lifting and/or carrying of objects weighing up to 10 pounds. Even though the weight lifted may be only a negligible amount, a job is in this category when it requires walking or standing to a significant degree or when it involves sitting most of the time with a degree of pushing and pulling of arms and/or leg controls.
- LIGHT MEDIUM WORK.** Lifting 30 pounds maximum with frequent lifting and/or carrying of objects weighing up to 20 pounds.
- MEDIUM WORK.** Lifting 50 pounds maximum with frequent lifting and/or carrying of objects weighing up to 25 pounds.
- LIGHT HEAVY WORK.** Lifting 75 pounds maximum with frequent lifting and/or carrying of objects weighing up to 40 pounds.
- HEAVY WORK.** Lifting 100 pounds maximum with frequent lifting and/or carrying of objects weighing up to 50 pounds.

Please reply to this message ASAP if you have work available within these restrictions. In your response please include:

- What the work entails-
- Who the person should report to and what location-
- The time you would like for the person to report-
- Anticipated length of the project-

← - - - Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

Note: This form is provided to the supervisor of the Restricted Duty Assignment so that they can ensure compliance with the employees work restrictions.

CITY OF APPLETON PERSONNEL POLICIES	TITLE: EMPLOYEE ASSISTANCE PROGRAM	
ISSUE DATE: April 4, 2007	LAST UPDATE: August 2, 2001 February 16, 2007 February 2011 February 2016 <u>February 2021</u>	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: Applies to all employees	TOTAL PAGES: 4
Reviewed by Attorney's Office Date: August 2001 February 2007 March 2011 March 2016	Committee Approval Date: August 21, 2001 March 28, 2007 April 27, 2011 April 11, 2016	Council Approval Date: September 5, 2001 April 4, 2007 May 4, 2011 April 20, 2016

~~DELETE THIS POLICY AND ADD INFORMATION TO FRINGE BENEFITS POLICY.~~

Formatted: Font: Bold

I. PURPOSE

In an effort to help City of Appleton employees and their families maintain healthy levels of emotional, work-life, physical well-being, and to limit the effect of personal problems on job performance, the City sponsors an Employee Assistance Program (EAP). This benefit comes at no cost to the employee or dependents and is designed to provide short-term Confidential Counseling and referral services, Financial Information and Resources, Legal Support and Resources, Work-Life Solutions and Guidance Resources Online to employees, their spouses and dependent children. Services rendered by the EAP are provided through a contract with a private employee assistance-consulting firm.

II. POLICY

The City of Appleton shall provide confidential and voluntary assistance through its employee assistance program (EAP) to all employees and their dependents who may be faced with dynamic challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc. The City of Appleton encourages its employees and family members to take advantage of this valuable employment benefit. The Human Resources Department will promote the utilization of the EAP through the City's HealthSmart committee and Leadership Teams.

III. DISCUSSION

CONFIDENTIAL COUNSELING: One component of the EAP is a confidential information referral, and counseling program. Trained professionals provide assistance in identifying the problem, exploring ways to resolve the problem, lending support during a crisis or difficult situation, and providing appropriate referral and counseling services.

The EAP can help employees with a variety of concerns, including, but not limited to:

- Marital/family/relationship issues

- Stress and anxiety
- Depression
- Alcohol/drug problems
- Financial concerns
- Legal concerns
- Employee/co-worker conflicts
- Problems with a supervisor

As soon as an employee or a family member recognizes that he/she may have a problem, the employee or family member should contact the EAP. Employees and their family members are encouraged to seek help before a situation becomes critical. Even if an individual is not sure he/she need assistance, an EAP counselor may put the issue in a better perspective. An issue is defined as a problem if it takes up a considerable amount of time in person's thoughts, causes worry or illness, or is affecting job performance.

FINANCIAL INFORMATION AND RESOURCES: Employees or family members may speak by phone with Certified Public Accountants and Certified Financial Planners on a wide range of financial issues including:

- Getting out of debt
- Credit card or loan problems
- Tax questions
- Retirement planning
- Estate planning
- Saving for college

LEGAL SUPPORT AND RESOURCES: Employees or family members may talk with an attorney by phone. If you require representation, you can be referred to a qualified attorney in your area for a free 30 minute consultation with a 25% reduction in customary legal fees thereafter. Examples of questions you may call about are:

- Divorce and family law
- Debt and bankruptcy
- Landlord/tenant issues
- Real estate transactions
- Civil and criminal actions
- Contracts

WORK-LIFE SOLUTIONS: Work-Life specialists will do the research for you, providing qualified referrals and customized resources for:

- Child and elder care
- Moving and relocation
- Making major purchases
- College planning
- Pet Care
- Home repair

GUIDANCE RESOURCES ONLINE: Guidance resources online is a one stop for expert information on issues such as relationships, work, school, children, wellness, legal, financial, free time and more. Resources may include:

- Timely articles
- Help sheets
- Tutorials, streaming videos
- Self-assessments
- Ask the expert; personal responses to your questions
- Childcare, eldercare, attorney and financial planner searches

IV. REFERRAL PROCEDURES

Employees may access the EAP either through self-referral or supervisory referral. Family members may access the EAP through self-referral by calling 844.393.4982 a designated number assigned to the City of Appleton. This number will be posted on bulletin boards throughout the City as well as the Human Resources Internet page and the Healthsmart page.

Online services can be obtained by visiting www.guidanceresources.com and enter the Company ID: CityofAppleton Employees and family members are able to set up an account and can access these on line resources 24 hours a day, 7 days a week.

Self-referral:

When an employee or eligible family member contacts the EAP as a self-referral, no one will know they have used the program unless the individual seeking assistance tells someone. No information is released to anyone without the individual's written consent unless it is required by law (i.e. when a person is a danger to society or him or herself). All records related to the self-referral will be kept at the EAP's location and not accessible by the City unless the individual has authorized.

Informal supervisory recommendation:

Supervisors, co-workers, or peers may consider recommending the EAP to individuals who are struggling with a personal or work-related concern. Informal supervisory referrals are voluntary.

Formal supervisory referral:

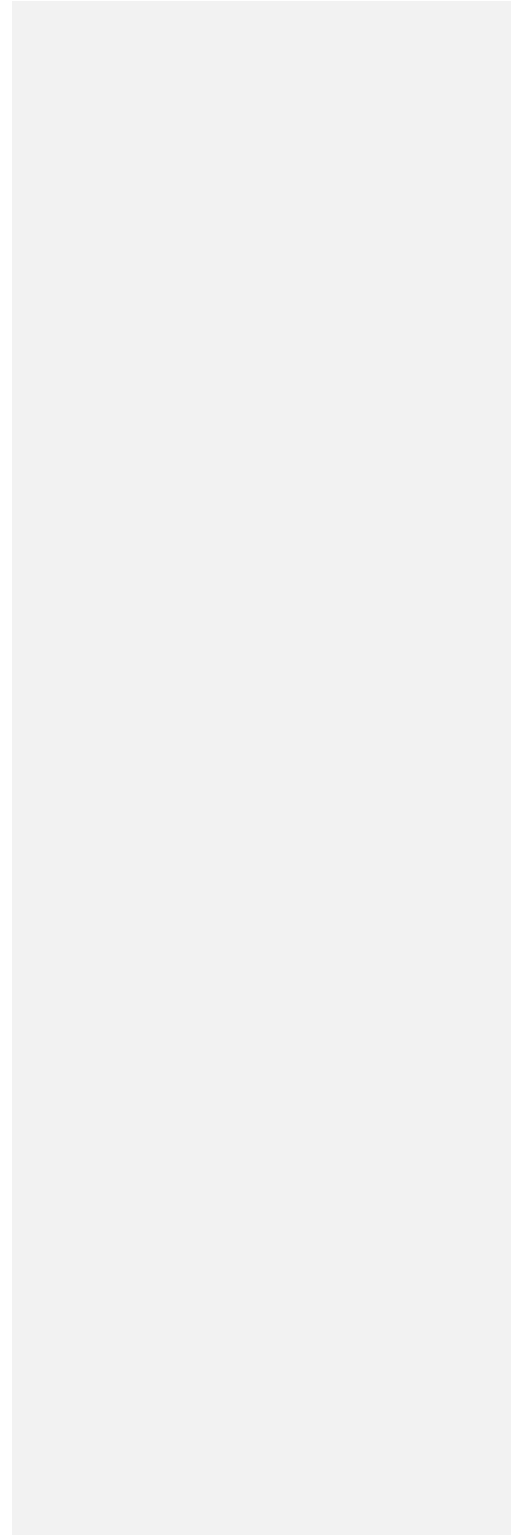
A formal supervisory referral is voluntary and associated with a pattern of deteriorating performance or conduct.

Mandatory Referral:

At times, employees may be required to see an EAP Counselor. Mandatory referrals are typically used as a result of any serious incident or problem that has affected or may affect the safety of the employee or workplace. (Some examples might be: threats of violence, substance abuse, etc.) In such a referral, failure to use the EAP may result in discipline up to and including discharge. A mandatory referral shall require prior approval of the Department Director, Human Resources Director and City Attorney.

If an employee is referred to EAP as a result of a mandatory referral the employee may be asked to sign a release to enable designated individual(s) to verify that the employee is following the

required plan. The nature of the problem will not be disclosed to anyone without the employee's written permission. Supervisors may contact Human Resources for guidance when making a referral and for sample referral letters.



**RECRUITMENT STATUS REPORT
UPDATES THRU 5/6/2021**

STAFF PERSON	POSITION	DEPT.	DATE OF VACANCY	# OF OPENINGS	STATUS
KIM	Bus Driver	VT	Multiple	7	Application Deadline: 6/27/21. Medical pending for 1 candidate.
	Part-Time Bus Driver	VT	N/A	N/A	Application Deadline: 6/27/21. Start date pending for 1 candidate (mid May).
	Utility Worker – Part Time	VT	4/5/21	1	Medical pending for top candidate.
	Operator I - Stormwater	DPW	4/2/21	1	Richard Semrow transfer date 5/10/21.
	Operator I - Street	DPW	4/3/21	2	Determining next steps.
	8 Month – Utility Locator	DPW	5/29/21	1	Applications under review.
	HVAC Technician	PRFM	1/5/21	1	Application Deadline: 5/9/21.
	Utility Worker	Utilities	12/18/20	1	Anthony Rottier transfer pending on hire of Liquids Operator.
	Liquids Operator	Utilities	N/A	1	Medical pending on top candidate.
	ALLISON	Police Officer	Police	N/A	2 +Elig.
Assistant Chief		Police	5/13/21	1	Polly Olson start date 5/13/21.
Community Service Officer (CSO)		Police	1/19/21	N/A	Chief Interviews: 5/4/21 & 5/6/21.
Forensic Evidence Specialist		Police	4/5/21	1	Setting up job shadows for finalist candidates.
Operations Clerk - Sub		Library	N/A	N/A	Panel Interview: 5/17/21.
Business Manager		Library	5/4/21	1	Application Deadline: 5/9/21.
Diversity, Equity and Inclusion Coordinator		Mayor	1/19/21	1	Determining next steps.
Health Officer		Health	6/5/21	1	Application Deadline: Open
	Help Desk Analyst	IT	8/3/21	1	Application Deadline: 5/9/21.

TOTAL POSITIONS OPEN = 26 TOTAL ELIGIBILITY LISTS = 1

POSITIONS ON HOLD

STAFF PERSON	POSITION	DEPT	Date(s) of Opening(s)	# of Openings	Person Vacating Position/Status
ALLISON	Systems Analyst	IT	9/6/19	1	Using part-time temporary staffing to fill current need.
	Information Technology Director	IT	5/5/21	1	Waiting for RTF.
	Human Resources Director	HR	4/3/21	1	Waiting for RTF.
KIM	Parking Operator I	DPW	5/30/20	1	Received RTF.

TOTAL POSITIONS ON HOLD = 4

Note: Part time non-benefited positions do not (per Recruitment Policy) require authorization outside the department. The Mayor has asked departments to scrutinize.