



**HUMAN RESOURCES
POLICY MANUAL**

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1. General Provisions, Applicability, and Objectives

A. Authority

This Human Resources Policy Manual is promulgated by the Racine County Human Resources Director, at the direction of the County Executive, under the authority of Chapter 15 of the Racine County Code of Ordinances. It has been presented to the Racine County Board Finance & Human Resources Committee. The current Policy Manual, in addition to downloadable forms mentioned in this manual, can be found on the employee page of the County website (www.racinecounty.gov).

B. Applicability

This manual shall govern personnel administration for all employees and departments of the County of Racine except:

- Members of the Racine County Board of Supervisors.
- The County Executive and other elected county officials, except as to their supervision of county employees covered by this manual.
- Employees under Civil Service to the extent that the policies are inconsistent with the Racine County Code of Ordinances, Chapter 17.
- Court-appointed employees to the extent that any term or condition of their judicial appointment is inconsistent with these provisions.

This manual applies to all employees not covered by collective bargaining agreements and to employees covered when their specific collective bargaining agreements do not apply to the contrary, or when conflicting provisions of those agreements are no longer enforceable under Wisconsin law.

C. Purpose and Effect

This manual is designed to promote consistent, uniform personnel administration throughout Racine County and to help employees familiarize themselves with matters important to them, their jobs, and their careers. This manual is not, nor is it intended to be, a contract of employment, express or implied, or a promise of employment.

The human resources policies, procedures, and practices of Racine County are reviewed and revised periodically. The County reserves the right to modify, revoke, suspend, terminate, or change any or all such policies, procedures, and practices, in whole or in part, at any time, consistent with applicable law. Furthermore, Racine County has the exclusive authority to, in its discretion, interpret the policies, procedures and benefits contained in this manual and determine whether to apply such policies, procedures and benefits in any given situation. All provisions of this manual are to be applied in a manner consistent with applicable federal and state laws.

Some departments may have special characteristics that require special application of these provisions and may develop work rules within the parameters of this manual. However, no person

has authority to make any agreement for employment for any specified period of time or to make any agreement on behalf of Racine County that is contrary to the provisions of this manual.

The provisions of this manual supersede all previous Racine County Human Resources Policy Manuals. When there is a conflict regarding the present manual and any other past policies, procedures, or practices related to personnel matters, unless stated herein to the contrary, or unless rights of individuals have already vested, the present manual will prevail.

D. Fundamentals of Racine County Human Resources Policy

1. Fair Hiring Practices

Racine County is an equal employment opportunity employer. It is the policy of Racine County to comply with the Racine County Affirmative Action Program and the requirements of all applicable federal, state and local employment laws, including the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, the Rehabilitation Act, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Equal Pay Act, The American's with Disabilities Act, and the Wisconsin Fair Employment Act now or as hereinafter amended.

It is the policy and commitment of the Racine County Board of Supervisors that all employment policies and practices shall be non-discriminatory with regard to race, color, religion, national origin, marital status, arrest and conviction record, sex, age, disability, or sexual orientation, gender identity, (except where age, sex, or physical requirements constitute a bona fide occupational qualification) or other protected category under state, federal and/or local law.

Detailed information on this policy is contained in the Racine County Affirmative Action Plan. Copies are available on the Racine County website, or by contacting the Racine County Affirmative Action Officer or the County Clerk.

2. At-Will Employment

Although we hope that your employment with Racine County will be long-term, Racine County employees, with the exception of employees covered under the Deputy Sheriffs' Association and Command Staff Association collective bargaining agreements, are considered at-will employees. At-will employees may resign at any time; they may also be discharged at any time for any reason or no reason at all, provided that discharge does not violate the law.

3. Introductory Period

A new employee hired into a regular position shall be subject to a six (6) month introductory period. Completion of the introductory period does not guarantee continued employment for any specified period, nor does it modify or change the employee's at-will status or require an employee be discharged only for cause. During the introductory period, employees may not utilize the grievance procedure.

4. *Employee Orientation*

On the first day of employment, new employees will meet with the Human Resources Department for these purposes:

- Completion of payroll, tax withholding, and other necessary documents
- Verification of employee eligibility
- Explanation of benefits to which an employee is entitled
- Explanation of basic policies, i.e., EEO, Harassment-Free Workplace, etc.
- Presentation of the policy manual

Employees also meet with payroll staff on their first day of employment to review the payroll calendar, receive training on timekeeping procedures for both employees and supervisors, and get a brief overview of the employee self-service website.

The employee’s supervisor is responsible for familiarizing the new employee with the assigned workspace and equipment and for serving as the new employee’s source of information about his/her job responsibilities and work environment.

2. Hours of Work and Overtime

A. Hours of Work

The regular work week for most full-time employees runs Monday through Friday and consists of 40 hours, excluding meal breaks. Some operations that need to be staffed continuously can, and do, schedule work weeks that do not run Monday through Friday. At the discretion of the individual department, managers may offer flextime options to meet operational needs, while being sensitive to family or other personal needs. Under flextime arrangements, full-time employees are still required to work 40 hours per week but start and end times can vary.¹

B. Payroll

Paydays for all County employees are on alternate Fridays, covering the two-week payroll period ending the preceding Friday. County employees are required to arrange for direct deposit of their pay into accounts in financial institutions.

C. Work Schedules

Work schedules for employees may vary throughout County government. Scheduled hours of work are set by the individual departments. Selection priority, if any, will be at the department head’s discretion, including the privilege of being allowed to work from home. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, in days of the week worked, and in the total hours that may be scheduled each day and week.

¹ Supervisors must notify Payroll of flextime schedules, to ensure compliance with the Federal Fair Labor Standards Act (FSLA).

D. Flexible Work

Racine County may allow staff the opportunity to work from home or other alternative worksites besides their Racine County office. Flexible work should be used when it is beneficial to both the staff and County operations.

- Flexible work arrangements are a workplace strategy, and not a right or benefit of employment.
- Flexible work arrangements will be granted or denied on a case-by-case basis at the discretion of the County, its departments, and supervisors.
- Flexible work arrangements must follow state and federal wage and hour laws, labor relations laws, and employment laws, as well as any collective bargaining agreements.
- Flexible work arrangements may not be used to create over-time hours unless overtime is approved in advance by a supervisor.
- Staff who agree to work certain hours as part of their flexible work arrangement must use those hours for Racine County work.
- All Racine County management and staff who participate in flexible work arrangements must be familiar with the contents of this policy and any other department-specific telework agreements.
- The official worksite for staff participating in flexible work will be the site at which their business unit is located.
- Staff must complete all assigned work; remain available and in contact with the office, supervisors, and customers while teleworking; and be available to receive and respond to new work assignments and customer requirements while teleworking. In addition, if the needs of the office require a change in telework scheduling, staff agree to come into the office as directed.
- All timekeeping, leave, performance requirements, and special pay approvals are the same as for the traditional worksite. Staff agree to observe all policies with respect to absence and leave, compensatory time, and overtime, and properly document time and attendance records.
- Staff members agree to coordinate absences from the telework location, including official meetings, to ensure the supervisor can properly account for the whereabouts and attendance of teleworkers.
- Staff members must immediately notify the supervisor of any accident, injury, or illness occurring at the telework location.

Flexible Work Categories:

Routine Flexible Work refers to working from home or at an alternate work site when doing so better supports both a staff member's needs and the business needs of Racine County. It may be any ratio of office versus remote work at the discretion of the County, its departments, and supervisors. This may be as little as one day a year at the remote work site to as much as only one day a year at the office site.

Situational Flexible Work refers to flexible work situations that are the result of one time or irregularly occurring incidents such as inclement weather, system outages, natural disasters, other events, or issues as determined by the staff, supervisor, and/or Human Resources.

E. Overtime Calculation and Compensation

1. Employee Status

Exempt employee: An employee who is exempt from the requirements of the Fair Labor Standards Act (FLSA). An employee classified as exempt is not entitled to minimum wage and overtime.

Non-exempt employee: An employee who is subject to the wage and hour laws established by the FLSA. Employees designated as non-exempt are entitled to the Federal minimum wage rate and must receive overtime pay at the rate of one and one-half times their regular rate of pay for each hour worked above 40 hours per week.

2. Overtime Compensation-General Rules

Non-exempt employees shall receive time and one half their regular rate of pay for all hours worked in excess of forty hours per week.¹ Compensatory time, at the rate of one and one-half hours per overtime hour worked, may be taken in lieu of pay, but the granting of such time shall be subject to the efficient operation of the department. All overtime must be pre-approved by one's supervisor or the employee will be subject to discipline.

3. Overtime Compensation-Special Rules

Non-Exempt Public Works & Development Services Employees

Non-exempt Public Works & Development Services employees who are working snow removal operations will receive time-and-a-half overtime pay (or compensatory time) for hours worked in excess of eight hours per day, or in excess of 40 hours per week, or time otherwise worked outside of the regular assigned hours.

4. Compensatory Time Bank and Payout

a. Compensatory Time Bank

Employees may bank compensatory time to a maximum of eighty (80) hours. Compensatory time above the authorized accumulation will be paid out. Employees with a comp-time balance of greater than 80 hours will not earn additional comp time. They will receive their overtime in pay and should be encouraged to use their comp time as they are able. Employees will not be able to carryover comp time into the new year. All employees need to have used or requested to be paid out for any comp time they have banked.

b. Compensatory Time Payout

Regardless of the reason for compensatory time payout, payout will be made as part of a regular pay deposit, not as a separate deposit or check. Payout requests will be processed on the second check in

¹ In the case of corrections officers, safety and security workers, and dispatch technicians who work 5-2/5-3 or similar schedules, department heads may deem such persons to have worked 40 hours in a week in which their regular schedules call for them to work only four days. The 5th day on the weeks they are scheduled 4 days of work is paid as a Sheriff Day for Sheriff's and Emergency Dispatch Staff and a Detention Day for Safety and Security Workers.

May and the second check in November. Any comp time hours earned from the November payout date through December 31st will be processed as pay and should not be banked as comp time.

Compensatory time will be charged to the division under which it was earned. When an employee has earned compensatory time and separates or transfers out of that division, the compensatory time must be resolved prior to the employee leaving the division. It is not the new division's responsibility to accept the financial implications of another division's compensatory time earned while in the previous position. If an employee is promoted within his/her own department, comp time will be paid out on the final day of his/her old position.

3. Employee Insurance Benefits

A. Eligibility and Enrollment Process-General Rules

The County offers a combination of supplemental benefits to all eligible employees. This manual contains a summary of some of the County's benefit plans. The details of those benefit plans are spelled out in the official plan documents, which are available for review upon request from the Human Resources Department, and they are also available on the employee portal of the Racine County website. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time by the Company in its sole discretion). In the determination of benefits and all other matters under each plan, the terms of the official plan documents (and applicable insurance contracts) shall govern over the language of any descriptions of the plans, including the SPDs and this manual.

1. Enrollment

County employees may generally enroll in benefits for which they are eligible during employee orientation at the time of hire or, if they move into a benefit-eligible position, at the time of assuming the new position. Newly hired employees will receive the enrollment materials during the employee's benefit orientation. If the employee fails to enroll during the initial group enrollment period or if an employee fails to enroll a newly eligible dependent, the application is considered a late enrollment. Late enrollments are not accepted, and the employee will be required to wait until the annual Open Enrollment period. Applications for change of coverage must be made within thirty (30) calendar days of the qualifying event to the Human Resources Department and the effective date of the change will be the qualifying event date. If the benefit change form is received more than 30 calendar days after the date of the event, insurance will become effective on the first of the month following receipt in the Human Resources Department. However, if the benefit change form is received beyond 30 days for changes to FSA or Life insurance, the employee must wait for Open Enrollment in November to enroll.

Racine County holds an annual Open Enrollment period for two (2) weeks every November. Benefit-eligible employees may make changes to current benefit plan elections or may enroll in plans not chosen during benefit orientation. Enrollment or changes may be made to the following benefit plans: Health, Dental, Vision, and Life. Changes may be made to Deferred Compensation

at any time. Annual elections must be made to the Health and Dependent Care Flexible Spending Accounts. Any elections or changes made during the Open Enrollment period will become effective on January 1 of the following year.

Racine County reserves the right to verify dependent eligibility. This may include specific documentation to confirm status. If an employee does not comply in supplying documentation in a timely manner, Racine County may consider the dependent not to be eligible.

Insurance deductions will be taken from the employee’s paychecks. If the employee is out on leave, insurance deductions will continue to be taken. If the employee’s paychecks are not enough to cover these deductions while out on leave, the employee will have the deductions taken once the employee returns to work. If the missed deduction amount accrues to \$500, the employee will be invoiced and will need to pay the Payroll Department directly or be in danger of losing those insurance benefits.

B. Part-Time and Limited Term Employees

1. Regular Part-Time Employees

The classification “regular part-time employee” shall include all County employees who are scheduled to work less than 40 hours per week on a regular basis. (See Racine County Code of Ordinances, Section 15-81.)

Regular part-time employees who are scheduled to work less than thirty (30) hours per week on average are ineligible to participate in County insurance benefits. Other benefits such as vacation and holiday pay shall be pro-rated.

Employees who are scheduled to work less than twenty (20) hours per week shall receive no fringe benefits, except those employees who are eligible to participate in the Wisconsin Retirement System (WRS) will be enrolled therein.

2. Limited Term Employees

Employees appointed to limited term positions for an anticipated duration of less than six (6) months will receive no fringe benefits, except those employees who are eligible to participate in the Wisconsin Retirement System (WRS) will be enrolled therein.

Full-time and part-time employees appointed to limited term positions for an anticipated duration of six (6) months or more will be eligible for fringe benefits as listed under the Employee Benefits section dependent upon how benefits are specified in the resolution creating the position but will in no case be eligible for long-term disability coverage.

C. Health Insurance

1. Available Coverage

Employees who work thirty (30) or more hours per week are eligible for health insurance coverage. Eligible employees may participate in the County’s group health insurance program, which includes prescription drug coverage. Employees have the ability to choose between a

Traditional plan and a High Deductible plan. For covered employees, the County will pay eighty five percent (85%) of the cost of the single or family plan and the employees will pay fifteen percent (15%) of the cost of the single or family plan. Deductions for the monthly premium will be taken from the first and second paychecks of the month.

2. *Enrollment*

A newly eligible employee must enroll no later than thirty (30) calendar days from their date of hire or employment status change resulting in eligibility. Coverage becomes effective the first of the month following thirty (30) calendar days of employment or acceptance of a benefit eligible position, provided that the employee enrolls by the enrollment deadline. An employee who does not enroll in benefits at hire, may enroll during the year if they have a qualifying event, which includes, marriage, birth, adoption, or legal guardianship of dependents. Under these circumstances, the employee must submit a benefit change form to the Human Resources Department within thirty (30) calendar days of the marriage, birth, adoption, or legal guardianship of dependents. Coverage becomes effective as of the date of marriage, birth, adoption, or legal guardianship. If the benefit change form is received more than 30 calendar days after the date of the event, insurance will become effective on the first of the month following receipt in the Human Resources Department.

Employees may increase or change their coverage during Open Enrollment by participating in Open Enrollment through the Employee Self Service Portal (ESS). Any changes made during open enrollment will be effective as of the 1st of the following year.

If an employee is on unpaid leave for over 30 days, the employee's Health Insurance may be terminated.

3. *Health COBRA Eligibility*

Employees and/or their spouses and dependents may be eligible for continuation of group health insurance coverage for a limited period of time (up to 18 months) under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA). In such situations, the eligible persons must pay 100% of the cost of coverage. Continuation under COBRA is available for:

- An employee who is no longer eligible for County payment of group health insurance coverage due to separation from employment (but not discharge for gross misconduct), reduction in work hours, layoff, disability, entry into active military service, or retirement.
- An employee's spouse and/or dependents in the event of a legal separation or divorce or loss of dependent status by the employee's child or children.

Refer to the Health Plan document for specific information on the rights of an employee/spouse/dependent under COBRA, including eligibility, length of coverage, notification, election periods, payment of premiums, and termination of group health coverage. That document can be obtained from the Human Resources Department or on the County website. Any changes made to the plan's terms that apply to similarly situated active employees and their families will also apply to plans under COBRA.

4. *Coverage upon Death of an Active Employee*

In the event of the death, on and after January 1, 2012, of an active employee enrolled in the County's health insurance program at the time of death, health insurance coverage will terminate upon the end of the month of the employee's death. The surviving spouse and/or qualifying dependents of said employee, as defined in the health insurance plan document, may elect, within sixty (60) days of said death, to continue to receive family or single health insurance coverage. If the spouse and/or dependents elect to continue to receive health insurance coverage, the plan available to the eligible survivor(s) and the premium share charged to the eligible survivor(s) shall be the same as that available to active employees and shall be subject to the same plan and premium share changes over time as apply to active employees, until the surviving spouse reaches Medicare eligibility or remarriage, or a dependent reaches the age of twenty-six (26).

Qualifying dependent eligibility shall be in accordance with the conditions set forth in the health insurance plan. For surviving spouse and dependent coverage, see Appendix C. This provision does not change the existing rights or benefits of the surviving spouses or other dependents of active employees who died on or before December 31, 2011.

5. *Coverage in the Event of Disability Retirement*

Employees hired prior to November 1, 2003, who are required to retire due to a disability are eligible to continue health insurance coverage by paying the active premium share. When the employee reaches the minimum retirement age of 50 or 55 as defined by WRS, the premium share shall be based upon years of service (see Section 6.C.2). Employees hired on or after November 1, 2003, who are required to retire due to a disability may elect to continue coverage under the County's group health plan under the Consolidated Omnibus Budget Reconciliation Act (COBRA) by paying the full monthly premium. If WRS disability approval has not been received prior to retirement, the employee will pay the COBRA premium until WRS disability is approved.

D. Dental Insurance

1. *Available Coverage*

Racine County offers eligible employees a Basic Dental Plan and a Premium Dental Plan. Employees who work thirty (30) or more hours per week are eligible for Dental Benefits. The benefits and coverage available under the Basic Dental Insurance Plan and the Premium Plan are listed in plan documents and are available on the County website. Deductions will be taken from the first and second paychecks of the month.

2. *Enrollment*

A newly eligible employee must enroll no later than thirty (30) calendar days from the date of his/her hire or employment status change resulting in eligibility. Coverage becomes effective the first of the month following thirty (30) calendar days of employment or acceptance of a benefit eligible position, provided that the employee enrolls by the enrollment deadline. An employee who does not enroll in benefits at hire, may enroll during the year if they have a qualifying event, which includes, marriage, birth, adoption, or legal guardianship of dependents. Under these circumstances, the employee must submit a benefit change form to the Human Resources Department within thirty (30) calendar days of the marriage, birth, adoption, or legal

guardianship of dependents. Coverage becomes effective as of the date of marriage, birth, adoption, or legal guardianship. If the benefit change form is received more than 30 calendar days after the date of the event, insurance will become effective on the first of the month following receipt in the Human Resources Department.

Employees may increase or change their coverage during Open Enrollment by participating in Open Enrollment through the Employee Self Service Portal (ESS). Any changes made during open enrollment will be effective as of the 1st of the following year.

If an employee is on unpaid leave for over 30 days, the employee’s Dental Insurance may be terminated.

3. *Dental COBRA Eligibility*

Employees and/or their spouses and dependents may be eligible for continuation of group dental insurance coverage for a limited period of time (up to 18 months) under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA). In such situations, the eligible persons must pay 100% of the cost of coverage. Continuation under COBRA is available for:

- An employee who is no longer eligible for County payment of group dental insurance coverage due to separation from employment (but not discharge for gross misconduct), reduction in work hours, layoff, disability, entry into active military service, or retirement.
- An employee’s spouse and/or dependents in the event of a legal separation or divorce or loss of dependent status by the employee’s child or children.

Refer to the Dental Plan document for specific information on the rights of an employee/spouse/dependent under COBRA, including eligibility, length of coverage, notification, election periods, payment of premiums, and termination of group dental coverage. That document can be obtained from the Human Resources Department or on the County website.

E. Vision Insurance

1. *Available Coverage*

Racine County offers eligible employees a Vision Insurance Plan. Employees who work thirty (30) or more hours per week are eligible for Vision Benefits. The benefits available are listed in the plan documents that are available on the County website. Deductions will be taken from the first and second paychecks of the month.

2. *Enrollment*

A newly eligible employee must enroll no later than thirty (30) calendar days from the date of his/her hire or employment status change resulting in eligibility. Coverage becomes effective the first of the month following thirty (30) calendar days of employment or acceptance of a benefit

eligible position, provided that the employee enrolls by the enrollment deadline. An employee who does not enroll in benefits at hire, may enroll during the year if they have a qualifying event, which includes, marriage, birth, adoption, or legal guardianship of dependents. Under these circumstances, the employee must submit a benefit change form to the Human Resources Department within thirty (30) calendar days of the marriage, birth, adoption, or legal guardianship of dependents. Coverage becomes effective as of the date of marriage, birth, adoption, or legal guardianship. If the benefit change form is received more than 30 calendar days after the date of the event, insurance will become effective on the first of the month following receipt in the Human Resources Department.

Employees may change their coverage during Open Enrollment by participating in Open Enrollment through the Employee Self Service Portal (ESS). Any changes made during open enrollment will be effective as of the 1st of the following year.

If an employee is on unpaid leave for over 30 days, the employee’s Vision Insurance may be terminated.

3. *Vision COBRA Eligibility*

Employees and/or their spouses and dependents may be eligible for continuation of group vision insurance coverage for a limited period of time (up to 18 months) under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA). In such situations, the eligible persons must pay 100% of the cost of coverage. Continuation under COBRA is available for:

- An employee who is no longer eligible for County payment of group vision insurance coverage due to separation from employment (but not discharge for gross misconduct), reduction in work hours, layoff, disability, entry into active military service, or retirement.
- An employee’s spouse and/or dependents in the event of a legal separation or divorce or loss of dependent status by the employee’s child or children.

Refer to the Vision Plan document for specific information on the rights of an employee/spouse/dependent under COBRA, including eligibility, length of coverage, notification, election periods, payment of premiums, and termination of group vision coverage. That document can be obtained from the Human Resources Department or on the County website.

F. Life Insurance

1. *Available Coverage*

Regular full-time employees are insured for an amount equal to their annual salary, rounded to the nearest \$1,000, with minimums and maximums according to the employee’s class. The amount of insurance reflects the employee’s annual salary that is in effect at the time of death. A beneficiary must be named for this coverage. This life insurance benefit is in effect after 30 days of continuous active employment.

These employees are also eligible for enrollment in the optional and dependent life insurance plans, so long as they are enrolled in the basic life plan. Employees pay the full premium by payroll deduction for optional and dependent life.

2. *Optional Coverage*

Optional life coverage is available in various increments. Employees must complete evidence of insurability during open enrollment when applying for or changing this benefit.

For the purpose of dependent life insurance, a dependent is defined as a spouse, and/or unmarried children including stepchildren, legally adopted children and children for whom the employee has legal guardianship. A child is covered through the end of the calendar month he/she turns age twenty-six (26).

3. *Enrollment*

A newly eligible employee must enroll no later than thirty (30) calendar days from the date of his/her hire or employment status change resulting in eligibility. Coverage becomes effective the first of the month following thirty (30) calendar days of employment or acceptance of a benefit-eligible position, provided that the required paperwork is submitted by the enrollment deadline. An employee who does not enroll in optional life insurance benefits at hire may enroll during the year if they have a qualifying event, which includes marriage, birth, adoption, or legal guardianship of dependents. Under these circumstances, the employee must submit the application to the Human Resources Department within thirty (30) calendar days of the marriage, birth, adoption, or legal guardianship of dependents. Coverage becomes effective as of the date of marriage, birth, adoption, or legal guardianship. If notification of the change is not made within 30 days, the employee must wait until Open Enrollment in November to enroll.

Employees may increase their coverage during Open Enrollment by submitting an application. The life insurance carrier may ask underwriting and medical questions at that time and will make a determination if an increase in life insurance coverage is accepted. If accepted, the change will become effective as of the 1st of the year. Employees can reduce their optional coverage at any time during the year by notifying the Human Resources Department in writing, using the Benefit Change form. Reduction of coverage (and change in premium deduction) becomes effective on the first of the next month following notification if written notice is received prior to the deadline date for the second payroll period of the month.

G. Short-Term Disability Insurance

1. *Short-Term Disability Eligibility*

Short-term disability is a partial income continuation program for an eligible employee's own medical condition. An eligible employee is defined as a regular employee who:

- has a position that is entitled to paid leave time benefits, and
- has successfully completed the introductory period for a benefit-eligible position, including active and continuous work throughout the six (6) month introductory period, and who are scheduled to work at least 30 hours per week.

After a 12-day elimination period, eligible employees may receive short-term disability coverage for a period of up to 11 weeks. (Paid holidays shall not be counted for purposes of establishing the elimination period.) All short-term disability coverage will be at 60% of regular pay.

2. Procedure

The procedural requirements for receiving short-term disability are:

- 1) The employee must notify his/her immediate supervisor at least one (1) hour prior to the start of the shift of his/her inability to report to work and must continue to follow the call-in procedure until short-term disability or FMLA is approved.
- 2) Eligible employees must file a claim for STD for all absences of 12 or more consecutive days by contacting the STD carrier per the employee website. Failure to file a claim can result in denial or delay of short-term disability pay.
- 3) During the 12-day elimination period, exempt employees may use sick time in lieu of unpaid time off. Non-exempt employees may use casual, banked sick, floating holiday, vacation, or compensatory time.
- 4) Employees are responsible for timely requests of short-term disability to the carrier. Employees will be required to use their own paid benefit time until the short-term disability is approved by the carrier.
- 5) If the employee complies with reporting and application requirements, including paragraphs 2 and 4, above, and the claim is approved, short-term disability will begin on day 13 at 60% pay, whether for an illness, an injury, or an accident.
- 6) Short-term disability will run concurrently with FMLA and WI FMLA where applicable.
- 7) Unless his/her disability is covered by WI FMLA, the employee is required to supplement the 60% pay with his/her own available paid time.
- 8) An employee receiving short-term disability must be in compliance with the carrier's policies and procedures. Non-compliance may result in discontinuation of short-term disability benefits by the carrier.
- 9) A thirty (30) calendar day notice is required for all elective or non-urgent procedures/surgeries.
- 10) Follow-up appointments (including but not limited to therapy) should be scheduled outside of work hours if possible.
- 11) Contributions are not made to the Wisconsin Retirement System (WRS) while

employee is receiving short-term disability.

3. *Recurrent Disability*

Recurrent Disability means a disability caused by an injury or sickness which is the same as, or related to, the cause of a prior disability for which weekly benefits were payable:

- a. A recurrent disability will be treated as a new period of disability, if an employee:
 - Has returned to his/her own occupation; and
 - Has worked on a full-time basis for two consecutive weeks or more

A new benefit start date and a new maximum benefit period will apply.

- b. A recurrent disability will be treated as part of the prior disability, if an employee:
 - Has returned to his/her own occupation; and
 - Has worked on a full-time basis, for less than two consecutive weeks

The same day benefits begin, and the same maximum benefit period will apply to the recurrent disability as to the prior disability. To qualify for a weekly benefit for a recurrent disability, an employee must earn less than the percentage of pre-disability income specified in the partial disability benefit section. Benefit payments will be subject to all other terms of the policy that applied to the prior disability. This recurrent disability provision will cease to apply when an employee becomes eligible for coverage under any other group short-term disability policy.

H. **Long-Term Disability Insurance**

1. *Long-Term Disability Eligibility*

Covered employees (regular full-time employees) who are scheduled to work at least thirty (30) hours per week are eligible for long-term disability insurance. Coverage becomes effective after six (6) months of continuous employment in a benefit-eligible position and upon completion of the elimination period. For current employees promoted into a benefit-eligible classification, coverage becomes effective after six (6) months of continuous employment in the benefit-eligible position and upon completion of the elimination period from the benefit eligibility date. Racine County pays the full premium amount for covered employees.

2. *Benefits Payable*

In the event of a total disability due to injury or illness, the long-term disability plan pays 60% of covered salary to a maximum monthly payment of \$6000.00. The amount of the monthly payment is based on the employee's regular monthly salary in effect on the date the disability begins. Benefits payable to employees may be reduced by Worker's Compensation, Wisconsin Retirement Annuity or Disability payments, Social Security, or other specified income. While an employee is on long-term disability, vacation, casual days, and floating holiday do not accrue. Employees are not eligible for holiday pay while on long-term disability. Also, contributions are not made to Wisconsin Retirement System (WRS) for payments made by the Carrier. The employee is required to supplement long-term disability with any other pay unless on leave pursuant to the Wisconsin Family and Medical Leave Act (WFMLA).

3. *Requirements*

Upon the expiration of the employee's short-term disability benefits, the employee will be converted to long-term disability at the discretion of the carrier. If the carrier approves the claim, payments will begin after satisfying the appropriate elimination period. For information on Racine County policies regarding extended leave for employees, refer to the Extended Sick Leave section.

Long-term disability will run concurrently with Federal Family & Medical Leave Act (FMLA) and Wisconsin Family & Medical Leave Act (WFMLA), when applicable.

I. Unemployment Insurance

Under the Wisconsin Unemployment Insurance law, County employees who are totally or partially unemployed may apply for limited financial allowance for a specified time-period.

J. Worker's Compensation

1. Worker's Compensation Requirements

The provisions of the Worker's Compensation Act ("WCA"), Chapter 102 of the Wisconsin Statutes, cover all employees of Racine County. Subject to the terms and conditions of the WCA, any employee who is disabled as a result of a job-related injury or illness is eligible to receive certain benefits.

An employee who is injured on the job must report the injury immediately to his/her supervisor. If the first line supervisor is not immediately available, the injury is reported to the next person in charge. The injured employee will complete an "Employee Injury Report" and return it to the department head or supervisor. The department head or a designated employee investigates the injury, completes "Supervisor's Report of Work Injury or Illness", and forwards this form and the "Employee Injury Report" to the Human Resources Department and the Payroll Department within twenty-four (24) hours of the event. In certain circumstances, the injured employee may need to submit to a drug/alcohol test. A drug/alcohol test will be required for the following reasons:

- The incident involved a motor vehicle accident
- Hospitalization has occurred
- A member of the public was injured
- Serious property damage occurred
- There is reasonable suspicion
 - *If there is reasonable suspicion, the supervisor must accompany the employee to the hospital.*

If for any reason, an employee is unable to report an injury to his/her supervisor, the department head or designated supervisor must complete both forms as soon as he/she is aware of the injury. The incident report forms are available from the Human Resources Department or on the County website.

The injured employee must cooperate with any federal or state officer conducting an inspection if the officer inquires about conditions at the injured employee's job site. State law requires that the Department of Workforce Development be notified within eight (8) hours when an incident results in the death of an employee. During times the Human Resources Department is closed, the supervisor needs to email this form immediately to the Human Resources Department.

Employees not immediately reporting injuries may jeopardize their Worker's Compensation coverage.

2. *Coordination of Worker's Compensation with Disability, FMLA, and Insurance*

Employees will be required to use their own paid benefit time unless and until the worker's compensation claim is approved by the Worker's Compensation plan administrator or insurance carrier. If the injury is determined to be compensable under the Worker's Compensation program, payroll adjustments will be made. A covered employees Workers' Compensation payment or lost time will be automatically supplemented up to 100% by Racine County. An employee receiving Worker's Compensation must comply with case management and follow treating physician orders. Non-compliance will result in discontinuation of benefits. Family Medical Leave will run concurrently with Worker's Compensation leave as allowed under the law. The County reserves the right to terminate employment based on reasonable considerations involving the employee's ability to perform the essential duties of his/her job and medical prognosis.

3. *Subrogation*

If a third party or its insurer may be liable for any losses on which wages and/or benefits have been paid, Racine County is subrogated to all rights of its employee to recover for those payments from any responsible person or entity and shall be entitled to be repaid first and shall have a lien on any recovery by the employee from the third party or its insurer.

4. **Employee Non-Insurance Benefits**

A. **Wisconsin Retirement System (WRS)**

The contributions to the WRS are based on a percentage of an employee's eligible earnings. Short-term and Long-term disability payments are not considered eligible earnings. The contributions are made up of two parts: an employee's share and an employer's share. The County pays the employer's share. By law, the County may not pay the employee's share, except as required under a collective bargaining agreement with certain public safety employees. For all others, the employee pays the employee's share, which is done through a pretax payroll deduction. The employee is not able to increase or decrease their WRS contribution through payroll deductions, but they can increase their contribution independently of their payroll deductions. For information on this process visit etf.wi.gov.

B. Deferred Compensation Plan

Racine County offers two deferred compensation plans to regular full-time employees. This is a voluntary program under which employees may defer the receipt of a portion of their current income through a payroll deduction. This action defers the payment of income taxes on the amount deferred until withdrawal of the funds during retirement, termination of employment or an unforeseen financial emergency. Social Security and Medicare taxes are not deferred. There are plan limits on the amount of compensation that may be deferred.

Employees may enroll in the Deferred Compensation Plan(s) at any time. A representative of the Plan Administrator will be available by appointment at various locations and times during the year to answer employee questions. Deferrals can start or increase no earlier than the month following the enrollment or change. Participants may change the amount of compensation deferred, not to exceed one change per month.

C. Employee Assistance Program

Racine County recognizes that some personal problems can be difficult to resolve without outside assistance. To help employees and their family members cope with a range of personal matters, Racine County has instituted an Employee Assistance Program (EAP).

All information relating to an employee's or family member's EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee's or family member's use of EAP services without written consent.

All active employees and their family members are eligible for EAP services. EAP counselors provide assistance with problems such as depression, drug and alcohol abuse, job-related stress, and marital/family problems. If the EAP counselor recommends additional services or treatment, the employee or family member is referred to an appropriate professional. Employees are responsible for paying the cost of additional counseling or health care services that may not be covered by their health insurance. Appointments with EAP counselors or referral to another health care provider are handled as any other absence. Employees who have extended absences for the employee's own medical condition may apply for FMLA, short-term or long-term disability benefits, subject to those provisions.

For additional information, employees may contact the carrier directly, the Human Resources Department, or the Racine County website.

D. Flexible Spending Accounts

1. Policy

Racine County offers eligible regular full-time employees to contribute to two flexible spending accounts: Health Care Flexible Spending Account and Dependent Care Flexible Spending Account. Each is an optional employee benefit plan authorized under the Internal Revenue Code to help employees pay qualified expenses.

Racine County makes no contribution to either plan on behalf of the employee; all funds in the

plans are contributed by the employee, on a pre-tax basis through payroll deduction. IRS regulations limit the amounts that may be contributed to the accounts. See your tax accountant for specific information.

2. *Health Care Flexible Spending Account*

This is an optional employee benefit plan authorized under Section 125 of the Internal Revenue Code to help employees pay qualified health care expenses. The plan year begins on January 1 and continues through December 31 of each calendar year. Employees may roll over a portion of unused healthcare FSA funds into the following plan year, up to a dollar amount determined annually by Racine County. The County's third-party administrator will administer payment of all claims. To obtain reimbursements, the employee may use the FSA Mastercard provided upon enrollment or the employee must submit a completed "Health Care Flexible Spending Account Claim" form, which is available in the Human Resources Department or on the County website. The claim form, together with proof of an eligible expense, is submitted to the third-party administrator. Employees should retain copies.

Newly hired employees may enroll by submitting an enrollment form to the Human Resources Department within thirty (30) calendar days from their date of hire. Participation becomes effective the first of the month following thirty (30) days of employment. For mid-year changes due to qualifying life events, employees must notify Human Resources within 30 days of the event and changes will be effective the first of the following month. If the qualifying event is a result of the birth or adoption of a child, the effective date of the change will be the date of the event. If notification of the change is not made within 30 days of the event happening, the employee must wait until the next Open Enrollment period. Please refer to the FSA plan document on the Employee Portal on the Racine County website for details. Employees must reenroll for this benefit each year during open enrollment.

3. *Dependent Care Flexible Spending Account*

The Dependent Care Flexible Spending Account is an employee benefit plan authorized under Sections 125 and 129 of the Internal Revenue Code. The plan allows employees to pay qualified child and elder care expenses, on a pre-tax basis through payroll deduction. IRS regulations limit the amount that may be contributed to the account, based on the employee's marital and tax filing status. See your tax accountant for specific information.

The plan year begins on January 1 and continues through December 31 of each year. Eligible expenses will be reimbursed after an employee has accumulated sufficient funds in his/her account. Any money left in the account at plan year-end will be forfeited unless a reimbursement is requested by March 31 of the subsequent calendar year.

The County's third-party administrator administers payment of all claims. To obtain reimbursements, the employee must submit a completed "Dependent Care Flexible Spending Account Claim" form, which is available in the Human Resources Department or on the County website or use the Mastercard provided upon enrollment. The claim form, together with proof of payment from the provider, is submitted to the third-party administrator. Employees should retain copies.

Newly hired employees may enroll by submitting an enrollment form to the Human Resources department within thirty (30) calendar days from their date of hire. Participation becomes effective the first of the month following thirty (30) days of employment. Previously ineligible employees who become eligible through birth, adoption, obtaining custody of a child or the need to provide elder care may enroll by submitting an enrollment form to the Human Resources Department within thirty (30) calendar days from the change in family status date. If notification of the change is not made within thirty (30) days of the event, the employee must wait until the next open enrollment period. Employees must reenroll each year during open enrollment.

E. Health Savings Account

Employees enrolled in a High Deductible Health Plan (HDHP) through Racine County are eligible to set up and contribute to a Health Savings Account (HSA). The HSA is a tax-advantaged savings account used to pay for qualified medical expenses. Only employees enrolled in an HDHP are eligible for an HSA and may contribute up to the IRS annual limit. Racine County may also contribute a fixed amount annually. Those enrolled in an HDHP can enroll in an HSA at any time and the HSA is owned by the employee, remaining with the employee even if they should end employment with Racine County. Employees are responsible for managing their HSA in compliance with IRS regulations. For more information, please refer to the current IRS guidelines or contact Human Resources.

F. Racine Employee Health & Wellness Center

Racine County is committed to helping its employees lead healthier lives, which not only benefits the employees personally, but also improves their ability to perform their duties. For this reason, Racine County has partnered with Racine Unified, the City of Racine and with Ascension to create a health center for:

- Racine County full-time employees, who are covered under a County health plan;
- Dependents of Racine County employees who are covered under a County health plan; and
- Racine County retirees and their dependents that are covered under a County health plan.

The health center is located at 2333 Northwestern Avenue, Suite 114. Visits are by appointment only. Available services include primary care, chronic disease management, wellness consultations, immunizations, physicals (including school and sports physicals), diagnosis and treatment of urgent care needs (e.g., ear or sinus infections, strep throat), and lab work. If you are on our Traditional health insurance plan, there is no fee for visits. If you are on our High Deductible health insurance plan, there may be a copay (subject to change based on current laws). There may be costs for services referred outside of the health center (radiology, some lab services, etc.). County health coverage may be applied to any of those costs. Some medications are dispensed for free at the Wellness Center.

G. Training, Tuition Reimbursement, and Professional Certification

1. County-funded Training, Generally

Racine County encourages professional development of employees. However, training must be consistent with County scheduling and budgetary needs. Prior approval of one's supervisor must be obtained before any employee attends meetings, conferences, training sessions, workshops, seminars, or special classes on workdays, or, although not on workdays, if the employee seeks reimbursement for attendance at, or travel to, the event. Approval by supervisors is subject to departmental budgets.

2. Tuition Reimbursement

The Racine County Tuition Reimbursement Program is designed to provide financial assistance to full-time employees who voluntarily attend job-related, educational courses that can be expected to benefit the County as an employer. Actively employed, regular full-time employees who are in good standing with the County and have completed their introductory period with the County are eligible for reimbursement for tuition and certain other costs, provided that the school/coursework **is accredited and is part of an associate, bachelor or graduate degree program related to any position within Racine County.**

Expenses that may be reimbursed under this program include tuition, books, materials, and lab fees.

To be eligible for reimbursement, the employee must submit a "Pre-approval for Tuition Reimbursement" form prior to taking the course. All courses must be pre-approved by the Human Resources Department in order to be eligible for reimbursement. **The pre-approval form,** Information about tuition reimbursement, including specific instructions, are available on the County website. Once the course is complete, the employee must send proof of that the course was completed, the grade received for the course, and cost of the course to the Human Resources Department.

Racine County will pay a portion of tuition and materials depending upon the grade as follows:

- Up to 70% reimbursement for a grade of B or better;
- Up to 50% reimbursement for a passing grade of C;
- Up to 50% reimbursement for passing a pass/fail course.

The maximum tuition reimbursement to an employee in any one calendar year is \$1,000. Actual reimbursement amounts will be subject to availability of funds.

By Accepting tuition reimbursement, the employee is agreeing to continue employment with Racine County for at least 12 months after the completion of the course. Employees who do not complete 12 months of service with Racine County following reimbursement, will be required to pay the full reimbursement amount. Employees who do not pay back the reimbursement will lose the corresponding amount from accrued vacation unless the department head grants a waiver.

3. *Professional Certifications, Professional Memberships and Licenses*

The employee is personally responsible for obtaining and maintaining professional certifications and licenses which are required as minimum qualifications for his/her position. The employee must supply his/her supervisor with the necessary paperwork proving certification/licensure in a timely manner, and the supervisor is responsible for maintaining a file documenting the employee’s certification/licensure. The County may pay the cost of obtaining or maintaining the training/licensure at the discretion of the department head if there are funds available. The County may also pay professional membership dues for employees at the discretion of the department head if there are funds available. In the event that an employee resigns or retires during a period where professional membership dues were paid by the County, the employee shall return the prorated portion to the County. For example, if the County opts to pay \$500 in annual professional dues for an employee who later resigns on June 30th of the membership year, the employee must return \$250 to the County to remain in good standing. Employees who do not return a prorated portion of professional membership dues paid by the County shall lose that corresponding amount from accrued vacation pay unless the department head grants a waiver.

5. **Employee Time Off Benefits**

A. **Holidays, Leave, and Vacation**

1. *Holidays Observed by Racine County*

The following holidays are observed by Racine County and shall be granted with pay to employees who work more than 20 hours on a regular basis in a traditional Monday-Friday schedule.

- New Year’s Day
- Martin Luther King Jr Day
- Friday before Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Day before Christmas Day
- Christmas Day
- Day before New Year’s Day

In addition, subject to rules set forth below, covered employees are entitled to one “floating holiday” per year.

2. *Eligibility for Holiday Pay*

To receive holiday pay, a covered employee must work or be in pay status (as defined below) on

the scheduled workday immediately preceding the holiday, the holiday itself when scheduled as a workday, and the scheduled workday immediately following the holiday. An employee must have at least four (4) hours in pay status in both the scheduled workday before and the scheduled workday after a holiday to receive holiday pay.

3. *Definition of Terms for Holiday Pay*

Pay status

An employee received pay for a scheduled workday such as: worked, vacation, casual day, short-term disability/sick day, Worker’s Compensation, or funeral leave.

Approved Family/Medical Leave

Approved Family/Medical Leave is treated the same as other unpaid leaves for purposes of being eligible for holiday pay. If the unpaid time occurs on either side of a holiday, the employee would not be eligible for the holiday pay.

4. *Floating Holidays*

Eligibility

A newly hired employee is not eligible for a floating holiday until after successful completion of his/her introductory period. This means that if the calendar year ends before an employee has completed the introductory period, he/she is not eligible for a floating holiday for that year.

Use of floating holidays

The floating holiday must be used before the end of the calendar year or the employee will lose the holiday. Floating holidays must be scheduled by requesting the time off and obtaining approval in advance from the department head/supervisor.

5. *Amount of Holiday Pay*

A full-time employee is eligible for eight (8) hours of holiday pay per holiday. A part-time employee is eligible for pro-rated holiday hours based on his/her position hours. Employees who work an alternate schedule may supplement their holiday pay or adjust their schedule with supervisory approval.

6. *Holidays during Weekends*

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. When the Day before Christmas Day or the Day before New Year’s Day falls on a Friday, it shall be observed on the preceding Thursday. When Christmas Day or New Year’s Day falls on a Monday, it shall be observed on the following Tuesday.

7. *Holidays during Paid Vacation or Disability*

If a holiday occurs during an employee’s vacation or disability, the employee receives holiday pay rather than vacation pay or disability pay for the holiday.

8. *Holiday during Unpaid Leave*

When a holiday falls within a period of leave without pay, the employee shall receive no pay for

the holiday.

9. *Employees Who Work on a Holiday*

Racine County has identified eleven (11) observed holidays. Effective, June 1, 2022, non-exempt/non-represented employees who are required to work on a holiday are paid time and a half (holiday pay) for the holiday hours worked. Holiday pay will be given when an employee is required to work on one of the 11 holidays as long as they are working on the actual holiday itself (i.e., not on a designated observed holiday day such as Independence Day, the day before Christmas Day, Christmas Day, the day before New Year's Day, and New Year's Day).

10. *Holidays on Scheduled Days Off*

Non-exempt, non-represented, employees that work non-traditional hours (excluding employees that work a 5-2, 5-3 schedule) will receive banked holiday hours if a holiday falls on a non-scheduled day. The holiday hours will be added to their comp time balance to be used at a future date. The date of use must be at the mutual convenience of the department and the employee. The banked holiday hours will be subject to the Compensatory Time Bank and Payout policy (see Section 2.D.4).

11. *Employees Who work less than 20 hours per week*

If an employee who is working less than 20 hours per week is required to work on a holiday, the employee will receive only his/her regular rate of pay for the hours worked that day. If the employee does not work on a holiday, he/she will not be paid for that day.

12. *Holidays after Separation*

Holidays are not earned after an employee separate from County employment. The last day on the payroll is considered the separation date.

B. Casual Time/Sick Time

1. *Non-exempt Employees*

Non-exempt employees accrue five casual days per calendar year. Casual time for eligible part-time employees will be prorated. There will be no carryover of these days from year to year, and unused casual days will **not** be paid out at the end of each year, with the exception of those working in a 24-hour operation. Casual days are not accrued during the introductory period of employment. Upon completion of the introductory period, newly hired employees will accrue and receive pro-rated casual time at the rate of one-half day for every full month remaining in the calendar year, not to exceed five (5) full days. An employee who terminates employment or moves to an exempt position prior to June 30 of any calendar year shall be reimbursed for one half of any unused casual days. An employee who terminates employment or moves to an exempt position after July 1st shall be reimbursed for any unused casual time.

2. *Exempt Employees*

Exempt employees accrue no casual days but may take sick time for their own medical-related absences upon completion of the introductory period. However, such absences may constitute occurrences for purposes of the attendance policy.

C. Civil Leave

An employee will be given time off without loss of pay when subpoenaed to appear before a court, public body or commission connected with County business. Any witness fee received by the employee for work-related matters shall be turned over to Racine County.

If an employee needs to appear under subpoena or in his/her own behalf in litigation involving personal or private matters, he/she may request time off work using the employee's available paid time or requesting unpaid time if no paid time is available.

D. Funeral Leave

1. Policy

Regular full-time employees and regular part-time employees scheduled to work at least twenty (20) hours per week on a regular basis are allowed funeral leave. These employees are entitled to funeral leave upon hire date. Funeral leave is time off with pay for the purpose of arranging and/or attending a funeral of an immediate family member. Eligible full-time employees are allowed up to three (3) working days of funeral leave and eligible part-time employees are allowed a pro-rated period of days of consecutive funeral leave. Funeral leave is not available to seasonal employees or employees not in a benefit status.

Funeral leave is intended only for preparation for, and attendance at, a funeral or memorial service of the immediate family member and must be used within a year of the death.

2. Definition of "Immediate Family Member"

For purposes of funeral leave eligibility, "immediate family member" is defined as the employee's spouse, parent or parent-in-law, stepfather or stepmother, child or stepchild, brother or sister, son-in-law or daughter-in-law, brother-in-law or sister-in-law, grandparent, or grandchild. Employees requesting funeral leave may be required to furnish proof of the funeral and the relationship of the employee to the decedent.

E. Jury Service

1. Policy

An employee will be excused from work on a workday when assigned to jury service, including during the introductory period, provided prior notice is given to the supervisor. An employee will be expected to work part-time whenever doing so will not conflict with jury service if the nature of the employee's work will permit this practice. An employee required to be absent due to jury service will be paid the difference between jury pay and his/her regular wages.¹ Employees should cash their check received from Jury service and provide a copy to their supervisor. Employees or supervisors should code the time off in the timekeeping system with the Jury Duty pay code. The employee will be paid their regular pay for the day(s) they served less the amount they received from Jury Duty. Employees are entitled to keep mileage reimbursements they receive for jury service. If an employee is called for jury service, responds to the call, and loses

¹ For this section, "regular wages" means the straight time hours the employee would have normally worked on the day times the employee's base wage rate.

time from work, but is not accepted for jury service, he/she will receive an amount equal to regular wages for such time lost on his/her regular shift provided he/she returns to the job promptly.

2. *Excuse from Jury Service*

If the employee's absence is expected to seriously affect operations, the County may request that the employee be excused from jury service. The decision to excuse the employee, however, rests with the court.

F. **Military Leave**

1. *Policy*

In accordance with applicable state and federal law, a military leave of absence will be granted to employees (including those in their introductory period):

- Who enlist or are inducted into the Armed Forces of the United States or the state defense force; or
- Who, because of membership in the United States Military Reserve or the National Guard of any State, is ordered by the appropriate authorities to attend training, encampment or other form of active military duty under the supervision of the United States Armed Forces.

It is intended that the employee's service in such capacity does not result in unnecessary financial penalty to the employee. Therefore, Racine County will pay such employee, for a period not to exceed ten (10) workdays in any calendar year, an amount equaling the difference between his/her daily military pay and his/her normal County daily wage. Such pay must be processed within the same calendar year as the Military Leave.

2. *Requirements*

To receive such leave and pay, the employee must file a copy of his/her orders with the department head at least two weeks prior to the date such military leave is to begin and provide the Payroll Department with proof of military pay when it is received.

Employees on paid military leave are required to pay the employee contribution to WRS. Employees on unpaid military leave are able to pay their employee contribution to WRS if they choose to make up the contribution but are not required to. For benefit information see Chapters 3 and 4 of this manual.

G. **Unpaid Leave of Absence**

1. *Policy*

Regular full-time employees and part-time employees who are scheduled to work at least 20 hours per week on a regular basis may be granted time off without pay subject to all the applicable following conditions:

- Department heads may grant unpaid leaves of absence to regular employees for periods of up to thirty (30) workdays. In rare circumstances the department head and County Executive may approve additional time.
- Prior approval is required for unpaid leaves of absence. Employees requesting unpaid leaves of absence shall use the timekeeping system to enter requests in a timely fashion. For normal unpaid leaves of absence, except in emergencies, requests shall be submitted at least ten (10) workdays prior to the commencement date.
- No unpaid leave of absence shall be granted to permit the employee to seek other employment, except that this restriction shall not be applied to prevent an employee from taking unpaid leave while seeking elective public office.
- If the employee does not return to his/her position after the approved leave period, he/she shall be considered to have resigned from County employment.

2. *Benefits Earned*

Credit toward vacation shall not be earned while an employee is on unpaid leave. Insurance benefits will remain in effect.

H. **Family and Medical Leave**

1. *Policy*

Racine County complies with the policies, provisions and terms of the Federal Family and Medical Leave Act (FMLA) and the Wisconsin Family and Medical Leave Act (WFMLA), giving the more generous rights to the employee when the provisions of the acts differ. Nothing in Racine County's policy or procedure is intended to confer additional benefits or otherwise supplement, change or alter the conditions and directives of the FMLA or WFMLA. The taking of approved Family and Medical Leave will not be used in any employment decision including the determination of promotions, raises or disciplinary actions.

Racine County will count all absences that qualify as WFMLA and FMLA against an employee's annual allotment of leave under both acts. Racine County uses the calendar year for such calculations.

2. *Notice of Need for Family and Medical Leave*

The employee must notify his/her supervisor (or designee) as soon as the employee knows he/she needs the leave; thirty (30) days-notice is required for a foreseeable leave period. The leave is provisionally granted upon a qualifying request. Reasons for leave include the serious health condition of the employee or the employee's child, spouse, or parent, or for birth, adoption or foster care placement, service member's serious health condition, or qualifying exigency for military members.

3. *FMLA/WFMLA Application Process*

Employees who want to apply for FMLA should first contact the FMLA Administrator to request the leave by phone or via website. Employees will then receive medical certification papers from the administrator. It is the employee's responsibility to have their medical provider complete

verifications and return it back to the administrator to determine eligibility.

4. *Determinations*

Only the FMLA Administrator can make the determination to grant or deny leave. The FMLA Administrator will inform the employee in writing of its decision to grant or deny leave.

Employees wishing to discuss the final determination made by the FMLA Administrator may appeal to the FMLA Administrator.

5. *Substitution of Paid Leave*

While covered under Wisconsin FMLA an employee may choose to remain in unpaid status or use their available paid time off. While covered under Federal FMLA only (after Wisconsin FMLA has been used or if employee is ineligible for Wisconsin FMLA), Racine County will require the employee to use their available paid time off, if available.

6. *Incomplete or Falsified Information*

Racine County reserves the right to require medical re-certification, in conformity with applicable laws. Lack of required information or falsified, incorrect or incomplete information provided either verbally or on the request or certification form, is cause for the delay or denial of a leave request and may result in discipline.

7. *Other Information*

Contact the Racine County Human Resources Department and/or refer to the FAQ Checklist for FMLA/STD/LTD available on the County website for additional information on eligibility requirements and how to apply for FMLA and/or WFMLA leave.

I. Extended Sick Leave

Employees who are absent from work due to illness or injury (not job related), and who have exhausted any sick leave accumulation, vacation, holiday and/or casual time, and are not entitled to Family Medical Leave, may be eligible for an extended sick leave of absence during which the employee would no longer be paid by the County, but would continue to remain an active employee. An employee must pay his share of the health insurance premium(s) through payroll deduction or by direct payment. The extent of, and circumstances surrounding, an extended sick leave of absence must be reviewed and approved by the Human Resources Department. Each case of an extended sick leave of absence shall be decided and judged on its individual merits and no case shall be deemed as setting a precedent for any other case. Extended sick leaves of absence will be periodically reviewed and evaluated based on any medical certifications received by the treating medical physician to determine if the employment will continue, but in all instances will continue no longer than one year. In order to return to work, an employee must have a valid Statement by the employee's treating physician fully releasing the employee back to his/her position. If this statement is not received the employee's return to work will be delayed until it is received. An employee who does not return to work from leave at the designated time will be considered to have voluntarily terminated his/her employment.

J. Vacation

1. Vacation Accumulation Schedule

Effective March 1, 2017, regular full-time employees and part-time employees working at least twenty (20) hours per week on a regular basis are eligible for paid vacation according to the vacation plan listed below. The County Executive may approve additional vacation. Vacation benefits are based on a work year of two thousand eighty (2,080) paid hours. The “Anniversary Date of Employment” is computed from the employee’s latest date of hire.

Anniversary Date of Employment	Exempt	Non-Exempt/Non-Represented
6-month anniversary	1 week	0
1 st through 4 th	3 weeks	2 weeks
5 th through 7 th	4 weeks	2 weeks, 3 days
8 th through 12 th	4 weeks, 3 days	3 weeks, 3 days
13 th through 17 th	5 weeks	4 weeks
18 th through 22 nd	5 weeks	4 weeks, 3 days
23 rd and beyond	5 weeks	5 weeks

Vacation entitlement for eligible part-time employees is pro-rated according to position hours.

2. Earning and Use of Vacation Benefit

Vacation is earned, or accrued, during the year prior to the anniversary of the employee’s date of hire and is intended to be used during the twelve (12) month period following that anniversary date. Vacation pay is determined based on each employee’s straight time rate of pay received at the time he/she takes vacation, times the number of hours of vacation to which the employee is entitled. Vacation time earned will be based on paid hours including paid leaves such as vacation, holidays, and short-term disability.

3. Qualifying Period

An employee must complete his/her introductory period to be eligible for vacation benefits unless previously approved by the County Executive.

4. Loss of Vacation Benefit

Vacation days may be carried over from one anniversary year to another up to 80 hours without written approval. On an employee’s anniversary date, the time keeping system will automatically adjust their balance down to 80 hours if they exceed an 80-hour balance. Effective, June 1, 2022, maximum carryover is 80 hours. Only in very rare circumstances and only in 24/7 operations, will the County Executive authorize a vacation carryover of over the eighty (80) hours.

5. *Holidays during Vacation*

When a holiday occurs during a scheduled vacation period, the day is charged to the holiday benefits and not to the earned vacation benefits.

6. *Vacation during Sick Leave*

When an employee becomes ill during a scheduled vacation period, the day(s) will be charged to the vacation benefits and not to any sick leave benefits.

7. *Funeral Leave during Vacation*

Charges normally made to funeral leave are not allowed during scheduled vacation periods without appropriate verification and approval.

8. *Scheduling Vacations*

Employees must schedule their vacation with their department head or designee in advance and vacation time must be approved by the department head subject to the staffing needs of the department. Vacation picks will be determined by the department.

9. *Vacation Increments*

Department heads may require that their employees take at least one (1) week of vacation in an uninterrupted increment that includes five (5) vacation days.

10. *Effect of Change in Employee Status or Vacation Schedule*

An employee who moves from one position to another in the County shall retain accumulated vacation leave in the new position.

An employee whose status is changed from a non-benefit eligible position to a benefit eligible position without a break in service will start to accrue vacation time in accordance with the Vacation Accumulation Schedule.

An employee who during the anniversary year changes from regular part-time (eligible for benefits) to regular-full time or vice versa will receive vacation credits based on a pro-rating of the time worked in each status.

An employee who during the anniversary year changes from one vacation schedule to another will receive vacation credits based on a pro-rating of the time worked in each vacation schedule.

11. *Payout at Separation*

Upon separation from employment, an employee shall be paid for the unused portion of his/her vacation and accrued vacation as long as he/she provides proper notice defined in section 12. C.1. This payout is made at the rate paid on the employee's last day of work. An employee who separates prior to one calendar year of employment or has been involuntarily terminated is not

entitled to pro-rated vacation. In rare instances when an employee starts employment with vacation time, vacation payouts will not occur if he/she terminates or is terminated from employment less than six (6) months from their start date for Exempt Employees and one (1) year from their start date for Non-Exempt Employees. Vacation benefits are not earned after an employee separates. The last day on the payroll is considered to be the separation date.

6. Retiree Benefits

A. Retirement

A retirement is defined as a voluntary separation from regular County employment by an employee who is enrolled in Wisconsin Retirement System (WRS), and (1) has attained the minimum age for retirement and receives retirement benefits under WRS, or (2) has applied for and receives a disability retirement under WRS. Racine County participates in both the Wisconsin Retirement System (WRS) and Federal Social Security pension systems. This section is for general information. Specific questions should be directed to the Wisconsin Department of Employee Trust Funds (ETF) or the U.S. Social Security Administration (SSA), as appropriate.

B. Wisconsin Retirement System

1. *Generally*

Employees who are eligible under state law will be enrolled in the Wisconsin Retirement System at time of hire or at the time an employee becomes eligible under state law at any time during his/her employment. Racine County participates in three of the system's employment categories:

- Persons in the General and Elected Employee categories may retire under the WRS at any time after reaching the minimum age of 55, provided they meet any minimum contribution or longevity requirements established by statute or WRS regulations;
- Persons in the Protective Occupation Participant category may retire under the WRS after reaching the minimum age of 50, provided they meet any minimum contribution or longevity requirements established by statute or WRS regulations

2. *Retirement Process*

Actual eligibility for retirement under WRS, as well as eligibility for a retirement annuity, is determined by the WRS. Prior to retirement, an employee may obtain a statement of his/her estimated retirement payout, including any annuity amount under the various annuity options available, by obtaining a "Retirement Estimation of Benefits" form from Employee Trust Funds (ETF). An employee may choose the standard beneficiary sequence or specify a particular beneficiary/beneficiaries by completing a "Beneficiary Designation Form" and submitting it directly to ETF. Forms are available on etf.wi.gov or on the Racine County website in the employee portal. Disability Retirement Annuity and Duty Disability Retirement Annuity eligibility is determined by state law. For more information go to etf.wi.gov.

3. *Employment After Retirement*

Upon employment with the same or another WRS-participating employer, an annuitant may, under certain conditions, elect to continue receiving the annuity and forego active WRS participation status. Alternatively, the individual may choose—or may be required—to stop the annuity and resume making WRS contributions. If additional information is needed, contact:

Madison Office Mailing Address at either

801 W. Badger Road Madison, WI 53702	P.O. Box 7931 Madison, WI 53707-7931
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Madison WI 53707-7931
 Madison Office Telephone - (608) 266-3285
 Toll Free Customer Service - (877) 533-5020
 Email/Internet Site: <http://etf.wi.gov/>

C. Retiree Health Insurance Benefits

1. *Policy*

Racine County employees who retire under the Wisconsin Retirement System (WRS) may be eligible for post-retirement health and dental insurance benefits, provided that they:

- Are enrolled in the County’s health insurance at the time of retirement;
- Meet the age and other requirements for retirement under WRS;
- Must have worked a minimum of 15 years with Racine County.
- Make the necessary premium contributions as specified herein.

A retiree who exercises his/her right to continue health and/or dental insurance benefits must provide acceptable documentation proving the eligibility for monthly WRS annuity payments (or lump sum payment of the present value of the retirement annuity) and must pay his/her share of the cost of such insurance coverage to the Human Resources Department by the first of the month in which coverage is to be effective. At the time of retirement, retirees can choose to set up monthly auto withdrawal payments or pay the full year in one lump sum with a check. If a retiree sets up payment through auto withdrawal and has three consecutive months of non-sufficient funds, the retiree and dependents will be terminated from the health insurance retroactively to the date the last payment was received.

Retiree health coverage will be the same as active employee coverage; therefore, coverage for such persons will change over time as active employee coverage changes. In addition, retiree premium shares will be tied to the shares of active employees; accordingly, premium shares may change over time; the relationships between retiree and active employee premium shares are stated in the next paragraph.

2. *Minimum Years of County Service and Premium Share*

For employees who are hired on or before December 31, 2011, and retire, premium shares will be based on the employee’s continuous years of County service:

20 or more years of service - Fifteen (15) percent of retiree premium rate
 15, 16, 17, 18, 19 years of service - Twenty-five (25) percent of retiree premium rate

For those employees who are eligible for County retiree health coverage after becoming Medicare eligible, premium share percentages may change once they reach Medicare eligibility. See paragraphs 3 and 4 below.

Employees hired on or after January 1, 2012, will be offered health coverage through COBRA by paying the full premium for 18 months provided the employee is enrolled in the County’s health coverage at the time of retirement and meets the age, years of service and other minimum requirements for WRS, retirees. After this period, health coverage will continue to be available at the full premium amount and will terminate at Medicare eligibility.

3. *Post-Medicare Coverage*

Certain retirees are eligible for County health coverage after they and/or their spouses are eligible for Medicare; in that event, retirees will be offered the County’s current Medicare advantage plan at the full premium amount. Such retirees are required to purchase the Medicare Parts A and B plans for themselves and/or their spouses when each reaches Medicare age (currently 65) or earlier, should either or both become eligible for Medicare eligible prior to that time.

Certain retirees are *not* eligible for post-Medicare County health coverage. These are employees who were first hired by Racine County roughly in the period from 1998 through 2001, depending on whether they were non-represented employees or, if represented, the bargaining units of which they were members. A list of the effective hiring dates for all categories of employees—non-represented and represented— appears in Appendix B of this manual. For an employee hired after the specified date and for his/her spouse, eligibility for County retiree health coverage ends for each one at the time that he/she attains Medicare eligibility.[‡]

The following table is intended as a highly simplified summary of retirees’ eligibility for post-retirement County health coverage. It does not apply to persons who have already retired, or to their survivors or to survivors of individuals who died while active employees. It is not intended to and does not in any way supersede fuller explanations of such eligibility in this manual or other controlling documentation:

RETIREMENT DATE	HIRE DATE (VARIES BY EMPLOYEE GORUP, AS LISTED IN APPENDIX B)	MINIMUM YEARS OF COUNTY SERVICE	POST-MEDICARE COVERAGE (SUPPLEMENT)	SURVIVING SPOUSE COVERAGE
1/1/12-12/31/12	Before dates in Appendix B	10	Yes	Until Medicare or remarriage

[‡] If the retiree reaches Medicare eligibility before the spouse, the spouse may retain single County health coverage, until he/she also reaches Medicare eligibility.

1/1/12-12/31/12	After dates in Appendix B	10	No	Until Medicare or remarriage
1/1/13 onward	Before dates in Appendix B	15	Yes	Until Medicare or remarriage
1/1/13 onward	After dates in Appendix B, but before 1/1/12	15	No	Until Medicare or remarriage
1/1/13 onward	After 1/1/12	15, but 100% premium share	No	Until Medicare or remarriage

4. *Post-Medicare Coverage Premium Share*

For retirees who are eligible for post-Medicare coverage who retire on or after January 1, 2012, the post-Medicare premium **share** for County health coverage will be the **greater of** the share listed above (based on years of County service) **or** the share listed below (based on the year of retirement):

Retirement Year	Share	Retirement Year	Share	Retirement Year	Share
2012	10%	2016	30%	2020	50%
2013	15%	2017	35%	2021	50%
2014	20%	2018	40%	2022	
2015	25%	2019	45%	And after	100%

Retirees participating must arrange to make payments of their premium shares with the Medicare Advantage plan directly.

5. *Death of a Retiree-Effect on Coverage*

In the event of the death, on and after January 1, 2012, of a retiree enrolled in the County’s health insurance program at the time of death, health insurance coverage will terminate upon the end of the month of the retiree’s death. Eligibility for survivor benefits is based on date of hire, date of retirement, and the union contract (if applicable) at time of retirement. See Appendix C for a general summary. If eligible, the surviving spouse and/or qualifying dependents of said retiree, as defined in the health insurance plan document, may elect, within sixty (60) days of said death, to continue to receive family or single health insurance coverage. If the spouse and/or dependents elect to continue to receive health insurance coverage, the premium share charged to the eligible survivor shall be at the same percentage of the total cost of the insurance for which the retiree would have been eligible, unless otherwise noted by the contract in which they retired under. Qualifying dependent eligibility shall be in accordance with the conditions set forth in the health insurance plan and/or the contract in which they retired under. Such coverage will end upon the death or remarriage of the surviving spouse, or upon the surviving spouse becoming Medicare eligible, or otherwise subject to the conditions of the union contracts. This provision does not change the existing rights or benefits of the surviving spouses or other dependents of retirees who died on or before December 31, 2011.

D. Retiree Dental and Vision Insurance

A retiring employee and eligible dependents may opt for continued coverage in accordance with the Comprehensive Omnibus Budget Reconciliation Act (COBRA) by paying the full monthly premium. Individuals are responsible for enrolling and paying the full cost of the single or family monthly premium due and payable to the COBRA administrator.

E. Life Insurance

All life insurance terminates on the last day of the month in which the employee ceases to be employed. A conversion or portability policy is available, at employee expense, through the County’s life insurance carrier.

F. Unused Time Payout

Vacation currently available to the employee will be paid out on the final check. Accrued Vacation Pay will be paid on the last paycheck provided the employee gives a written separation notice to his/her immediate supervisor and the Human Resources Department at least ten/fifteen (10/15) working days prior to his/her last day of work. The 10/15-day notice must be completed as days worked (See section 12 C.1). This payout is not added toward WRS. It can be deferred to the employee’s Deferred Compensation provided that the employee gives the payroll department 30 days advance notice. An employee who does not give sufficient notice shall lose accrued vacation pay unless the employee is out on medical leave. This payout is made at the rate paid on the employees’ last day of work. Banked Sick Days will be paid at a rate of \$10.00 per day.

7. Position Classification and Employment Status

A. Policy

The purpose of position classification is to provide a system of standardized titles and standardized job descriptions for the effective administration of personnel activities. Positions are organized into groups of grades on the basis of similar duties, responsibilities and qualifications. Each position shall have a job description. The job description will include a job title, a general statement of duties and responsibilities, typical examples of duties performed and minimum qualification requirements. Special requirements, such as licensure or certification, are also included where appropriate.

When a vacancy occurs and the review by the Human Resources Director indicates that the position should be placed in a lower classification, the Human Resources Director may implement the lower classification prior to the posting of the position. The decision of the Human Resources Director may be appealed by the department head to the County Executive. The department head, with the approval of the Human Resources Director, may also elect to fill the vacancy with a lower classified position when a vacancy occurs. When it is determined that a classification is no longer useful or appropriate, the Human Resources Director may eliminate

that classification.

B. Over-classified Positions

Occasionally, positions are identified by department heads or Human Resources Department staff as being over-classified. Reduction in classification can be accomplished by one of several methods based upon individual circumstances.

- The position remains over-classified until it is vacated, at which time the position is administratively downgraded. In the meantime, the incumbent continues to be treated as if the classification were correct.
- The classification is adjusted pursuant to County Board action, but the incumbent's salary is "red-circled." "Red-circled" means the incumbent will remain in place on the salary structure and will receive no salary increases or general annual increase, until the salary falls within the lower classification.
- The classification is adjusted pursuant to County Board action, and the incumbent is placed in the new salary plan in accordance with salary placement procedures.

In cases of classification pursuant to County Board action, treatment of the incumbent's salary will normally also be determined by County Board action.

C. Employment Status

All County employees fall into one of the following groupings:

- a. Regular full-time employee: A regular full-time employee is an employee who works a regular schedule and is expected to normally work forty (40) or more hours per workweek. A regular full-time employee may be exempt or nonexempt.
- b. Regular part-time employee: A regular part-time employee is scheduled to work less than forty (40) hours per week on a regular basis. A regular part-time employee may be exempt or non-exempt.
- c. Temporary or seasonal employee: A temporary or seasonal employee is hired for a specified project or time frame and may work an irregular or regular schedule. A temporary or seasonal employee may be exempt or non-exempt.
- d. On-call/casual employee: An on-call/casual employee has no guaranteed hours of work and is used to fill in for absences of regular employees or to perform intermittent work when needed.

8. Recruitment and Selection

A. Policy

Recruitment and selection of applicants for employment with Racine County is done in

accordance with equal employment opportunity laws and regulations and the Racine County Affirmative Action Plan. The Human Resources Department coordinates all formal recruitment efforts.

Racine County seeks to select for all its positions the most qualified candidates who meet the professional qualifications and other needs of the County and who fit the culture of the organization. When in the interest of Racine County, a department may attempt to fill a job vacancy by promotion from within the organization or by considering internal and external applicants at the same time.

The application process is an entirely electronic process conducted via NEOGOV. Current employment opportunities may be viewed by visiting racinecounty.com and clicking on “Jobs”. All external and internal candidates must create an account and submit an online application on the jobs page. All communication will be conducted via email and the applicant account.

B. Internal Applications

County employees who have been employed for at least 12 months may apply for job vacancies. The 12-month requirement may be waived by the employee’s current Department Head.

C. Double Encumbering Positions

With the County Executive and the Human Resources Director’s approval, Departments will be allowed to fill strategic positions prior to the incumbent vacating the position (up to 3 months) so the transfer of knowledge can occur.

9. Performance Evaluation Program

A. Policy

The public expects Racine County employees to deliver high quality service in a manner that serves the interests of the County, the public and the efficient and effective use of resources. Because the County expects all employees to perform their job duties at a high-quality level, it must only employ individuals who are committed to and capable of meeting those expectations. Therefore, apathy, an inability to work as a member of a team, attitudinal issues, and marginal or unacceptable work performance are inconsistent with the interests and expectations of the County and the public.

Periodic evaluations are an important part of ensuring that the County is employing the right people to work for its citizens. Periodic evaluations are an opportunity to let each employee know how he or she is performing and how performance may be improved. They are also an opportunity to receive input from the employee concerning training, supervision or any job difficulties that may be occurring. Evaluations of employee performance should include reviews of accuracy, quality and quantity of work, dependability, adaptability, job knowledge, organization, judgment, initiative, cooperation, ability to get along with others, public service mindset, attitude, and attendance. The practices for departments or positions for the evaluation process may vary.

B. Salary Increases

1. General Increases

Annually, salary ranges may be adjusted up to the amount approved in the County’s annual budget.

2. Merit Increases

Employees may be eligible to receive a percentage salary increase effective the first full pay period of May of each year, contingent upon receiving an overall performance evaluation rating of “satisfactory” or higher. The specific increase amount is determined at the discretion of the employee’s reporting supervisor, not to exceed the maximum outlined in the Merit Increase Chart (see below). Note: Supervisory employees will not receive their merit increase if they have any outstanding performance evaluations due for their subordinates.

To be eligible for a merit increase, an employee must have been hired prior to May 1 in order to receive an evaluation during that year’s cycle. Employees hired on or after May 1 who are in good standing will receive a 1.5% salary increase.

Merit Increase Chart

Salary in Relation to Salary Range

Evaluation Score	Increase Rate
0-59.99%	0%
60-69.99%	1%
70-84.99%	2%
85-100%	3%

3. Bonus

A Lump Sum bonus of up to 3%, that is not added to an employee’s base, may be awarded, by the County Executive, to an employee who has exhibited exemplary performance or contributions.

10. Personnel Records and Transactions

A. Policy

All personnel transactions shall be made using processes designated by the Human Resources Department in compliance with federal and state law. Employees must notify Human Resources of any changes in personal information, including but not limited to changes in name, address, telephone number, military status and emergency contact name and phone number.

B. Location of Files

Employee personnel files are established and maintained at the Human Resources Department except the following which are kept at the sites mentioned:

- Sheriff's Office – All Sheriff's Command Staff and Deputy staff.

C. Contents of Files

Records or reports in the employee personnel files contain public information as well as confidential materials. The employee or the employee's representative may view certain confidential material. Other confidential information is only available to the employee's supervisor; director; authorized agents for the County; or persons with legal authorization such as summonses, subpoenas, judicial orders, or otherwise provided by law (e.g., a law enforcement agency or facility that wishes to hire a former or current law enforcement employee pursuant to executed written waiver in accordance with Wis. Stat. § 165.85(4)(em)).

D. Personnel File Access

Information retained in the personnel file includes specific work-related information such as application for employment, resume, performance evaluations, salary adjustments, job changes, and other designated records. An employee may request an opportunity to review the records in his/her personnel file that the employee has a lawful right to review by submitting a written request to the Human Resources Department. Requests for inspection will be scheduled at a mutually convenient time and within the timeframes required by law. Personnel files may not be taken outside of the custody of the Human Resources Department. Employees or their representatives may obtain copies of materials for a fee that is set by the County.

Racine County uses employee medical information only in a manner that is lawful, job-related, and consistent with business necessity. Employee medical information is maintained in separate medical files and is treated confidentially to the extent required by law.

11. Corrective Action and Discipline Program

A. Policy

Racine County's corrective action and discipline program is designed to encourage individuals to be high quality employees and, if required, to remove employees from service who cannot or will not meet that high standard of performance. The appropriate level of discipline is determined by management on a case-by-case basis and may include discharge of the employee. The County's use of any lesser form of discipline does not change any employee's status as an at-will employee or create any additional contractual rights.

B. Principles of Corrective Action and Discipline Program

When contemplating corrective action/discipline, the following factors may be considered:

- The seriousness of the employee's behavior or conduct;
- The length of service of the employee;
- The employee's prior work record.

The employee may be given an opportunity to explain the behavior or conduct for which corrective action is contemplated. If the employee does not acknowledge the behavior or conduct, the supervisor should ascertain the facts of the situation to his/her satisfaction before

deciding whether to take corrective action. If circumstances warrant, a department head may place an employee on administrative leave pending an internal investigation, disposition of a criminal complaint, or resolution of any other matter that makes the employee’s continued presence at work inconsistent, improper, or inadvisable. The department head may determine whether the administrative leave shall be with or without pay.

Corrective action should be imposed in private¹ and appropriately documented. At every imposition of corrective action, the supervisor should inform the employee that there is a problem and the change that is expected.

C. Possible Forms of Corrective Action or Discipline

The following are possible forms of corrective action or discipline. They are in no particular order, and no form should be considered a prerequisite to any other.

- Discharge - The employee is given a memo summarizing all relevant events and notifying the employee that he/she is discharged from employment with Racine County.
- Suspension without pay – The employee is given a written summary of all relevant events and is informed that he/she is suspended without pay for a specified time-period.
- Verbal warning – The employee is orally notified that the particular behavior or conduct is unacceptable and must be corrected without delay.
- Written warning – The employee is notified in writing that the particular behavior or conduct is unacceptable and must be corrected without delay.

Discharge and suspension without pay must be approved by the Human Resources Director or designee prior to imposition. Refer to Chapter 17 of this manual for the grievance procedure.

12. Employment Separation

A. Policy

Separation is the severance of the employer-employee relationship that exists between the County and an employee. The severance of this relationship occurs through resignation, discharge, retirement, or death. The County reserves the right to discharge any employee immediately should it be deemed appropriate.

B. Definitions

Death: Death is considered a separation when it occurs while a person is still an employee of the County.

Discharge: An involuntary separation of an employee from County employment.

¹ This does not preclude the presence of a Human Resources Department representative, if requested by the supervisor.

Resignation: A voluntary separation by an employee from County employment.¹

Retirement: A voluntary separation from regular County employment by an employee who is enrolled in the Wisconsin Retirement System (WRS) and has

1. Attained the minimum age for retirement, and is eligible for retirement benefits, under WRS; or
2. Applies for and receives a disability retirement under WRS.

C. Requirements Concerning Resignation or Retirement

1. Notification

To separate in good standing, an employee – other than exempt employees with salary schedules above EX 080 – who intends to resign or retire must complete a separation notice to his/her immediate supervisor and the Human Resources Department at least ten (10) working days prior to his/her last day of work. The 10-day notice period must be completed as days worked. To separate in good standing, all exempt employees with salary schedules above EX 080 who intend to resign or retire must complete a separation notice to his/her immediate supervisor and the Human Resources Department at least 15 working days prior to his/her last day of work and work through that period. Employees who do not give sufficient notice shall lose accrued vacation pay.

2. Separation Procedures

Employees leaving County employment must return all County property such as County uniforms, credit cards, identification cards, keys, passwords, computer files, mobile phones, laptops, paper files, tools, and equipment on or before their last day of work. It shall be the responsibility of the department head to ensure that this is accomplished. Employees may complete an exit interview survey or meet with a Human Resources Manager to conduct an exit interview.

3. Sick Day Payouts

Employees shall be paid at the rate of \$10 per day for sick day payouts.

4. Separation Process for an Employee Not Eligible to Retire

If an employee who is enrolled in WRS separates from employment, but is not then eligible for retirement, the employee is responsible for contacting WRS to discuss his/her options: (a) obtain a Separation Application from the ETF, which will authorize a lump sum, cash payment of the employee's contributions minus benefit adjustment contributions, if any; or (b) leave his/her deposits with the WRS which allows the individual to withdraw funds at a later date or to draw a retirement annuity after age 55 (age 50 for employees in protective service occupations) if otherwise eligible for an annuity. This option may depend upon the individual's age. In the event of the death of an employee, the employee's beneficiary may receive a survivor benefit.

¹ An employee who is absent for three (3) or more consecutive days without notifying his/her supervisor is considered to have resigned from County employment.

13. Reduction in Force

A. Policy

The County Executive may authorize the layoff of an employee whenever it is necessary to reduce the workforce. Layoffs shall be based on departmental needs. The Director of Human Resources shall notify each laid off person of all his/her rights. Regular employees may receive 10 days' notice prior to layoffs when practicable. The County Board Finance and Human Resources Committee shall be informed.

B. Employee Benefits During Reduction in Force

Benefits will be continued in accordance with applicable state and federal law and, in the case of insurance plans, subject to the conditions of the applicable plan. Employees may continue to participate in the group health, dental, and vision insurance plans as provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees may purchase a conversion life insurance policy.

Employee pension contributions are not made during layoffs. However, previous pension contributions remain in the Wisconsin Retirement System (WRS) plan during layoff. The employee may apply for a separation benefit or annuity according to the WRS procedure.

Accumulated accrued paid benefit time is paid out upon layoff. A lump sum payout of vacation or other payout will not be considered as time worked.

Employees who are in layoff status while receiving Worker's Compensation benefits continue to receive their benefits as required by statute. Disability pay ceases upon date of layoff. Funeral leave, witness pay, and jury service are not earned or available during layoff.

C. Recall

Recall shall be at the discretion of the County Executive. In the event the employee is recalled, the Human Resources Director will send a recall notice by certified mail to the employee's last address on file with the Human Resources Department. The employee will be given a maximum of five (5) working days in which to respond. Employees failing to respond within the time limits or declining recall will be presumed to have resigned from County employment.

Employees recalled within six (6) months of the reduction in force date will retain their original date of hire. Employees recalled after six (6) months will be treated as newly hired employees for purposes of benefit eligibility.

14. Emergencies

A. Policy

During emergency conditions, the County Executive may declare an emergency and may close

County facilities or portions of facilities for specified shifts or for longer periods of time. The County Executive may also allow employees to be dismissed early and may excuse tardiness during a declared emergency. Only the County Executive, Human Resources Director or designee may declare that an emergency condition exists.

B. Notification of a Declared Emergency

If an emergency is declared during working hours, employees will be notified by their department heads or designee. In addition, reasonable efforts will be made to ensure information concerning emergency conditions is communicated via email, County website, and media outlets.

C. Essential Employees

Each department shall maintain a list of positions that must continue to provide services during emergency conditions. These employees are required to work during declared emergencies and will not be excused from work. All employees in the following organizations designated as essential services are expected to report to work unless individual departmental policy indicates otherwise:

- Sheriff's Office
- Youth Development and Care Center
- Highway Division
- Facilities Management
- Communications Center
- Crisis Staff

Employees working on days in which a snow emergency is declared will not be eligible for compensation other than their normal pay.

D. Attendance and Compensation of Non-Essential Employees

The County Executive may close County facilities or portions of facilities and completely excuse non-essential employees from work due to the declared emergency. These individuals will be compensated at their regular rates of pay if they are regular, full-time employees. However, persons engaged in emergency, weather-related or other essential operations will not be excused from work.

Employees have the responsibility of reporting to work on time whenever County facilities are open. However, under certain circumstances which require the declaration of emergency, but which are not severe enough to close County facilities, the County Executive may allow non-essential employees additional time to report to work.

The County Executive may dismiss employees early during a declared emergency. The County Executive will notify department heads of the extent of the declared emergency and the department head will utilize his/her discretion as to which employees may be dismissed and which employees must remain so that required services are maintained.

Employees dismissed early will be paid their normal rate of pay until the end of their work shift.

When an employee has previously scheduled a period of absence from work and an emergency is declared during that absence, the employee will be charged with the use of vacation, casual, compensatory, sick, or other form of leave that had previously been scheduled.

E. Extended Declared Emergencies

Under extended declared emergency conditions (beyond one twenty-four [24] hour time period), departments may be required to place employees on unpaid leave of absence.

15. Safety and Wellness

A. Bloodborne Pathogens Exposure Control Plan

The Racine County Bloodborne Pathogens Exposure Control Plan, in accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR §1910.1030, as adopted by Wisconsin Administrative Code Chapter Comm 32, applies to all employees who may incur occupational exposure to blood or other potentially infectious materials. The Exposure Control Plan identifies those job classifications that may have occupational exposure and how to reduce the exposure. Each department’s Exposure Control Plan identifies Coordinators. The purpose of the Exposure Control Plan is to protect employees from the risk of health hazards related to bloodborne pathogens and to reduce or eliminate the risk of occupational exposure to bloodborne diseases. A copy of the Bloodborne Pathogens Exposure Control Plan is located in the Human Resources Department.

B. Drug-Free Workplace

1. Policy

Racine County prohibits an employee from engaging in the following conduct:

- On County premises, or elsewhere while engaged in County business, using, possessing, dispensing, manufacturing, distributing, or receiving
 - open alcohol intoxicants,
 - illegal drugs, or
 - other controlled substances (if not pursuant to and consistent with, lawful prescription); ¹
- Reporting to work under the influence of alcohol and/or with a measurable amount of illegal drugs in his/her system or with a measurable amount of other controlled substances in his/her system (if not pursuant to and consistent with, lawful prescription) *;
- Refusing to undergo or cooperate in any alcohol and/or drug testing required by this policy;
- Knowingly disregarding the requirements of this policy, or deliberately

¹ The presence of a drug in one’s system, even if prescribed, is prohibited if it poses a threat to the safe and efficient performance of the employee’s or co-workers’ duties.

- departing from the policy in regard to subordinates;
- Providing false information in connection with a drug/alcohol test or falsifying test results through tampering, contamination, adulteration, or substitution.

Violations of this policy will result in disciplinary action, up to and including discharge.

2. *Employee Assistance Program*

Racine County recognizes alcohol abuse and/or drug dependency as an illness and a major health problem. The County also recognizes alcohol and/or drug abuse as a potential safety and security problem. Racine County encourages employees needing help in dealing with such problems to use its Employee Assistance Program (EAP) and health insurance plan as appropriate.

Conscientious efforts to seek such help will not be noted in any personnel record. Voluntary participation in the EAP will not affect an employee's employment status. However, it will not protect an employee from disciplinary action for a violation that may have already occurred or for failure to meet conditions of continued employment, nor will it relieve an employee of the responsibility to perform assigned duties safely and efficiently. Self-referral to the EAP after the employee is notified to undergo testing will not protect the employee from discipline resulting from the test.

3. *Report of Conviction*

An employee must, as a condition of employment, abide by the terms of this policy and report in writing to his/her supervisor any criminal drug statute conviction for a violation occurring on or off County premises while conducting County business no later than five (5) days after the conviction. This requirement is mandated by the Drug-Free Workplace Act of 1988.

4. *Confidential Information*

All drug test-related information, including the test results, will be treated as confidential information. Racine County will designate a medical center to collect the sample(s) for testing, utilizing appropriate chain of custody procedures. Test results are reviewed and released to the County by an authorized Medical Review Officer (MRO).

5. *Post-Job Offer Drug Test*

After a candidate accepts a job offer for a safety sensitive position, before he/she starts work, the candidate will be required to submit to a drug test. A positive test result for illegal drugs or for prescription drugs, for which the candidate has no prescription, will result in that candidate being disqualified from further consideration for employment.

6. *Post-Accident Testing*

A drug and/or alcohol test may be administered to staff involved in a work-related incident as noted in the Workers Compensation Policy 3.J.1.

7. *Random Testing*

The County has designated certain positions as being subject to random drug and/or alcohol testing.

8. *Reasonable Suspicion*

The County may require appropriate drug and/or alcohol testing procedures for any employee whom the County reasonably suspects to be in violation of this policy. Involvement in an on-the-job accident may constitute a basis for reasonable suspicion testing under this policy.

Reasonable suspicion is based on specific, articulated observations, receipt of information about an employee's impaired behavior from a reliable source that has been substantiated, and on any reasonable inferences drawn from those observations about the conduct of an individual that would lead the reasonable person to suspect that the individual is in violation of Racine County's drug and alcohol policy while on County time. An employee who refuses to submit to a required drug and/or alcohol test will be considered to have a positive test result.

C. **Safe Workplace**

1. *Policy*

Racine County is committed to providing a safe workplace. All violent behaviors—whether on the part of employees, contract staff or the public—are inappropriate in the workplace and will not be tolerated. All employees shall notify their supervisors of any workplace violence which they have witnessed, experienced, become aware of or have knowledge of in any way.

2. *Prohibition*

The possession, use or threat of use of a weapon in the workplace, and any other act of workplace violence, by County employees and contract staff is prohibited. Violations of this policy shall lead to disciplinary action up to and including termination and may also result in criminal prosecution.

3. *Definition of Workplace Violence*

Any act of written, verbal, or physical aggression that occurs in the workplace intended to physically harm an individual or that could cause a reasonable person to be in fear of imminent physical harm. It also includes the intentional unauthorized destruction or abuse of property. Examples of workplace violence may include, but are not limited to: harassment, obscene phone calls or e-mails, threats (direct or implied), stalking, unauthorized possession or inappropriate use of weapons, assault, battery, robbery, kidnapping, murder, bomb threats and arson. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

4. *Public Access*

Racine County recognizes that workplace violence is a growing national concern that needs to be addressed by all employers. Employees of Racine County should be provided with a work environment that is as safe from harm as is reasonably possible. However, due to the need to allow public access to County facilities and services and the nature of certain employees' work, the County cannot guarantee the protection of employees or customers against acts of violence. The County may, however, regulate and direct the conduct of its employees and customers, when possible, in an effort to minimize the frequency and severity of violent incidents.

5. *Exceptions to Weapons Prohibition*

The weapons prohibition policy does not apply to employees who are armed in the line of duty, such as Sheriff's Deputies, except in designated restricted areas unless otherwise directed by the Sheriff. Also, employees required to utilize knives or jackknives on the job within the normal scope of their employment, as authorized by their department head, are not considered to be in violation of this policy.

6. *Exceptions to Violence Prohibition*

When acting within the scope of their employment, Sheriff's Office sworn personnel, jail corrections staff and Youth Development and Care Center staff are exempt from these prohibitions on the use of force and possession of weapons and/or instruments of force in the workplace.

7. *Emergency Response Plan*

Each building where Racine County departments are located has an Emergency Response Plan designed specifically for that building. The emergency response plan outlines the proper response to incidents of workplace violence.

8. *Reporting Procedures*

a. Non-emergency:

If an individual is acting in a suspicious, hostile, or aggressive manner, even if that person is not overtly violent and an immediate threat of violence may not be present, employees should:

- Notify their supervisor,
- Keep distance between themselves and the individual,
- Become aware of escape routes,
- Call the Communications Center at 886-2300 to report non-emergency events involving suspicious activity that is not life threatening;
- Be ready to notify 9-911 if the situation escalates to an emergency.

b. Emergency:

If it is reasonable to believe that an individual is acting in a manner that poses an immediate threat to him/herself or others, employees should:

- Seek safety by leaving the area if possible;
- Notify their supervisor;
- Dial 9-911, and activate emergency alarms when available;
- When reporting an emergency event, employees should tell the dispatcher his/her name and location, report the specifics of the event in a clear and concise manner and be prepared to stay on the line and answer any questions the dispatcher may have;

- Make no attempt to control a violent individual.

9. *Restraining Order*

Employees who are seeking or have obtained restraining orders or injunctions against abusive persons are encouraged to notify their supervisors so that appropriate measures can be taken to facilitate prudent safety measures within the workplace. When a protective or restraining order lists County workplaces as being protected areas, an employee must provide his/her supervisor with copy of the petition and declaration used to seek the order, a copy of any temporary protective or restraining order that has been granted, and a copy of any protective or restraining order that has been made permanent.

10. *Alternative to Reporting Workplace Violence to Supervisor*

If an employee is not comfortable reporting incidents of workplace violence to his/her supervisor, the employee may instead report it to his/her department head, to a supervisory employee in any other County department including the Sheriff's Office, or to the Human Resources Department professional staff.

11. *Reporting Responsibilities of Supervisors*

Supervisors receiving employee reports of workplace violence, or who have knowledge or information of an internal or non-emergency nature of situations that may affect the security of Racine County and its assets, must report such incidents to their department head. The department head must complete a confidential memorandum and submit it to the Human Resources Director. The memorandum should include:

- A detailed description of what happened and where and when it happened;
- The identity of the person(s) committing the threat or violent behavior;
- The identity of the person(s) against whom the threat was made or violent behavior directed;
- The identity of the person(s) reporting or witnessing the threat or violent behavior;
- Observations that support the contention that the individual intends to follow through on a threat;
- How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.

Should it appear that the incident requires immediate attention, a verbal report shall be made to the Human Resources Director or his/her designee followed by a confidential written memorandum. Although every effort will be made to keep reports and records made and kept pursuant to this policy confidential, they may be subject to public disclosure under Wisconsin's Public Records Law.

12. *Criminal Investigation*

In such cases where it appears that criminal activity may be involved, department heads and supervisors should not take any action that would jeopardize the outcome of an investigation. This

includes not touching or changing anything at the scene of a violent incident until given permission by those in authority.

13. *Investigation and Resolution*

The Human Resources Director will respond to complaints of workplace violence with the assistance of the Sheriff's Office, if necessary.

14. *False Reports*

Allegations and/or reports of workplace threats or acts of violence will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including discharge.

15. *Privacy*

Privacy rights will be observed in the event of the need to investigate workplace violence incidents. Only those individuals with a clear need to know of a potential risk will be notified in cases where a person is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain facts pertinent to the investigation.

16. *Retaliation*

Anyone who engages in or assists in retaliatory actions against an employee who reports threats of workplace violence in good faith will be subject to disciplinary action up to and including termination of employment.

D. Safety and Wellness Program

1. *Policy*

Racine County has established a Safety and Wellness Program to provide for the safety of employees and citizens. The County will provide a clean, safe, and healthy place to work. The Safety and Wellness Program shall comply with local and state requirements. Employees have an obligation to familiarize themselves with the standards of safety which apply to their work. Employees are also expected to work safely; wear required safety equipment; observe all posted safety rules and regulations; maintain neat, safe, and sanitary conditions in their work area and report unsafe conditions at work.

2. *Reporting Injuries*

All employees must report any suspected unsafe conditions and any accident or injury, no matter how slight, to their supervisor. If the employee is reporting an accident or injury, they must complete the Employee Injury Report found on the employee website. The supervisor will also complete the Supervisor Injury Report and submit both forms to Human Resources and the

Payroll Department within twenty-four (24) hours. For more information about Workers Compensation, please see the Workers Compensation Policy 3.J.1.

3. *County-Provided Equipment*

The County will provide identifiable and necessary safety equipment except personal items such as safety shoes and glasses.

16. Work Rules

A. Attendance

1. *Policy*

Racine County has a no-fault attendance policy. Employees are expected to report for work each scheduled day at the scheduled start time and are expected to work until the end of the work period.

2. *Definitions*

Absence: An absence is any time off other than Protected Time-Off or Approved Paid Time-Off-Work.

Availability for Work: The concern is with the employee’s attendance at work. Validity of either medical or other reasons for absence is not considered relevant for disciplinary purposes except for Protected Time-Off or Approved Paid Time-Off-Work

Occurrence: Any continuous period of time off work for the same reason. An exception is unreported absences for which each day is a separate occurrence.

Pattern: Multiple absences occurring around other time off such as vacations, holidays, and/or weekends or always on the same day of the week.

Tardiness: The employee is not at his/her workstation at the designated start time.

Unpaid Leave of Absence: An employee requests and is approved for unpaid time.

Unreported Absence: The employee fails to report for work or call in his/her absence. Each unreported absence is a separate occurrence even if it is for consecutive days.

3. *No-fault Attendance Policy*

Any absence (also referred to herein as “time-off-work”) is counted as an occurrence for disciplinary purposes with the following exceptions:

a. Protected time-off-work

Approved Family/Medical Leave, ADA accommodation and Workers Compensation are protected time-off-work and are not part of an employee’s attendance record. The FMLA Administrator or designee is authorized to approve time-off for medical reasons in accordance with the Family and Medical Leave Acts.

b. Approved paid time-off-work

Approved Paid Time-Off-Work includes certain types of paid time taken with the prior approval of the supervisor:

- Vacation
- Floating or banked holiday
- Compensatory time
- Casual day

Holidays other than the floating holiday require no prior approval unless the employee is scheduled to work on that day.

A request for approval of paid time-off-work must be submitted to the supervisor 24 hours in advance of the absence unless waived by the supervisor.

Absences of 5 or more days require a doctor’s release to return to work.

c. Other reasons

The following types of time-off-work will not be considered as absence occurrences, provided the employee complies with relevant provisions of the Human Resources Policy Manual and/or an applicable collective bargaining agreement:

- Paid funeral leave
- Jury service
- Military leave
- ADA accommodation
- Voting
- Bone marrow and organ donation leave

4. Time-off-work that is part of the attendance record

The following forms of time-off-work will be part of the employee’s attendance record and may form the basis for possible disciplinary action:

- All unapproved time whether or not the employee is in paid status.
- Any other time-off-work which is not “Protected Time-Off-Work” and which does not meet the definition of “Approved Paid Time-Off-Work” or “Other Reasons” listed above.

5. Reporting Absence before Shift

An employee who is absent from work is required to call his/her supervisor at least one (1) hour prior to the start of the shift giving the reason for the absence, except in the following situations:

- In an emergency situation, the employee needs to call the supervisor as soon as possible.
- For scheduled absences where the employee knows in advance of the need for the absence, the employee needs to notify his/her supervisor as soon as he/she knows of the need for the absence.

6. *Resignation – Three (3) day Unreported Absence*

An employee who is absent for three (3) consecutive working days without notifying his/her supervisor is considered to have resigned.

7. *Tardiness*

Employees will not be paid for time missed from work due to tardiness, nor will they be permitted to make the time up.

8. *Discipline*

Disciplinary action up to and including discharge may result if an employee is excessively tardy or absent, demonstrates a pattern of not punching in/out or fails to give advance notice of absence.

B. Confidentiality of Information

No employee shall use or disclose privileged or confidential information gained in the course of or by reason of his/her official position or activities. It is the County's policy that any confidential information concerning any citizen or employee will not be released to any outside person or agency without the signed consent and authorization of the citizen or employee. It is also the policy of the County that employees are to discuss confidential information only in the performance of their duties. It is also the policy of the County that employees do not access confidential information not needed to complete specific work duties, including paper or electronic files. All employee medical information is confidential and maintained by the Employee Benefits Manager of the Human Resources Department as outlined in the Personnel Records and Transaction policy and HIPAA policy. Any infraction of these policies may be sufficient cause for immediate discharge.

C. Conflict of Interest

All County employees are subject to the provisions of the Code of Ethics, which is found in Article VI of Chapter 2 of the Racine County Code of Ordinances.

D. Demeanor and Appearance

1. *Policy*

Employees are expected to dress in a professional manner befitting their jobs with due consideration to the needs of the County and the perceptions of the public, vendors, and fellow employees and leaders. All employees must be well groomed. Unkempt appearance can offset many other fine qualities and can negatively affect the County's image. Department supervisors may establish specific dress code requirements for each department that are designed to reflect the professionalism of the workplace. All protective clothing must be worn as required and removed when leaving the designated work area. Employees are expected to wear clean, neat, and not

wrinkled clothing including appropriate undergarments and to maintain clean and appropriate oral and body hygiene.

Employees who fail to dress in a professional manner will be expected to immediately change their appearance. This may include returning home to change clothing or groom, without compensation for the time absent from work.

2. *Unacceptable Attire*

Examples of items of attire deemed unacceptable include, but are not limited to:

- Dresses or skirts that are excessively short.
- Halter, tank tops, midriff or spaghetti-strap tops or dresses.
- Tight fitting, sheer clothing or clothing that is revealing, distracting or provocative.
- Jeans or shorts.
- Clothing with offensive pictures or language.
- Soiled, torn or ripped clothing.
- Beach attire and beach-type sandals or shoes.
- Sweat suits or workout attire.
- Flip-flops.

3. *Body Piercing and Tattoos*

Body piercings should be modest and conservative and should not pose any safety threat to the employee or the customer. Employees may be asked to remove body piercing apparatus during work hours if it does not reflect a professional atmosphere of service to the public or if it limits clear communications with the public. Employees may be required to cover tattoos.

4. *Casual Dress Days*

Casual dress days may be authorized by the County Executive and may have certain requirements. Employees who are required to wear uniforms or employees required to appear in court may not be able to dress in casual attire. All items deemed inappropriate above are also inappropriate for casual day except jeans.

E. Gifts and Gratuities

No County employee or public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence his or her official action or inaction or could reasonably be considered as a reward or compensation for any official action or inaction on the part of the employee or official. "Anything of value" is defined as "any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, including, without restriction by enumeration, tickets, passes, lodging, travel, recreational expenses, and admission offered and provided by persons doing business, or interested in doing business with the County." A County employee or public official may accept from any person food, drink, transportation, lodging, items, and services at the same price, if any, charged by a person other than a lobbyist, when each of the following applies:

- It is available to anyone who wants it and who meets the criteria for eligibility;

- The criteria are:
 - a. Established and readily identifiable; and
 - b. Drawn without the purpose or effect of giving a preference to or conferring an advantage upon the County employee or public official; and
- There is no offer or notice of the event, item, or service directed to an official that would confer an advantage to the County employee or official.

F. Harassment-Free Workplace

1. Policy

Racine County is committed in all areas to providing a work environment that is free from harassment. Harassment based on individual sex, race, ethnicity, national origin, age, religion, sexual orientation, disability, or any other legally protected characteristic will not be tolerated. All employees, including supervisors and other management personnel, are expected to abide by this policy. No person will be adversely affected in employment with Racine County as a result of complaints of unlawful harassment.

Sexual harassment is behavior of a sexual nature that is unwelcome and offensive to the person or persons victimized by it. Examples of harassing behavior may include, but are not limited to, unwanted sexual contact, foul language or an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornographic or sexually explicit pictures, drawings, or caricatures.

If an employee feels that he/she is being harassed, he/she should immediately report the matter to his/her supervisor. If the supervisor is not available, or is the subject of the harassment complaint, the employee should immediately contact the Human Resources Department. Once the matter has been reported, it will be promptly investigated, and any necessary corrective action will be taken where appropriate. All complaints of unlawful harassment will be handled in as discreet and confidential a manner as possible under the circumstances.

Any employee engaging in improper harassing behavior will be subject to disciplinary action, including the possible termination of employment. Retaliation against any employee who reports improper harassing behavior will not be tolerated.

G. HIPAA Compliance/Protection of Health Information

1. Policy

It is the policy of Racine County that when employees or agents of the County use or disclose protected health information or when requesting protected health information from another entity, the employees and agents must make reasonable efforts to limit the use or disclosure or request for protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request. It is the further policy of Racine County that employees who are not specifically authorized to access protected health information shall not in any way read, access, or disclose protected health information. If an employee becomes aware of protected health information that is not being treated with confidentiality, the employee shall

immediately notify his or her supervisor. Every employee shall obey any departmental rules that are enacted to comply with HIPAA and protect private health information.

2. *Definitions*

- Health information is any information whether oral or recorded in any form or medium that relates to the past, present or future physical or mental health condition of an individual, provision of health care to an individual or payment for the provision of health care to an individual.
- HIPAA stands for the for the Health Insurance Portability and Accountability Act of 1996, which was enacted as part of a broad congressional attempt at incremental health care reform. The primary purpose of HIPAA is to provide better access to health insurance, limit fraud and abuse and reduce administrative cost.
- Protected health information includes all individually identifiable health information that is transmitted or maintained by the County regardless of form.

3. *No Retaliation*

Racine County will not retaliate against any employee or other person exercising rights provided by HIPAA, for assisting in an investigation by the Department of Health and Human Services or another appropriate agency, or for opposing an act or practice that the employee believes in good faith violates the HIPAA rules. Racine County will not require any employee to waive any rights under HIPAA.

4. *Discipline*

Racine County will discipline any employee who fails to comply with the requirements of this section and with any rules and regulations developed by a particular department to comply with HIPAA and its regulations. Discipline may include termination of employment.

H. Information Technology Use

1. *Policy*

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), notice is hereby given that there are **no** facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and employee access requests and will monitor messages as necessary to assure efficient performance and appropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

2. *Interference with Network Security Systems*

Racine County has installed a variety of systems to assure the safety and security of its networks. Any employee who attempts to disable, defeat, or circumvent any County information security system will be subject to disciplinary action.

3. *Monitoring and Privacy of Internet Communications and Usage*

The County also has software and systems in place that can monitor and record every aspect of internet usage, and the County reserves the right to do so at any time. No employee has any expectation of privacy as to his/her internet usage.

The County reserves the right to log network use and monitor file server space utilization by employees and assumes no responsibility or liability for files deleted due to violation of file server space allotments. The County further reserves the right to remove an employee account from the network.

4. *Telephone and Voicemail Systems*

The telephone system is to be used primarily for Racine County business purposes, but the County realizes that some personal calls may be necessary. While at the workplace, employees are permitted to make or receive brief personal telephone calls that are urgent or extremely difficult to schedule outside work hours. Whenever possible, employees should make and receive personal telephone calls during meal or break times. In addition, wherever possible such calls should be made or received on employees' personal cell phones (or on County-issued cell phones, provided that employees reimburse the County for such use).

Employees who make fraudulent, unlawful, or abusive calls on County telephones are subject to discipline, up to and including discharge, and possible criminal prosecution. Employees should report any threatening, intimidating, or harassing telephone calls received at work to their supervisor or to the Human Resources Department. Whenever possible, employees should avoid using fee-based telephone services such as directory assistance. Use of fee-based telephone services for personal purposes is subject to reimbursement to the County.

Voicemail, like other components of the Racine County telephone system, is intended for business use only. Employees should respond promptly to their voicemail messages and delete old messages. Although employees need a password to access the voice-mail system, they should not expect that voicemail messages are private.

5. *E-mail*

Employees should be aware that once an e-mail message has been sent to or accessed by others, it is possible to readily forward that e-mail to any number of individuals, without the consent or knowledge of the originator. E-mail messages are similar to printed communications and should be written with the same care. Employees should be aware that their communications may be perceived by recipients as expression of official County policy and should conduct themselves accordingly.

6. *Data Security*

Employees must safeguard their login ID and password from disclosure to any person. Employees must use their own login ID and password, are responsible for all activity on their login ID, and must immediately report any known or suspected compromise of their ID to the

Information Technology Department.

7. *Downloading*

Downloading of non-executable files for business use is permitted. These would include such items as reports, adobe pdf files, and information flyers that may be useful to the County, from other institutions or government agencies.

Executable software, such as downloadable screen savers, demo software or software upgrades (excluding anti-virus updates that are approved and provided by Information Technology), should not be downloaded without first consulting with Information Technology staff. This type of software may contain viruses, which could harm the County's network. If such a file is required, contact the Information Technology Department to see if a needed file can be safely brought into the County network. In addition, announcements or other written or printed material not related to the conducting of County business may not be posted or displayed on County premises without written approval from the County Executive or Human Resources Director.

8. *Acceptable Use*

General: Use of Racine County's IT systems is provided to assist in the fulfillment of job duties. Racine County information and IT systems shall be used in an approved, ethical, and lawful manner to avoid loss or damage to Racine County's operations, image, or financial interests and to comply with official acceptable use policies and procedures. Users shall contact the IT Department prior to engaging in any activities not explicitly covered by these policies. Prohibited use includes:

- Violating any local, state, or federal laws, including those involving fraud, defamation, slander, or misrepresentation.
- Sending, receiving, or printing copyrighted materials, including articles and software, in violation of copyright laws.
- Sending, receiving, printing, or capturing proprietary business data, trade secrets, or other confidential information in violation of company policy or proprietary agreements.
- Using offensive, harassing, or threatening statements or language, including disparagement of others based on their race, culture, national origin, gender/gender identification, sexual orientation, age, disability, or religious or political beliefs.
- Creating a hostile or intimidating work environment.
- Sending or soliciting sexually oriented messages or obscene images.
- Operating a business, usurping business opportunities, sending SPAM email or soliciting money for personal gain.
- Gambling or engaging in any other activity in violation of local, state, or federal law.
- Attempting to obtain inappropriate or unauthorized access to data or systems
- Sending viruses or malware or attempting to cause denial of service (DOS) attacks against others.
- Impersonating others, whether inside or outside the organization.

Clear Desk and Clear Screen: In order to reduce the risk of unauthorized access or loss of information, Racine County enforces a clear desk and screen policy as follows:

- Staff are required to ensure that all sensitive/confidential information in hardcopy or electronic form is secure in their work area at the end of the day and when they are expected to be gone for an extended period.
- Computer workstations must be locked when workspace is unoccupied.
- Computer workstations must be shut completely down at the end of the work day.
- Any Restricted or Sensitive information must be removed from the desk and locked in a drawer when the desk is unoccupied and at the end of the work day.
- File cabinets containing Restricted or Sensitive information must be kept closed and locked when not in use or when not attended.
- Keys used for access to Restricted or Sensitive information must not be left unsecured.
- Duo Multi-Factor Authenticator Security Tokens must not be left unsecured.
- Passwords may not be left on sticky notes posted on or under a computer, nor may they be left written down in an accessible location.
- All printers and fax machines should be cleared of papers as soon as they are printed; this helps ensure that sensitive documents are not left in printer trays for the wrong person to pick up. Printouts containing Restricted or Sensitive information should be immediately removed from the printer.
- Upon disposal Restricted and/or Sensitive documents should be shredded in the official shredder bins or placed in the lock confidential disposal bins.
- Whiteboards containing Restricted and/or Sensitive information should be erased or secured.
- Secure portable computing devices such as laptops, phones and tablets.
- Treat mass storage devices such as CD ROM, DVD or USB drives as sensitive and secure them in a locked drawer.

9. *Cybersecurity Incident Response Plan*

Reporting: All Racine County staff have a responsibility to remain vigilant and protect the data stored within the systems we support. Any event that threatens the confidentiality, integrity, or availability of the information resources we support or utilize internally should immediately be reported to Information Technology Service Delivery (Available 24/7). Service Delivery will evaluate a report, take action and escalate as required by Racine County policies and procedures, as well as our requirements under federal, state, and local laws/regulations.

Observers of the event should follow local emergency procedures. If life and safety are at immediate risk they should first act to ensure their own safety as well as the safety of staff and then communicate when feasible. Dial 911 if there is any threat to life or a situation that requires an immediate response from police, fire or Emergency Medical Services (EMS) and follow Racine County’s Emergency Response Plan.

10. *Passwords*

Passwords	Frequency of Change	Disclaimers
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User Level	90 Days	Cannot Reuse Previous 24 Passwords
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Password Construction Requirements

Acceptable Methods to Create a Strong Password:

- Be a minimum length of fourteen (14) characters in length, if a particular system will not support 14 character passwords, then the maximum number of characters allowed by that system shall be used.
- Must contain at least one upper case letter.
- Must contain at least one lower case letter.
- Must contain at least one number.
- Must contain at least one symbol.
- Must not start with a space.
- Must not contain username/full name/derivative of login.
- Must not be “single” dictionary words (ie/ Summer_2019).
- Must not be a derivation of a dictionary word (ie/ p@ssword, pass1word, pa\$\$word).

Password Protection Standards

If someone demands a password, refer them to this document or have them call Racine County Information Technology Service Delivery at 262-636-3777.

If an account or password is suspected to have been compromised, report the incident to Racine County Information Technology Service Delivery at 262-636-3777, and change all passwords IMMEDIATELY!

I. Nepotism

Members of immediate families shall not be hired, transferred into, or employed in a County department or operation where another member of that same family has direct supervisory or administrative authority. “Immediate family” for this policy shall include parents, stepparents, spouse, children, stepchildren, siblings, stepsiblings, in-law relatives, grandparents, aunts, uncles, nieces, and nephews.

J. No Smoking Policy

No smoking is allowed in buildings owned by the County and operated by its employees or in any County-owned motor vehicle. Individual County departments may also have a separate policy for no smoking rules. Refer to the Smoking section in the Racine County Code of Ordinances for additional information.

K. Outside Employment

County employees may engage in outside employment unless such employment conflicts with or affects the performance of their duties.

No person shall hold more than one full-time or part-time County position at the same time.

All fees, gratuities, honoraria, or any other form of compensation for outside services performed during normal County work hours or while being paid by the County shall be turned over to the County. This subsection shall not be construed to apply to activities performed after regular work hours, while an employee is on a bona fide vacation, taking floating or other holidays or to part-time employees except during those times when they are providing services to the County. It shall not apply to the reimbursement of actual and necessary expenses incurred under such circumstances. Failure to comply with these conditions shall be considered grounds for immediate termination.

Sworn law enforcement officers employed in any capacity by the County will fall under the Sheriff's Office part-time work policy in addition to all other provisions of this section.

L. Political Activity

No employee is precluded from engaging in political activity provided that such activity does not interfere with normal work performance, is not conducted during normal working hours, and does not involve the use of County equipment or property.

M. Rules of Conduct

Disciplinary action up to and including discharge, depending on the severity of the behavior, may result if an employee is determined to have engaged in any of the following prohibited actions:

- 1) Dishonesty in any form or degree, including misleading or deceptive conduct.
- 2) Falsification or unauthorized alteration of records, employment applications, time sheets, timecards, records, or other documents.
- 3) Failure to assist a citizen or employee in an emergency where such assistance is within the normal scope of the employee's duties.
- 4) Excessive tardiness, absenteeism, or a pattern of failing to punch in/out.
- 5) Failure to report absence at least one hour prior to the start of the scheduled shift, except in the case of emergencies.
- 6) Violation of the Racine County Drug Free Workplace policy.
- 7) Behavior detrimental to the operation of the department or disruption to the workplace, including but not limited to actions or verbal exchanges considered to be rude, behavior that is disrespectful, dismissive, demeaning, or inappropriate (such as bullying or gossiping).
- 8) Fighting, gambling or horseplay which creates a disturbance or hazard; using profane, obscene, or abusive language while at work; threatening, intimidating, or coercing others on County premises or carrying unauthorized weapons.
- 9) Insubordinate conduct towards a supervisor or undermining the authority of a supervisor.
- 10) Refusal to carry out the reasonable instructions of a supervisor.
- 11) Causing or working unauthorized overtime.
- 12) Failing to cooperate with others or discourteous treatment of others.
- 13) Engaging in immoral, illegal, profane, or disrespectful conduct.
- 14) Leaving the job without permission during regularly assigned working hours.
- 15) Working another job while absent.

- 16) Conducting personal business, using County equipment for personal use, or using personal electronic devices during regularly assigned working hours, including but not limited to, cell phones, electronic readers, iPads, and laptops.
- 17) Sleeping while on duty.
- 18) Creating unsafe or unsanitary conditions.
- 19) Stealing or unauthorized use of County equipment or possessions.
- 20) Misuse or unauthorized use of County property.
- 21) Loss, damage, destruction or unauthorized removal or use of property belonging to the County, employees, or citizens.
- 22) Negligence in observing fire prevention or safety regulations or failure to report on- the -job injuries or unsafe conditions.
- 23) Inefficient performance of duties, incompetence, neglect of duty or loafing.
- 24) Substandard quality or quantity of work, including deliberate reduction of output.
- 25) Failure to complete assignments promptly and accurately.
- 26) Racine County unequivocally condemns harassing, intimidating, threatening, or assaulting fellow employees at and away from the workplace. If the County, at its discretion, deems an employee to be dangerous to him or herself or others, immediate discharge may result. Refer to the Harassment-Free Workplace Policy and/or Safe Workplace Policy.
- 27) Violation of any other commonly accepted reasonable rule of conduct.

This list is not intended to cover all possible rule violations but is intended to provide examples. Racine County reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the County and warranting of disciplinary action up to and including discharge.

Racine County treats all violations of policy, rules of conduct, and general expectations of professional conduct very seriously. Violation of these policies, rules of conduct, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

N. Solicitation Policy

Employees are prohibited from engaging in any of the following non-County business activities during working hours, and employees and non-employees are prohibited from engaging in such activities at any time on County property:

- Solicitation of any kind,
- Collection of funds,
- Transaction of business not related to the County.

Except for the United Way Fund Campaign and/or other activities benefiting recognized not for profit organizations (authorized by the County Executive), collections or contributions are not allowed, nor are salespersons, solicitors or solicitations allowed in County buildings, except as related to County business.

17. Employee Grievance Procedure

A. Policy

Effective employee-employer relationships are necessary to carry out Racine County's responsibilities to its citizens in an efficient and economical manner. For the purpose of maintaining harmonious employee-employer relationships, it is advisable to promptly consider and equitably address employee grievances informally. Therefore, both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that some grievances will be resolved only by a more formal procedure.

Racine County reserves all rights and the grievance procedure does not create a contract of employment. Employees of Racine County are employed at-will and may resign with or without reason. Consistent with applicable law, Racine County may sever the employment relationship at any time with or without reason.

B. Scheduling

Grievance meetings and hearings will usually be held during normal work hours. Time spent in grievance meetings and hearings will be considered as compensable work time.

C. Employees Covered

This grievance procedure applies to regular employees who are not covered by a collective bargaining agreement. It also applies to regular employees, other than those in Protective Occupation Participant status, who are covered by a collective bargaining agreement.

D. Definitions

1. *Discipline*

For purposes of this chapter, the term "Discipline" shall only mean these forms of corrective action or discipline set forth in Chapter 11 of this manual:

- Suspension without pay
- Discharge

2. *Grievance*

For purposes of this chapter, the term "Grievance" shall mean a formal complaint by a regular County employee, on behalf of him/herself alone, alleging a specific violation of the personnel rules and regulations of the County as set forth in the Human Resources Policy Manual, or a complaint alleging a violation of workplace safety. Grievances should be addressed promptly; therefore, any grievance must be presented within ten (10) working days after the time the affected employee knows, or should know, the facts causing the grievance.

3. *Termination*

For purposes of this chapter, the term “Termination” shall only mean “discharge” as defined in Chapter 12 of this manual, except that it shall **not** include:

- Discharge of an employee during an introductory period, or an extension of an introductory period, as established in Chapter 1 of this manual;
- Failure of an individual to pass a post-employment offer drug screen and/or, if applicable, a post-employment offer physical examination;
- Discharge of an employee other than a “regular” employee as defined in Chapter 11 of this manual.

Layoff, which is a separation from active employment, but not a severance of the employer-employee relationship, does not constitute a “termination” for purposes of this chapter. Layoff is governed by Chapter 13 of this manual.

4. *Workplace Safety*

For purposes of this chapter, the term “Workplace safety” shall only mean conformance, as required, with applicable State or Federal statutory or regulatory prescriptions concerning employee safety personal to the employee filing the grievance in a place of employment or public building.

E. Employee Representation

An employee shall be afforded an opportunity to be represented at each of the steps in the grievance procedure by one representative of his/her choice at the employee’s expense.

F. Time Limits

The limits contained in the grievance procedure outlined herein may be extended by mutual consent.

G. Steps and Procedures

Step 1: Discussion of the Problem with the Supervisor

Employees having a problem regarding their employment shall first discuss the problem with their immediate supervisor to try to obtain a resolution.

Step 2: Discussion of the Problem with the Department Head

In the event the immediate supervisor’s decision does not resolve the problem, the employee may, within five (5) working days, present his/her grievance in writing to the department head. This grievance shall fully state the details of the problem and suggest a remedy. The department head shall, within ten (10) working days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) working days.

Step 3: Discussion of the Problem with the Director of Human Resources

In the event that the department head's decision does not satisfy the employee's grievance, the employee may, within five (5) working days, present the grievance in writing to the Director of Human Resources who shall hear the grievance within ten (10) working days after receipt. If the grievance is not presented within five (5) working days of the department head's response at step 2, it shall terminate the grievance procedure for that grievance. The Director of Human Resources shall meet with the employee and his/her representative, if any, within ten (10) working days of the grievance. The Director of Human Resources shall investigate to ascertain the facts surrounding the dispute and shall reply in writing to the employee within ten (10) working days after the completion of the investigation. Except in cases involving discipline, discharge, or workplace safety, the decision of the Director of Human Resources shall be final.

Step 4: Procedure in Cases Involving Discipline, Discharge, or Workplace Safety

This step applies only in cases involving discipline or discharge of the employee affected, or a concern about workplace safety affecting the employee.

4a. Presentation of the Problem before an Impartial Hearing Officer

In the event the decision of the Director of Human Resources does not satisfy the employee, the employee may reduce the grievance to writing for presentation before an Impartial Hearing Officer. The employee must file his/her notice of intent to present the matter before an Impartial Hearing Officer with the Director of Human Resources no later than ten (10) working days following the receipt of the decision of the Director of Human Resources. Failure of the grievant to follow the timelines and other requirements of the Grievance Procedure shall result in the Impartial Hearing Officer not having jurisdiction over the matter and shall terminate the Grievance Procedure.

The Impartial Hearing Officer shall meet with the employee and his/her representative, if any, and with a representative of Racine County, within thirty (30) working days of the date that the notice of intent was filed with the Director of Human Resources. The Impartial Hearing Officer shall investigate to ascertain the facts surrounding the dispute, and he/she may arrange for an electronic and/or written record of the proceedings.

The Impartial Hearing Officer shall render a decision whether based on the preponderance of evidence presented, has the grievant proven the decision of the Administration to be arbitrary and capricious in writing, and shall provide such decision to the employee, with a copy to the Director of Human Resources, within twenty (20) working days after the completion of the investigation of the facts surrounding the dispute. It shall state the findings of fact and conclusions underlying the Impartial Hearing Officer's decision with sufficient detail to permit, if necessary, a review by the Racine County Board of Supervisors on the basis of that decision.

The Impartial Hearing Officer shall have no power to issue any remedy, but the

Impartial Hearing Officer may recommend a remedy. Remedial authority shall be subject to the determination and approval of the County Executive or the Finance and Human Resources Committee.

4b. Appeal to the Racine County Board of Supervisors

In the event the decision of the Impartial Hearing Officer does not satisfy the employee, the employee may appeal the matter to the Racine County Board of Supervisors. Likewise, in the event the decision of the Impartial Hearing Officer does not satisfy the County, the County may also appeal the matter to the Racine County Board of Supervisors. The employee must file his/her notice of intent to appeal the matter to the Racine County Board of Supervisors with the Director of Human Resources, and, if the County intends to appeal, it must notify the employee of its intent to do so. In each case, the notice of intent to appeal shall contain a concise statement of the reasons for disagreeing with the decision of the Impartial Hearing Officer. The notice of intent to appeal must be provided to the other party no later than ten (10) working days following the receipt of the decision of the Impartial Hearing Officer.

The appeal shall be considered by the Finance and Human Resources Committee within thirty-five (35) working days of the date of the notice of intent to appeal the decision of the Impartial Hearing Officer. The Finance and Human Resources Committee shall review the matter on the basis of the notice of intent to appeal and the record provided by the Impartial Hearing Officer. The proceedings shall be conducted in conformance with the Wisconsin Open Meetings Law. The Finance and Human Resources Committee shall not uphold the decision of the Impartial Hearing Officer if it finds such decision to be arbitrary and capricious.

The Finance and Human Resources Committee shall agree on a recommended disposition thirty-five (35) days from the date of the hearing of the appeal and shall introduce a resolution embodying its recommended disposition to the full County Board. Disposition shall be final upon adoption of a resolution by the County Board.

H. Impartial Hearing Officer

An Impartial Hearing Officer must possess the knowledge and ability to conduct hearings, and to render and write decisions, in accordance with appropriate, standard practice. An Impartial Hearing Officer must not have a personal or professional interest that conflicts with his/her objectivity in the hearing. A Racine County employee whose professional duties include service as a hearing officer and who is otherwise qualified to serve as an Impartial Hearing Officer is not precluded from so serving merely because of his/her employment relationship with Racine County.

Racine County may enter into agreements with other local governmental units, under which Racine County employees may serve as Impartial Hearing Officers for those local governmental units and their employees may serve as Impartial Hearing Officers for Racine County.

I. Administration of the Grievance Procedure

The Director of Human Resources shall be responsible for administering this grievance

procedure. Department heads may invite a member of the Human Resources Department to be present at Step 2 of the grievance procedure for the purpose of advice and counsel on resolving the issue.

J. Limitations on Use and Effect of the Grievance Procedure

- This grievance procedure shall not be construed to grant job tenure to employees.
- This grievance procedure shall not apply to department heads appointed by the County Executive, all of whom who serve at the pleasure of the County Executive.
- The processing of a grievance under this procedure shall not be construed as limiting an employee's rights of appeal to applicable federal and state agencies, nor abrogate any legal means of redress to the courts.
- The time limits contained in the grievance procedure shall not be controlling concerning appeals of alleged claims of discrimination under the Civil Rights Act or other federal and state statutes covering equal employment opportunity.
- Regular employees dismissed during their introductory period shall not have recourse to this grievance procedure.

18. Salary Administration

A. Applicability

This section is applicable to salaries and wages for all non-represented County employees. Matters pertaining to wages and salaries in the County's bargaining agreements with represented bargaining units will continue to be governed by the terms of those agreements, insofar as those matters are appropriate subjects of bargaining under Wisconsin law and insofar as they are inconsistent with the provisions of this manual.

B. Policy

The purpose of the Salary Administration Plan is to maintain salary grades and salary ranges within those grades consisting of minimum and maximum rates of pay.

C. Salary Plan

The Human Resources Director is responsible for the overall development, maintenance, and administration of the Salary Plan, in cooperation with the County Executive, department heads, key staff employees and other appropriate resources. The objectives of the Salary Plan are to provide an appropriate salary structure to recruit and retain competent individuals.

In determining salary ranges within the Salary Plan, consideration is given to such factors as:

- The amount and kind of training and experience required to perform the work;
- The fiscal policies of the County;
- Providing appropriate pay incentives for satisfactory or outstanding job

- performance; and
- Other pertinent economic considerations.

D. Entrance Pay upon Initial Employment

The entrance pay rate shall be the minimum rate of the pay range for the position.

E. Above Entrance Pay Rate

A department head may recommend that a particular appointment be made above the entrance pay rate. Such requests must be made in writing to the Human Resources Director. The request must include factual justification such as present compensation, exceptional qualifications, competitive market situations or similar reasons. Salaries and years of service of current incumbents in the same job category throughout the County will also be considered.

The County Executive may authorize a starting salary of up to the mid-point of the appropriate salary range. If the request is to start the employee at a salary above the mid-point, the approval of the County Board Finance and Human Resources Committee is also required.

F. Maximum Rate

The salary paid to the incumbent of any position in a given classification shall not exceed the maximum rate in the salary range for that classification.

1. *Definitions*

Change in Work Assignment: Movement of an employee from one assignment to another in the same classification within the same department.

Demotion: Movement of an employee to a position with a different salary range in which both the minimum and the maximum are lower than those of the employee's current salary range.

Promotion: Movement of an employee to a position with a different salary range in which both the minimum and the maximum are higher than those of the employee's current salary range.

Transfer: Movement, other than a change in work assignment, of an employee to a position that does not (a) place the employee in a salary range for which both the minimum and the maximum are higher than those of the employee's current salary range, or (b) place the employee in a salary range for which both the minimum and the maximum are lower than those of the employee's current salary range.

2. *Promotions*

a. Salary placement upon promotion

The employee shall receive an immediate increase on the effective date of the promotion. This increase is separate and distinct from any general or annual salary adjustment.

Results in a 0-5% increase in salary not to exceed the new position maximum salary. The County Executive may approve an increase of greater than 5%, up to the midpoint when pay increase is counterintuitive with internal promotions. If

increase is above midpoint, the approval of the County Board Finance and Human Resources Committee is also required.

b. Salary review date for promotions

The salary review date will be one year from the effective date of the promotion.

3. *Demotions*

a. Salary placement upon demotion

Due to transfer request or position elimination

- Non-represented to non-represented: The employee is placed at the salary closest to the employee's current rate without an increase in pay.
- Non-represented to represented: The employee is placed at the salary closest to the employee's current rate without an increase in pay unless there is a different provision in the bargaining agreement.

In no case will the pay exceed the maximum of the pay range of the job to which the employee is demoted.

Due to disciplinary action

- Represented Employee: The employee will be placed at a salary level in the lower range consistent with the employee's total years of continuous service but not resulting in an increase in pay or will follow procedure in the bargaining agreement of the lower position if it specifies another procedure.
- Non-represented Employee: The employee will be placed at the step in the salary range that results in a minimum of 1% decrease in pay.

b. Salary review date for demotions

The employee shall retain his/her current salary review date.

4. *Transfers*

a. Salary placement upon transfer

- Non-represented to non-represented or represented to represented in the same bargaining unit: Results in no salary change.
- Represented to non-represented or represented between bargaining units: The employee will be placed at the rate closest to the employee's current rate of pay whether it results in an increase or decrease in pay or will follow the bargaining agreement of the new position if it specifies another procedure.

b. Salary review date for transfers

The employee shall retain his/her current salary review date.

G. Compensation During Temporary Assignment

1. Promotion

Temporary assignment pay is available upon approval of the County Executive. The employee will be given the promotional title designated as “Acting”. After serving in the promotional position for thirty (30) working days, the employee will be given a salary increase for the remaining period of the temporary vacancy. Under extenuating circumstances and upon recommendation of the Human Resources Director, the County Executive may authorize the salary increase to begin as soon as the employee begins the temporary assignment. The salary increase will be at least five percent (5%) of the employee’s current base salary or the minimum of the salary range assigned to the promotional position, whichever is higher, but not to exceed the position’s maximum salary.

2. Demotion

An employee who is temporarily assigned to a position with a lower pay range for any period shall not receive a reduction in pay.

H. Longevity Pay

Except as may be required by collective bargaining agreements with the Deputy Sheriffs Association and/or the Command Staff Association, Racine County no longer pays longevity pay to any represented or non-represented employees, regardless of their date of hire or length of continuous service.

I. Special Types of Compensation

1. Call-in Pay

Employees called in will be paid only for time actually worked (straight time or overtime, as applicable).

2. On-call Pay for Facilities Management Staff

On-call pay will be uniform for all Facilities Management staff, regardless of the building to which they are assigned.

3. Shift Premiums

Shift premiums will normally not be paid. Shift premiums may be authorized where necessary to ensure adequate, quality staffing.

Appendix A – Summary of Active Employee Benefits

Employee Category	Insurance-Type Benefits							Non-Insurance Benefits				
	Health	Dental & Vision	Life Insurance	Short Term Disab.	Long Term Disab.	Unemp.	Worker's Comp	Def Comp	EAP	FSA & HSA	Health Clinic	Training & Tuition
Full-time												
Exempt	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Non-Exempt	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Deputies ¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ²	Yes	Yes
Command Staff ³	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁴	Yes	Yes
Part-time	No	No	Yes ⁵	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No
>20 but <40 hrs												
<20 hrs	No	No	No	No	No	Yes	Yes	No				

¹ Benefits are subject to collective bargaining; this reflects benefits as of 12/31/11

² County contribution; all others entirely employee contribution.

³ Pro-rated

⁴ At 50% premium share

⁵ Previously earned sick time may be paid out at \$10/day.

Appendix A – Summary of Active Employee Benefits

Employee Category	Paid Time Off									
	Holidays	Casual Time	Sick Time	Civil Leave	FMLA	Funeral Leave	Jury Service	Military Leave	Unpaid Leave	Vacation

Full-time										
Exempt	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Non-exempt	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Deputies	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Command Staff	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Part-time	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes

>20 but <40 hrs										
<20 hrs	No	No	No	No	No	No	No	No	No	No

Appendix B – Post-Medicare Retiree Health Eligibility

Based on Date of Hire, by Employee Group

Employee Group	Eligible for Post-Medicare Retiree Health Coverage if Hired <i>BEFORE</i>
Non-represented	September 1, 1998
AFSCME 310 (Ridgewood)	January 1, 2000
Ridgewood RN's	January 1, 2000
IAMAW-HSD	March 1, 2000
IAMAW-Courthouse	January 1, 2001
Attorneys Association	January 1, 1999
Teamsters	September 1, 2000
Deputy Sheriffs	June 1, 1998
Command Staff	June 1, 1998
Non-represented	September 1, 1998

Appendix C – Retiree Benefits Eligibility

Based on Dates of Hire and Retirement, by Employee Group

Employee Category	Hire Date	Retirement Date	County Service Years	Retiree Health	Post-Medicare Retiree Health (Supplement)	Survivor Health Coverage	Post-Medicare Survivor Coverage (Supplement)	Retiree Dental	Retiree Life Insurance
Non-represented	Pre-9/1/98	1 /1 /12-12/31 /12	> 10	Yes	Yes	Yes	No	COBRA	None
	Pre-9/1/98	1 /1 /13-	<15	No	No	No	No	COBRA	None
	Pre-9/1/98	1 /1 /13-	<15	Yes	Yes	Yes	No	COBRA	None
	9/1 /98-12/31 /11	1 /1 /12-12/31 /12	>10	Yes	No	Yes	No	COBRA	None
	9/1 /98-12/31 /11	1 /1 /13-	<15	No	No	No	No	COBRA	None
	9/1 /98-12/31 /11	1 /1 /13-	>15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1 /1 /13-	<15	No	No	No	No	COBRA	None
	1/1/12-	1 /1 /13-	>15	100% prem.	No	100% prem.	No	COBRA	None
AFSCME	Pre-1 /1 /00	1 /1 /12-12/31 /12	>10	Yes	Yes	Yes	No	COBRA	None
	Pre-1 /1 /00	1 /1 /13-	<15	No	No	No	No	COBRA	None
	Pre-1 /1 /00	1 /1 /13-	>15	Yes	Yes	Yes	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /12-12/31 /12	>10	Yes	No	Yes	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /13-	<15	No	No	No	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /13-	>15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1 /1 /13-	<15	No	No	No	No	COBRA	None
	1/1/12-	1 /1 /13-	>15	100% prem.	No	100% prem.	No	COBRA	None
Ridgewood RN	Pre-1 /1 /00	1 /1 /12-12/31 /12	>10	Yes	Yes	Yes	No	COBRA	None
	Pre-1 /1 /00	1 /1 /13-	<15	No	No	No	No	COBRA	None
	Pre-1 /1 /00	1 /1 /13-	>15	Yes	Yes	Yes	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /12-12/31 /12	>10	Yes	No	Yes	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /13-	<15	No	No	No	No	COBRA	None
	1 /1 /00-12/31 /11	1 /1 /13-	>15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1 /1 /13-	< 15	No	No	No	No	COBRA	None
	1/1/12-	1 /1 /13-	> 15	100% prem.	No	100% prem.	No	COBRA	None

Appendix C – Retiree Benefits Eligibility

Based on Dates of Hire and Retirement, by Employee Group

Employee Category	Hire Date	Retirement Date	County Service Years	Retiree Health	Post-Medicare Retiree Health (Supplement)	Survivor Health Coverage	Post-Medicare Survivor Coverage (Supplement)	Retiree Dental	Retiree Life Insurance
HSD	Pre-3/1 /00	1/1/12-12/31/12	> 10	Yes	Yes	Yes	No	COBRA	None
	Pre-3/1 /00	1/1/13-	< 15	No	No	No	No	COBRA	None
	Pre-3/1 /00	1/1/13-	> 15	Yes	Yes	Yes	No	COBRA	None
	3/1 /00-12/31 /1	1/1/12-12/31/12	> 10	Yes	No	Yes	No	COBRA	None
	3/1 /00-12/31 /1	1/1/13-	< 15	No	No	No	No	COBRA	None
	3/1 /00-12/31 /1	1/1/13-	> 15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1/1/13-	< 15	No	No	No	No	COBRA	None
	1/1/12-	1/1/13-	> 15	100% prem.	No	100% prem.	No	COBRA	None
Courthouse	Pre-1/1/01	1/1/12-12/31/12	> 10	Yes	Yes	Yes	No	COBRA	None
	Pre-1/1/01	1/1/13-	< 15	No	No	No	No	COBRA	None
	Pre-1/1/01	1/1/13-	> 15	Yes	Yes	Yes	No	COBRA	None
	1/1/01-12/31/1	1/1/12-12/31/12	> 10	Yes	No	Yes	No	COBRA	None
	1/1/01-12/31/1	1/1/13-	< 15	No	No	No	No	COBRA	None
	1/1/01-12/31/1	1/1/13-	> 15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1/1/13-	< 15	No	No	No	No	COBRA	None
	1/1/12-	1/1/13-	> 15	100% prem.	No	100% prem.	No	COBRA	None
Attorneys	Pre-1 /1 /99	1/1/12-12/31/12	> 10	Yes	Yes	Yes	No	COBRA	None
	Pre-1 /1 /99	1/1/13-	< 15	No	No	No	No	COBRA	None
	Pre-1 /1 /99	1/1/13-	> 15	Yes	Yes	Yes	No	COBRA	None
	1 /1 /99-12/31/1	1/1/12-12/31/12	> 10	Yes	No	Yes	No	COBRA	None
	1 /1 /99-12/31/1	1/1/13-	< 15	No	No	No	No	COBRA	None
	1 /1 /99-12/31/1	1/1/13-	> 15	Yes	No	Yes	No	COBRA	None
	1/1/12-	1/1/13-	< 15	No	No	No	No	COBRA	None
	1/1/12-	1 /1 /13-	> 15	100% prem.	No	100% prem.	No	COBRA	None

Appendix C – Retiree Benefits Eligibility

Based on Dates of Hire and Retirement, by Employee Group

Employee Category	Hire Date	Retirement Date	County Service Years	Retiree Health	Post-Medicare Retiree Health (Supplement)	Survivor Health Coverage	Post-Medicare Survivor Coverage (Supplement)	Retiree Dental	Retiree Life Insurance
Teamsters	Pre-9/1/00	1 /1 /12-12/31 /12	> 10	Yes	Yes	Yes	No	COBRA	None
	Pre-9/1/00	1 /1 /13-	< 15	No	No	No	No	COBRA	None
	Pre-9/1/00	1 /1 /13-	> 15	Yes	Yes	Yes	No	COBRA	None
	9/1 /00-12/31 /11	1 /1 /12-12/31 /12	> 10	Yes	No	Yes	No	COBRA	None
	9/1 /00-12/31 /11	1 /1 /13-	< 15	No	No	No	No	COBRA	None
	9/1 /00-12/31 /11	1 /1 /13-	> 15	Yes	No	Yes	No	COBRA	None
	1 /1 /12-	1 /1 /13-	< 15	No	No	No	No	COBRA	None
	1 /1 /12-	1 /1 /13-	> 15	100% prem.	No	100% prem.	No	COBRA	None
Deputies ¹	Pre-6/1/98	1 /1 /12-12/31 /12	> 10	Yes	Yes	Yes	Yes	COBRA	\$5,000
	Pre-6/1/98	1 /1 /13-	< 15	No	No	Yes	Yes	COBRA	\$5,000
	Pre-6/1/98	1 /1 /13-	> 15	Yes	Yes	Yes	Yes	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /12-12/31 /12	> 10	Yes	No	Yes	Yes	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /13-	< 15	No	No	Yes	Yes	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /13-	> 15	Yes	No	Yes	Yes	COBRA	\$5,000
Command Staff ¹	Pre-6/1/98	1 /1 /12-12/31 /12	> 10	Yes	Yes	Yes	No	COBRA	\$5,000
	Pre-6/1/98	1 /1 /13-	< 15	No	No	No	No	COBRA	\$5,000
	Pre-6/1/98	1 /1 /13-	> 15	Yes	Yes	Yes	No	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /12-12/31 /12	> 10	Yes	No	Yes	No	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /13-	< 15	No	No	No	No	COBRA	\$5,000
	9/1 /98-12/31 /11	1 /1 /13-	> 15	Yes	No	Yes	No	COBRA	\$5,000

¹ Benefits are subject to collective bargaining; this reflects benefits as of 12/31/11.