

manner as PTO. Employees will forfeit their ability to carry over unused PTO in an amount equal to any unpaid voluntary leave days taken.

XIII. Post-Retirement Health Benefit

Most employees hired on or before January 1, 2003 are eligible for a post-retirement health benefit. In general, employees who have reached their 60th birthday and have had 15 years of continuous county employment are eligible to retain the employee health benefit at the same premium contribution, wellness program, co-payments and deductible as active employees. The County's premium obligation shall terminate when the employee becomes eligible for Medicare. Employees who decide to purchase Medicare supplemental benefits do so at their own expense.

Special provisions apply to protective employees, elected officials and spouses of county employees. The County's complete Post-Retirement Health Benefit Policy is available at <http://www.kenoshacounty.org/index.aspx?nid=106> .

RULES and REGULATIONS

I. Uniform Work Rules

It is the basic responsibility of every County employee to live and work in the spirit of self-discipline. However, the enforcement of rules is necessary when violations of the principles of self-discipline occur. The County will develop, issue and enforce Uniform Work Rules and safety regulations necessary for safe, orderly and efficient operation. The Uniform Work Rules are available at <http://www.kenoshacounty.org/index.aspx?nid=106> .

Any employee who fails to maintain proper standards of conduct at all times or who violates any of the Uniform Work Rules shall be subject to corrective action, up to and including discharge, in accordance with the County's progressive discipline policy.

Employees must comply with their respective department/division rules in addition to the Uniform Work Rules. Where there exists a conflict between the Uniform Work Rules and the department/division rules, the department/division rules shall control. It is the responsibility of an employee who is uncertain about a conflicting rule to obtain clarification from the Department/Division Head or supervisor.

It is the County's policy that each Department/Division Head and supervisor administers all rules in a consistent and fair manner.

II. Progressive Discipline Policy

When it becomes necessary to address an employee's actions in the workplace, general guidelines of acceptable business conduct will govern. Depending upon the nature and seriousness of the employee's actions, disciplinary action may begin at any step of the disciplinary process, with an overriding commitment toward a constructive and corrective discipline action rather than a punitive system. The process should ensure that employees are informed of exactly what behavior

needs to be corrected, advised of the measures they must take to correct unacceptable behavior, and given adequate opportunity to correct the behavior.

Discipline Procedure

All disciplinary action must be timely and authorized by the Director of Personnel Services prior to being issued. A copy of the document must be sent to the Division of Personnel Services after all signatures have been obtained for recording and retention in the employee's personnel file. All documents relating to disciplinary actions will remain in the employee's personnel file and will become a part of the employee's entire work record.

The Division of Personnel Services will keep a record of all disciplinary actions taken and the infraction that caused the action. This log then forms the basis of the uniform application of discipline.

Levels of Disciplinary Action

The various levels of discipline are: verbal reprimand, written reprimand, suspension, disciplinary probation, demotion and discharge.

Verbal Reprimand

A verbal reprimand is issued for a first offense of a minor infraction or the first incident of sub-standard work performance. The immediate supervisor of the employee will meet with the employee and inform the employee of the specific behavior that is unacceptable. The employee must be told clearly what the infraction is, how to correct the problem and what further disciplinary action may result for failure to comply with recommended corrective action. Verbal reprimands must be documented for the personnel file in order to substantiate the start of progressive discipline.

Verbal reprimands will remain active for six to twelve months as determined by the supervisor and Director of Personnel Services. Examples of first offense verbal reprimands include, but are not limited to:

- First late arrival (tardy) for scheduled shift;
- First time extending the length of a break or meal period;
- Isolated mistake with minor consequences or a job duty is done incorrectly;
- Failure to submit accident and sickness benefit forms on time;
- A missed punch in the time/attendance system; and
- First time dress code violation.

Written Reprimand

A written reprimand may follow an active verbal reprimand issued to an employee for a repeated offense. Also, a written reprimand may be issued for a new offense of a more serious nature; therefore, a verbal reprimand need not precede a written reprimand. The written reprimand shall

be issued to the employee by the immediate supervisor. The supervisor shall explain the reasons for the issuance of the written reprimand; again, suggestions for correcting the behavior are provided together with a warning of what discipline, up to and including dismissal, may be taken in the future if behavior or performance does not improve.

Written reprimands will remain active for one to two years as determined by the supervisor and Director of Personnel Services. Examples of first offense written reprimands include, but are not limited to:

- Inappropriate or rude interaction with a member of the public or a co-worker, such as a raised voice, sarcastic comments, or impatience;
- Failure to show up for a scheduled shift (unexcused);
- Insubordination such as talking back to a member of management or failure to perform assigned duty;
- Lack of adherence to performance standards;
- Repeatedly failing to submit accident and sickness benefit forms on time; and
- Repeatedly missing punches in the time/attendance system.

Disciplinary Suspension

A suspension is a temporary removal of the employee from the payroll. A suspension may be recommended when lesser forms of disciplinary action have not corrected an employee's behavior. A suspension may also be recommended for first offenses of a very serious nature.

Disciplinary suspensions remain active for an employee's entire length of employment. Examples of very serious infractions include, but are not limited to:

- Insubordination such as talking back to a member of management or failure to perform assigned duty;
- Major deviations from the work rules, including a violation of safety rules;
- Having any measurable level of alcohol in employee's system while on the job;
- Falsification or misuse of time sheets, County records or documents;
- Fighting;
- Excessive absenteeism;
- Theft or any form of dishonesty;
- Harassment of any form;
- Resident abuse; and
- An incident of verbal abuse to a member of the public, a co-worker, management or an individual in the County's care, custody or control.

The number of days recommended for suspension will depend on the severity of the act.

Commission of the above offenses may also result in a recommendation for discharge

Disciplinary Probation

An employee may be placed on disciplinary probation for a designated period of time for significant performance deficiencies that are determined to be within the employee's ability and intent to correct. The employee's immediate supervisor shall counsel the employee regarding performance issues, job performance standards, an improvement plan, and specifically state what action will be taken if the employee fails to complete improvement goals.

Disciplinary Demotion

An employee may be demoted to a lower paying classification or position for significant performance deficiencies that are determined to be above the employee's ability to correct, or work rule violations. An employee must be minimally qualified for the position as determined by the Director of Personnel Services.

Discharge

Discharge may be recommended for an employee when other disciplinary steps have failed to correct improper action by an employee, or for first offenses of an extremely serious nature. Such action may be justified because the offense is so severe as to make a warning unnecessary (that any employee normally would know that such behavior is completely unacceptable). In these cases, the employee should be placed on administrative leave pending a complete investigation of the situation prior to discharge. Administrative Leave is paid or unpaid off duty status (to be determined on a case by case basis) and is necessary in order to secure the workplace and/or the safety of employees, protect the integrity of the investigation, or for other appropriate reason during an investigation of any alleged misconduct. Examples of extremely serious infractions include, but are not limited to:

- Having any measurable level of alcohol or drugs in employee system while on the job;
- Possession of an unauthorized weapon or firearm while on the premises;
- Insubordination;
- Physical or sexual assault;
- Theft of County property or funds;
- Sleeping while on duty;
- Off duty misconduct;
- Sexual harassment or discrimination;
- Acts of fraud or dishonesty;
- Consistently failing to meet performance expectations;
- Excessive absenteeism;
- Resident abuse; and
- Isolated mistake with major consequences or potential liability which would include an act which exhibits lack of due care and/or neglect of duty.

Internal Review for Discipline above a Written Warning

Before a disciplinary action is implemented, the following system of internal administrative review will be followed to ensure that the discipline policy is followed in a uniform and equitable manner:

Employee infraction of rules, including continued failure to meet performance standards:

- Department/Division Head or supervisor conducts investigation (if applicable); and
- Employee is provided with notice of investigation and right to have representation of employee's choosing present during investigatory interview.
- Department/Division Head and supervisor review results of investigation and recommend level of discipline to Director of Personnel Services; and
- A maximum level of discipline is authorized by Director of Personnel Services based on equitable and uniform discipline County-wide.

Written notice to employee:

- Written notice of disciplinary action to be taken is given to the employee stating effective date and time of action. Written notice of the employee's right to appeal the decision is also provided with the written disciplinary decision.

III. Kenosha County Grievance Procedure

It is the policy of Kenosha County to provide employees with a fair means through which to seek local administrative redress for employee discipline or workplace safety concerns. An employee has a right to use this Grievance Procedure without fear of retaliation.

Actions Giving Rise to a Grievance

- Disciplinary Appeal: An employee seeking to appeal disciplinary action as addressed in the Progressive Disciplinary Policy.
- Workplace Safety Violation Appeal: An employee seeking to appeal a workplace safety issue as defined below after verbally addressing the concern within seven calendar days of the incident, to the supervisor.

Workplace Safety refers to any alleged violation of any standard established under State law or rule, or Federal law or regulation, relating to workplace safety, applicable to County government.

Written Grievance Submission

An employee must file a grievance within seven calendar days of receiving notice of disciplinary action or receiving a supervisor's verbal response to a workplace safety issue. The grievance must be in writing and must be given to the Department/Division Head with a copy to the Director of Personnel Services. The grievance shall contain a clear and concise statement of the pertinent facts, and the remedy the employee is seeking.

Administrative Response

The Department/Division Head will meet with the employee within seven calendar days of receipt of the written grievance to discuss voluntary resolution or settlement of the grievance. If those discussions do not resolve the grievance, then the Department/Division will provide a written response to the grievance within seven calendar days of the meeting. The written response shall contain a decision to sustain or deny the grievance and the deadline for the grievant to appeal the grievance through the appeal process.

Appeal Hearing

The decision of the Department/Division Head shall be final unless the grievant files a written appeal requesting a hearing before an Impartial Hearing Officer (IHO). The written appeal shall be filed within seven calendar days of receiving the Department/Division Head's response and shall be filed with the Director of the Division of Personnel Services. The Director of Personnel Services will review and clarify the positions of the parties. The Director of Personnel Services may recommend or mediate a binding settlement of the dispute. If a settlement can't be reached a hearing will be held on the matter within 60 calendar days of receipt of the written appeal. The IHO will file a written response to the grievance within ten calendar days of the close of the hearing. Written notice of the non-prevailing party's right to appeal the IHO's response will be provided with the IHO's response.

Appeal for Review

The non-prevailing party may appeal the IHO's written response directly to the Finance/Administration Committee of the County Board of Supervisors by providing written notice to the Director of Personnel Services within seven calendar days of receiving the IHO's written response.

The Director of Personnel Services will arrange for a review of the IHO's written response by the Committee.

Decision of the Finance/Administration Committee

The Committee will review the appeal within 45 calendar days of receiving notice and issue a decision within ten calendar days of the meeting.

IV. Conflict Resolution Policy

Kenosha County intends to foster a healthy, responsive work environment. However, in any work situation, employment problems may occur—misunderstandings or disputes regarding conditions of employment, job duties, work performance, work relationships, or management decisions.

The County places great confidence in an employee's ability to satisfactorily resolve most of these conflicts by working with his or her immediate supervisor. For problems requiring further attention, the County offers alternatives, both formal and informal, based on the following premises: