

**CHAPTER 3 – PERSONNEL
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3.01 Purpose.

To establish a system of Personnel Administration that meets the needs of Dunn County Government. This system shall include policies and procedures to recruit, select, develop and maintain an effective, efficient and responsible work force for the County while complying with Federal and State laws and regulations. This chapter shall promote the following objectives:

- (1) To recruit, select and advance employees on the basis of their relative knowledge, abilities and skills.
- (2) To provide equitable compensation for all employees.
- (3) To require adequate job performance, reward exceptional performance and correct inadequate performance in a fair and timely manner.
- (4) To provide a written record of personnel policies which apply to all employees working for the County.
- (5) Nothing contained in this chapter is intended to diminish an employee's rights under Federal or State law or regulation.

3.02 Definitions.

- (1) Allocation. The assignment of a position to a classification.
- (2) Bargaining Group. A collective bargaining unit representing a defined group of employees.
- (3) Classification. One (1) or more positions which are sufficiently alike in duties and responsibilities to warrant using the same title, similar qualifications, selection procedure and pay range.
- (4) Continuous Service. Length of employment with Dunn County not interrupted by resignation, suspension or discharge.
- (5) Contract. The terms of employment negotiated with the various bargaining groups.
- (6) Date of Hire. Original date that the employee was first hired by the County.
- (7) Demotion. The assignment of an employee from one (1) classification to another classification with a lower pay range.
- (8) Department Head. The employee responsible for the overall operation of a department who reports directly to the oversight committee.
- (9) Elected Officials. Those individuals elected to their positions by the citizens of Dunn County and covered by the statutes as far as duties, responsibilities and rights.

- (10) Eligibility List - A list of persons eligible to fill positions in a particular job classification.
- (11) Exempt Employee. Salaried position, either executive, administrative or professional, meeting the criteria defined by the Fair Labor Standards Act (FLSA).
- (12) Job Description. A written description of a classification containing the title, a general statement of the duties and responsibilities, examples of typical duties, minimum qualifications and requirements. May also be referred to as a position description.
- (13) Limited Term Employee (LTE). Persons employed on a temporary basis for a specific time.
- (14) Nonexempt Employee. Employees paid on an hourly basis meeting the criteria defined by the Fair Labor Standards Act (FLSA).
- (15) Non-represented Employees. Persons employed by Dunn County who are not represented by a bargaining group.
- (16) Oversight Committee. Board, committee, or commission designated to oversee a particular department.
- (17) Pay Range. The minimum through maximum rates of pay established for each grade.
- (18) Performance Appraisal. A written instrument that documents the performance of an employee.
- (19) Position Description. See Job Description.
- (20) Promotion - The assignment of an employee from one (1) classification to another classification with a higher pay grade.
- (21) Reclassification. The reassignment of a position from one (1) classification to another classification to recognize a change in the duties and responsibilities of the position.
- (22) Step Increment. Increase in wages within a specific pay grade.
- (23) Supervisor. The person responsible for the assignment, direction and evaluation of the work of another employee.
- (24) Termination. The removal of an employee from employment for voluntary or involuntary reasons.
- (25) Transfer. The assignment of an employee from one (1) position to another in the same classification or to a classification with the same pay range.

(26) Vacant Position Audit. Review of a position to determine if it is still necessary and whether appropriated funds exist to continue the position.

(27) Work Period - The established unit of time used to determine overtime eligibility.

(28) Work Rules. Any departmental or County regulation which is job related.

3.03 Scope.

Unless otherwise indicated, this chapter shall govern the personnel policies and procedures for all employees and departments of the County, with the exception of the following positions:

(1) Members of the County Board.

(2) Elected County officials.

(3) Members of boards, commissions and committees when they are acting in that capacity.

(4) Employees employed directly by the County Board pursuant to statute who have employment agreements with Dunn County.

(5) Volunteers.

(6) Persons under contract to make or conduct a temporary special inquiry, investigation or examination on behalf of Dunn County.

(7) Public Safety employees represented by unions to the degree that this chapter discusses matters primarily related to wages, hours and conditions of employment; and municipal employees represented by unions to the degree that this chapter discusses base wages. Those provisions of this Chapter not addressed in the relevant collective bargaining agreements that pertain to work rules, prohibited subjects of bargaining, general County operation, or any other right reserved by Dunn County, shall apply to all employees of the County.

3.04 Personnel Policies.

The authority to adopt policies or work rules consistent with this chapter is vested with the Committee on Administration. The authority to implement procedures consistent with this chapter shall be with the County Manager. Subject to the review and approval of the County Manager departments may establish additional work rules consistent with this chapter.

3.05 Supervisory Responsibility.

It is the responsibility of every employee holding a supervisory position to administer these policies in a fair and impartial manner.

3.06 Changes to the Personnel Ordinance.

The County may from time to time amend this chapter as it sees fit. Such amendments shall be approved by the County Board by a simple majority vote of the members present. In the event federal or state mandates are amended that deviate

from this policy or are held unconstitutional by a court of competent jurisdiction, this chapter shall be deemed to have been amended automatically at that time.

3.07 Handbook.

In addition to the Personnel Ordinance, the County may create and maintain an Employee Handbook as a tool for providing general policy guidance to employees. The Committee on Administration may amend the Employee Handbook, except for changes to the compensation plan and fringe benefits. The Department of Administration is responsible for maintaining the Dunn County Employee Handbook. In the event of contradictory language, this chapter shall prevail.

3.08 Role of the Department of Administration.

All personnel activities and issues, unless otherwise requested or directed by the County Manager, the Committee on Administration or the County Board will be conducted through the Department of Administration or the Administrator's Office at the Health Care Center. The County Manager, the Administrator of the Health Care Center and the Corporation Counsel or their designated representatives shall be responsible for ensuring the Personnel Ordinance is adhered to and are responsible for interpretations of the intent of the language in this chapter.

3.09 Rights of the County.

The County of Dunn reserves all rights governing employment it has under state and federal law.

3.10 Nondiscrimination.

In the interpretation and implementation of this chapter all applicants and employees shall be treated without regard to political affiliation, religious beliefs, race, color, creed, national origin, sex, sexual orientation, as defined under Wisconsin law, age or disability, and with proper regard for their rights as citizens.

CLASSIFICATION PLAN

3.11 Classification Plan Responsibility.

The purpose of the Dunn County Classification Plan is to provide a system of standardized job titles, standardized job descriptions, and equitable position evaluation for the effective administration of essential personnel activities. Dunn County will utilize the Classification Plan for the following management functions: strategic planning, budget planning, measurement of job performance, establishment of fair and equitable pay standards, employee selection and recruitment, employee training and development, and career development.

3.12 Employee Classifications.

(1) Fair Labor Standards Act (FLSA), Classification of employees for compensation purposes. All positions in Dunn County have been classified according to the provisions contained in the FLSA. The County Manager is responsible for determining a position's classification.

(a) Exempt employees are classified as executive, professional or administrative and are paid on a salaried basis. These employees are exempt from receiving overtime under the FLSA. The distinction that

these employees are paid by salary versus hourly wages creates performance expectations often requiring extra hours of work for no additional compensation. An exempt employee that works any amount of time on a regularly scheduled workday shall not be required to use accrued leave. An employee on a reduced schedule family or medical leave is subject to leave bank deductions for the difference in hours between what they would have worked as part of their normally scheduled workday and the amount of the reduced schedule leave.

(b) Nonexempt employees are classified as hourly employees and are entitled to receive overtime compensation pursuant to the FLSA.

(2) Representation. Employees are further classified within Dunn County as represented, non-represented or non-management.

(a) Non-represented employees are classified by virtue of their supervisory, confidential, managerial, or executive responsibilities or as unrepresented by a bargaining group prior to January 1, 2012.

(b) Represented employees are represented by a bargaining group and have a representative established by that bargaining group.

(c) Non-management employees are those unrepresented employees holding positions that were represented by a certified collective bargaining group prior to January 1, 2012.

(3) Types of employees. Employees shall be categorized as follows:

(a) Regular employees are those working on an ongoing as opposed to a temporary basis. Regular full-time employees work no less than 1560 hours on an annual basis. Regular part-time employees work less than 1560 hours on a regular basis. (11/15/2016)

(b) Temporary employees are engaged to work full-time or part-time with the understanding that their employment will be terminated not later than the completion of a specific assignment. Employees subsequently hired as regular employees shall not receive time-in-service credit for work performed as a temporary employee.

1. Limited term employees are employed on a temporary basis. Upon request from a department head, the County Manager may authorize LTE's as may be required by vacations, sickness, special projects, leaves of absence or emergencies, provided appropriated funds are available in the requesting department's budget for such purpose. The County Manager shall inform the Committee on Administration of any LTE authorized for more than 3 months. (01/16/2019)

2. Intern employees are individuals working for Dunn County in the capacity of a training position. A department may employ intern employees provided that any agreements be approved by

the Department of Administration. The wage for the intern may be established by mutual agreement between the department, sponsoring agency and the intern, with the approval of the County Manager.

- (c) **Unclassified Employee.** Unclassified employees work either part-time or full-time, but because of factors such as irregular demand for performance of work or on-call status that may not always require performance of work, do not qualify as regular employees or temporary employees. Except as required by law, unclassified employees shall not be eligible for compensation and benefits afforded to regular employees. (11/15/2016)

3.13 Administration of the Classification Plan.

The Dunn County Department of Administration is responsible for the overall development and administration of the Classification Plan, in coordination and cooperation with the Committee on Administration, department heads, and other appropriate resources.

3.14 Establishing Classifications.

- (1) Classifications requiring regular, full or part-time employment must be created by resolution of the County Board.
- (2) Requests for new classifications shall be submitted to the Department of Administration. All classification requests shall be accompanied by the appropriate form(s) designated by the Department of Administration. Other documentation may be necessary as required herein.
 - (a) The Department of Administration shall forward the request with a recommendation to the appropriate oversight committee for review and comment.
 - (b) After comment by the oversight committee, the Committee on Administration shall convene to consider the request.
 - (c) In the event the Committee on Administration determines that a need for the classification exists, and that funding is available, a resolution shall be forwarded to the County Board. The County Board shall thereafter consider the recommendation.
- (3) Any classification created within the budget cycle shall be effective on January 1st of the following year. A classification created as an exception to the budget cycle shall be effective on the date of passage of the resolution creating and authorizing the classification, unless otherwise provided. (10/15/2014)

3.15 Amendments and Maintenance of the Classification Plan.

The primary purpose of classification review and reclassification is to ensure that positions are appropriately classified within the classification system.

- (1) In situations where one (1) or more of the following circumstances exist, the procedures set forth in subparagraph (2) shall be observed:

- (a) One (1) or more new positions or classifications are under consideration for possible establishment.
- (b) A Department proposes significant changes of duties or responsibilities of any existing position which require the reallocation of such position.
- (c) Because of the abolition or combination of any existing positions or classifications, an amendment to the classification plan is required.
- (d) Department heads are authorized to offer a starting salary of up to Step 3 of the reclassified employee's new grade. The County Manager may authorize a department head to offer a higher starting salary consistent with the classification and compensation plan. (07/26/2017)
- (e) Where the County Manager is the reclassifying authority, the County Manager is authorized to offer a starting salary consistent with the classification and compensation plan. (07/26/2017)

(2) Reclassification Procedures are as follows:

- (a) Department heads shall report the significant facts relating to such possible changes in the classification plan to the County Manager. The employee and the department head shall complete a revised position questionnaire which shall include a statement identifying those duties that will change and shall be reviewed by the County Manager. The County Manager shall review and analyze the questionnaire. The County may, in its discretion, submit the position questionnaire to a third party consultant for review and analysis. Upon completion of the review, the position questionnaire and any recommendation regarding the position shall be forwarded to the Committee on Administration for consideration.
- (b) After consideration the Committee on Administration shall adopt, modify or reject the proposed change. No change in the compensation plan shall be made until the classification plan change has been approved by the Committee on Administration.
- (c) Successful requests for the reclassification of an existing position or classification of a new position shall be placed in the department's budget request and shall be effective on the first (1st) day of the next fiscal year, unless the current budget allows for such implementation. Retroactive adjustment shall be by recommendation of the County Manager to the Committee on Administration and shall be at the discretion of the Committee on Administration.

(3) In situations where the conditions of (1) above do not exist and a Department has requested modification to a job description, the County Manager is authorized to make changes to job descriptions.

COMPENSATION PLAN

3.16 Compensation Plan Responsibilities.

Dunn County shall maintain a current compensation plan for all non-represented employees. The objective of the County is to provide an appropriate salary structure in order to facilitate the recruitment and the retention of competent employees, and to provide appropriate pay incentives for heightened employee productivity.

- (1)** The County Manager shall be responsible for the development and administration of the compensation plan, through periodic reviews and comparative studies of pertinent factors affecting the levels of pay. The County Manager shall recommend necessary amendments to the Committee on Administration, which will forward any recommendations to the County Board for approval.
- (2)** The compensation plan is directly linked to, and shall be based on, the principle of comparable pay for comparable work. Pay grades within the compensation plan may be determined with regard to such factors as: uniformity of pay for each classification; relative difficulty, complexity and responsibility of work; recruiting experience; prevailing rates of pay for similar jobs in public and private sector service; changes in cost of living indices; and financial policies of the County.
- (3)** Subject to the funding appropriated by the County Board of Supervisors in the annual budget pursuant to Wis. Stat. § 65.90(5), non-represented employees shall have the opportunity to move through the eleven (11) steps of their grade by virtue of successful performance appraisals. Employees found eligible for step increases shall receive the increase on the payroll including January 1 following the performance appraisal. Employees hired after September 15, shall not be eligible for a step increase within the first seven (7) months of employment, unless otherwise provided in the employment agreement. (09/18/2018), (03/17/2021)
- (4)** Repealed (07/26/2017)
- (5)** The compensation plan consists of 25 grades. Each grade has eleven (11) steps. Each year, the Committee on Administration shall review market conditions, labor settlements and other relevant compensation information. Based upon review and discussion, the Committee on Administration shall recommend to the County Board any adjustments that should be made to the compensation plan. (09/18/2018)
- (6)** Department heads may request step advancements on the pay grid for employees under their supervision during the fiscal year. Department heads may also request accelerated placement within the applicable vacation schedule or accumulated vacation and/or sick leave days for employees under their supervision. Justifications for such requests include, but are not limited to: retention of high-value employees when offers of employment are made by competing employers; correction of internal inequities when the market mandates that new hires be paid more than longer-term employees who do the same job; allowing higher wages when the market is generally paying more to a

class of employees resulting in an unusual level of turn-over or difficulty attracting qualified candidates; recognizing when restructuring within a department results in an employee taking on additional responsibilities that do not warrant an upward reclassification but do result in an increased level of responsibility; and reflecting when the outcome of the collective bargaining process results in increases for staff causing compression problems with supervisors/managers. Such requests shall be accompanied by evidence and rationale to support the additional step(s) or adjustment to vacation and sick leave accruals and balances. The Department of Administration-HR Division shall evaluate the request and provide a recommendation to the County Manager, who shall approve or deny the request. Equity compensation adjustments are subject to availability of funds. The County Manager shall report equity compensation adjustments to the Committee on Administration. (09/18/2018)

HIRING & TERMINATION

3.17 Hiring Wage Rate.

It is expected that new employees will normally be hired at Step 1 of the pay grade established for their position as provided in the Classification and Compensation Plan and at the starting accrual for any vacation benefit.

The following procedures shall be utilized when considering wage offers. Department heads may authorize a starting salary of up to Step 3 of the Classification and Compensation Plan. The County Manager may authorize a starting salary consistent with the classification and compensation plan. The County Manager may also authorize accelerated placement within the applicable vacation schedule and grant the employee accumulated vacation and sick leave as a recruitment incentive. Such credit shall be granted only at the time of hire or, in consideration of issues set forth in Sec. 3.16(6), at any time during an employee's term of service. (09/19/2018)

3.18 Filling Position Vacancies.

When a vacancy exists or is anticipated in an existing position or classification, the County Manager shall review the position and determine whether to fill the position. Vacancies shall be filled as follows:

- (1)** Unless filled by promotion, the County Manager shall openly and competitively recruit candidates for the position. Public announcements of vacancies shall include at least the following information:
 - (a) Classification/Position title.
 - (b) Department where the position vacancy exists.
 - (c) Minimum qualifications and requirements of the position.
 - (d) Address and phone number to request and submit application.
 - (e) Application deadline.
 - (f) EEO statement. (02/20/2013)

- (2)** For all department head positions, the County Manager shall be the hiring authority except as provided by law. For all non-department head positions, the department head shall be the hiring authority.

(3) All applications for employment shall be made on forms provided by the Department of Administration. In some positions a post offer employment medical examination may be required. For those employees required to have a Commercial Drivers Licenses (CDL), a drug and alcohol test is required prior to employment and each applicant will provide any drug and alcohol testing information as required by the Department of Transportation mandated regulations.

(4) Initial screening of applicants will be done by the Department of Administration. In screening applications, the screeners may reduce the number of applicants interviewed to five (5) provided five (5) or more qualified individuals have applied.

The application forms and ratings may be utilized for future vacancies in the same classification for a period not to exceed 12 months. If less than three (3) qualified applicants remain available to fill a vacancy in the same classification during said period, the department head may request that the formal selection process be reinitiated.

(5) No applicant shall be considered for a vacancy where appointment to such vacancy would result in members of an immediate family being employed in a direct supervisor-employee relationship.

(6) No person shall serve as a member of a Selection Committee for a vacancy in which an applicant is a member of his/her immediate family. Any Selection Committee member named as a reference shall be disqualified from voting on the vacancy for that applicant. In the event an interviewer is uncomfortable with evaluating an applicant, the interviewer should identify the concern to the other interviewers and a decision should be made collectively whether the interviewer should or should not participate. This should be reported after the interview to the Personnel representative.

(7) The Department of Administration will verify eligibility of interviewers when coordinating interviews.

(8) Applicants selected to receive a formal job offer shall be notified in writing by the Department of Administration. This job offer shall include the pay rate, percentage of full-time employment, position title, appropriate department, shift if appropriate, and shall request a written acceptance letter which includes the individual's proposed start date.

(9) Exceptions to this process are outlined in Sections 3.20 Promotions and 3.21 Transfers.

(10) Upon request by the department head, as required by statute, and authorized by the County Manager, Dunn County may conduct background investigations and reference checks on applicants.

(11) The Department of Administration may delegate responsibilities for implementation of paragraphs 1 through 10 of this section.

3.19 Qualifications of Employees.

The County will make every effort to hire the most qualified individual for any vacant position. If fully qualified persons cannot be recruited, the Committee on Administration may authorize the appointment of persons having less than the minimum qualifications.

3.20 Promotions.

- (1) Promotions come under the authority and by recommendation of the appointing authority for any given vacancy. If the appointing authority and employee concur, the employee shall be considered for promotion. The promoted employee shall be moved to the appropriate grade in the classification and compensation plan. (06/21/2017)
- (2) Department heads are authorized to offer a starting salary of up to Step 3 of the promoted employee's new grade. The County Manager may authorize a department head to offer a higher starting salary consistent with the classification and compensation plan. (06/21/2017)
- (3) Where the County Manager is the appointing authority, the County Manager is authorized to offer a starting salary consistent with the classification and compensation plan. (06/21/2017)

3.21 Transfers.

The County Manager may transfer employees from any position to any equivalent position across departments at his/her own discretion. The department head may transfer employees within a department. Individuals desiring transfer from one (1) position to another shall inform the department heads of their interest in the position by submitting a formal written request to receive consideration when a vacancy exists.

- (1) Whenever a transfer is considered by a department head to fill a vacant position, the transfer shall take place prior to a recruitment process being initiated.

3.22 Demotions.

A demotion can be either disciplinary or non-disciplinary.

- (1) An employee receiving a non-disciplinary demotion shall receive the highest wage or salary allowed that is equal to or less than the employee's wage or salary prior to the demotion.
- (2) The County Manager shall determine the salary or wage level for a change in classification that involves a disciplinary demotion.

3.23 Termination of Employment.

- (1) Any employee voluntarily terminating employment shall give at least two (2) week's written notice to the department head stating the last day of employment. A department head shall give the County Manager two (2) week's written notice stating the last day of employment. Such notice shall be exclusive of any accrued vacation time due. The County reserves the right to terminate employment prior to the effective date of resignation.

- (2) All terminations, other than voluntary, must be discussed with the County Manager before the termination can be implemented.
- (3) The County reserves the right to discipline employees up to, and including, termination of employment.

PERFORMANCE APPRAISALS

3.24 Performance Appraisal Procedures.

- (1) Performance appraisals shall assist employees in developing effective ways of achieving work goals, as well as review the overall performance of the employees in completing the tasks and meeting the responsibilities assigned to the positions they occupy. Every Dunn County employee shall have his or her work performance reviewed annually by his or her immediate supervisor.
- (2) Performance appraisals shall be conducted for all employees half way through and prior to completing the introductory period. Thereafter, performance appraisals shall be completed annually.
 - (a) Performance appraisals of departmental employees shall be conducted by the immediate supervisor.
 - (b) Performance appraisals of department heads shall be conducted by the County Manager.
 - (c) Performance appraisals of statutorily appointed department heads will be conducted jointly by the chairperson of the oversight committee, board or commission and the County Manager.
 - (d) Job descriptions shall be reviewed and, if necessary, updated annually as part of the performance appraisal process.
 - (e) Performance appraisals shall be reported on forms provided by the Department of Administration.
 - (f) The individual(s) completing the performance appraisal shall conduct a review of the performance appraisal with the employee in question.
 - (g) The immediate supervisor may conduct a performance appraisal at any time, notwithstanding the above.
 - (h) The Department of Administration shall conduct training as needed for all individuals.

3.25 Reference Checks.

Only the County Manager, a Department Head or Supervisor may reply to an official reference check or employment verification.

3.26 Nepotism.

- (1)** Dunn County will not hire or promote any person into a position where a member, or members, of that person's close, immediate, or near family participates in the hiring process for that position, or in any way is in a position to vote on any matters that would materially affect that person's status or act in any supervisory capacity.
- (2)** Dunn County will not permit employment of persons in positions which would result in their being under the direction or immediate supervision of a member of their close, immediate, or near family.
- (3)** Close family is defined as a mother, father, current lawful spouse, child, stepchild, or stepparent. Immediate family is defined as a sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren or step relation of the same degree, as well as any relative who is a member of the employee's immediate household. Near family is defined as a brother-in-law, sister-in-law, uncle, aunt, niece, nephew or step relation of the same degree.

3.27 Severability.

If any provision of this Chapter is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other provisions of this Chapter.

Adopted on February 15, 2012.