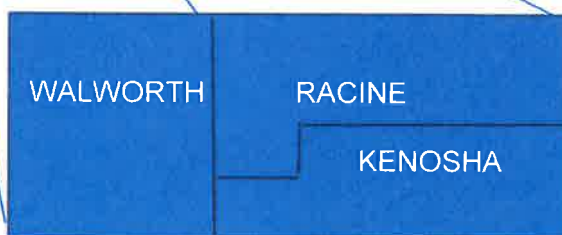


"promote the economic prosperity of the region by providing exceptional workforce development services"



Southeast Wisconsin Workforce Development Area

(The Counties of Kenosha, Racine and Walworth)

**Workforce Innovation and Opportunity Act (WIOA) Plan
2016 – 2020**

Modified June 29, 2018

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I. Local Workforce Needs, Labor Market Analysis, and Assessment of Workforce Investment Activities and Assets

A. Local Workforce Needs

1. Describe the workforce investment needs of the local area as they relate to:

a) Employers/Businesses

- Entry level employees that are motivated to work, start work on time and are willing to accept entry level wages.
- Meeting the needs of employers for mid-skill employment that require licensing or specific technical knowledge to obtain entry-level work.
- Job seekers educated on the value of compensation and benefits package an employer may offer.
- Finding employees with higher level technical skills.
- Employees who are engaged with the business.
- Improved basic and life skills of employees.
- Employees who make a longer term career decision and stay with the business.
- A replacement plan for future retirements.

b) Job Seekers

- Willing to accept entry level wages.
- Transportation to get to work including multi-shift and weekends.
- A minimum of a HS/GED with preferably technical skills.
- Appropriate soft skills.
- Career Pathways.

c) Incumbent Workers

- The SE WI WDB does not plan to use the local dislocated worker and adult formula funds for the Federal share of the cost of providing training through a training program for incumbent workers at this time.

d) Youth

- Increase in literacy and computer skills.
- Attainment of High School Diploma/GED/HSED.
- Post-secondary and Career Pathways.
- Employment experiences for out-of-school youth.

2. Describe any workforce investment need in your WDA not reported in 1.a-d.

Transportation to jobs is a challenge in the WDA's rural and urban areas. This includes access to the business parks which are mostly located outside of the main cities, and where most of the growth in employment is. Transportation challenges include a lack of regular and extended bus schedules that accommodate multi-shift employment or barriers to drivers' license. In the rural areas there is limited bus service available for workers. There is limited, but expensive, taxi service available and limited transportation for disabled workers that does not always meet the time requirements of when the workday begins or ends.

3. Describe how these needs were identified.

Input from WDB members as well as American Job Center staff, community partners and job seekers as well as research in area documents and employer surveys or information.

B. Labor Market Information

1. Provide an analysis of the regional economic conditions including –

(a) Existing and emerging in-demand industry sectors and occupations:

The Department of Workforce Development provided the following projections for existing in-demand occupational sectors. The ten top employment growth levels by industry and number are:

SOC Code	SOC Title	Existing 2014	Projected 2024	Number Increase
35-0000	Food Preparation and Serving Related Occupations	18,255	20,332	2,077
39-0000	Personal Care and Service Occupations	11,010	12,367	1,357
53-0000	Transportation and Material Moving Occupations	15,934	17,119	1,185
11-0000	Management Occupations	14,443	15,387	944
41-0000	Sales and Related Occupations	19,617	20,381	764
37-0000	Building and Grounds Cleaning and Maintenance Occupations	8,855	9,594	739
25-0000	Education, Training, and Library Occupations	19,973	20,547	574
49-0000	Installation, Maintenance, and Repair Occupations	7,438	7,998	560
29-0000	Healthcare Practitioners and Technical Occupations	8,881	9,402	521
47-0000	Construction and Extraction Occupations	5,385	5,826	441

These occupational sectors need a variety of skill levels allowing entry-level employment opportunities and the opportunity for up-skilling to economic self-sufficiency.

The occupational projections from 2012 to 2022 that identify top 10 highest growth occupations are in alignment with the industry growth already existing in the WDA. The top ten occupations are:

Occupation					Wage			
Rank	SOC Code	SOC Title	Percent Change (2014-2024)	Average Annual Total Openings	Entry Hourly	Experienced Hourly	Median Annually	
	00-0000	Total, All Occupations	5.02	6,340	\$ 9.16	\$ 24.78	\$ 32,326.00	
1	53-3032	Heavy and Tractor-Trailer Truck Drivers	14.17	104	\$ 16.02	\$ 25.42	\$ 43,965.00	
2	41-4012	Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	13.10	95	\$ 15.08	\$ 40.66	\$ 53,147.00	
3	49-9041	Industrial Machinery Mechanics	28.89	42	\$ 19.11	\$ 27.57	\$ 52,282.00	
4	29-1141	Registered Nurses	6.27	91	\$ 24.49	\$ 35.41	\$ 65,528.00	
5	51-4011	Computer-Controlled Machine Tool Operators, Metal and Plastic	17.89	40	\$ 12.24	\$ 20.12	\$ 35,266.00	
6	11-1021	General and Operations Managers	6.63	61	\$ 20.77	\$ 63.15	\$ 76,800.00	
7	51-4041	Machinists	9.54	51	\$ 12.39	\$ 20.35	\$ 35,884.00	
8	49-9071	Maintenance and Repair Workers, General	5.12	73	\$ 11.76	\$ 21.65	\$ 36,559.00	
9	13-2011	Accountants and Auditors	7.91	42	\$ 20.53	\$ 36.09	\$ 58,827.00	
10	47-2061	Construction Laborers	11.45	25	\$ 11.90	\$ 23.42	\$ 40,333.00	

Most of the high growth occupations' preparation and training time is within reach for WIOA funded training.

(b) The employment needs of employers in those industry sectors and occupations:

The mix of skills needed by industry sectors include: work experience, educational credentials, technical skills (including manufacturing), and soft skills (including communication). The potential employees must also be able to pass a drug test and accept the wages offered by the industry.

2. Provide an analysis of the knowledge and skills needed to meet the employment needs of the employers in the region, including employment needs in in-demand sectors and occupations –

The analysis for the knowledge and skills needed by:

- Growth and in-demand industries,
- Employers, and
- Job seekers,

is provided through competency models from the O*NET and Career One-Stop Competency Model Clearinghouse for the in-demand sectors of Health, Manufacturing, Transportation, Leisure & Hospitality

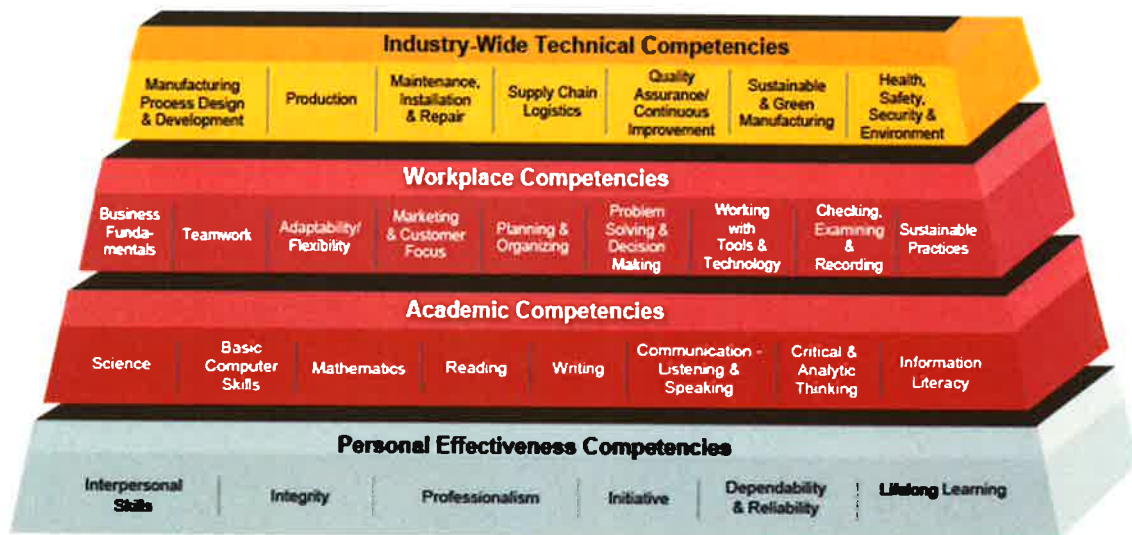
and Construction Industries and their related occupations. These growth industries and skill competencies are the projected key future of the SE WI WDA.

Using a building block format, knowledge and skills are built through various competencies. These include:

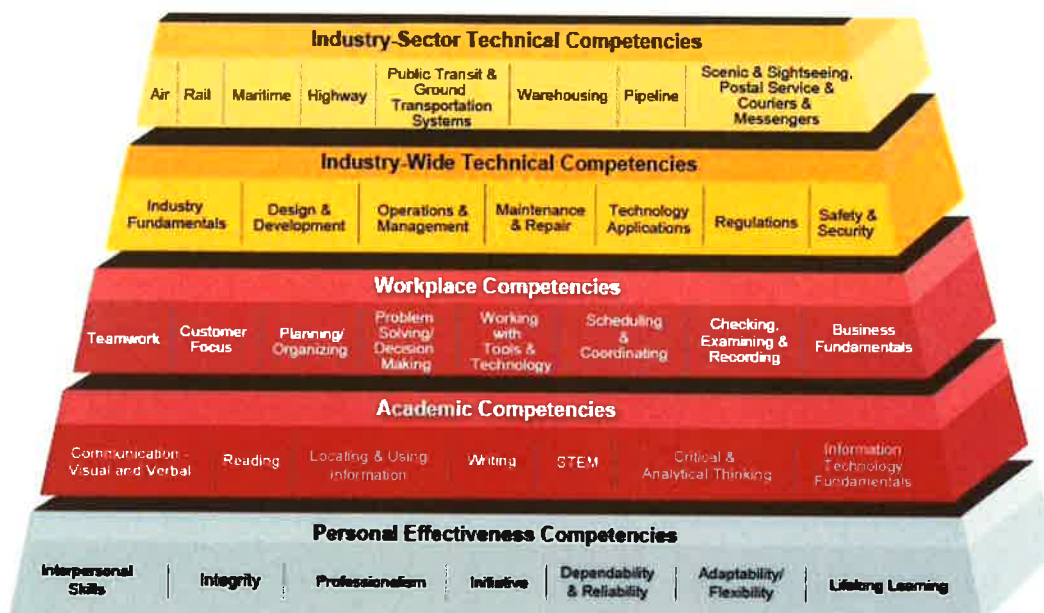
- Personal effectiveness;
- Academic,
- Workplace, and
- Industry-wide technical competencies.

Industry-specific technical competencies can be included if available. The visualization of these competencies follows for the Health, Manufacturing, Transportation, and Construction industries as well as occupational areas within the industry. During the term of the plan, the SE WI WDA will try to build these competencies in job seekers and WIOA enrollees to meet the future hiring needs of employers.

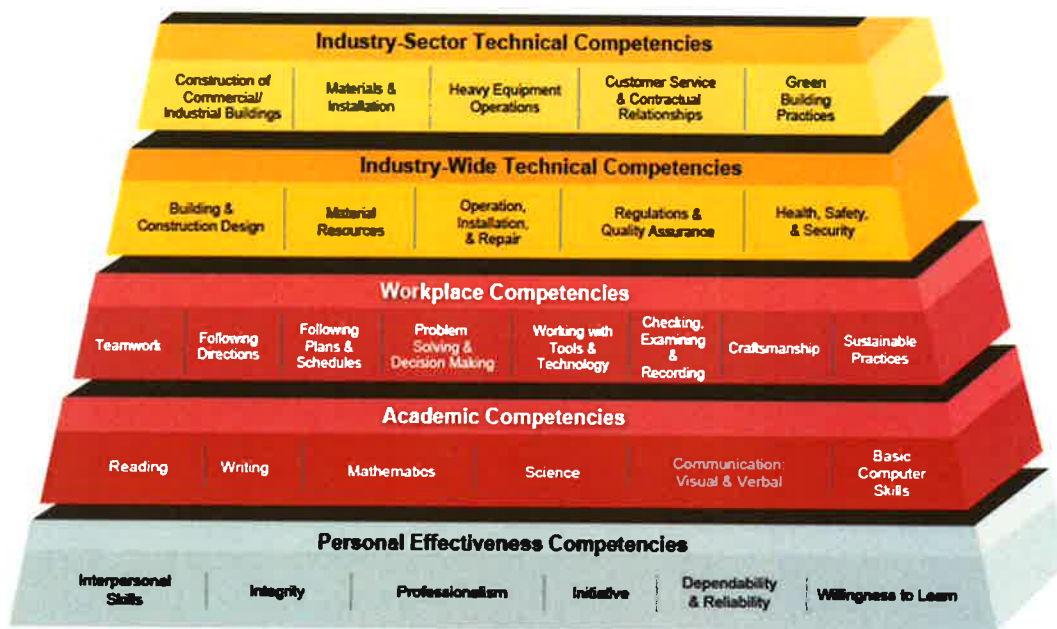
For the Manufacturing industry, planning, managing and performing the processing of materials into intermediate or final products and related professional and technical support activities such as production planning and control, maintenance and manufacturing/process engineering as illustrated in the graphic below:



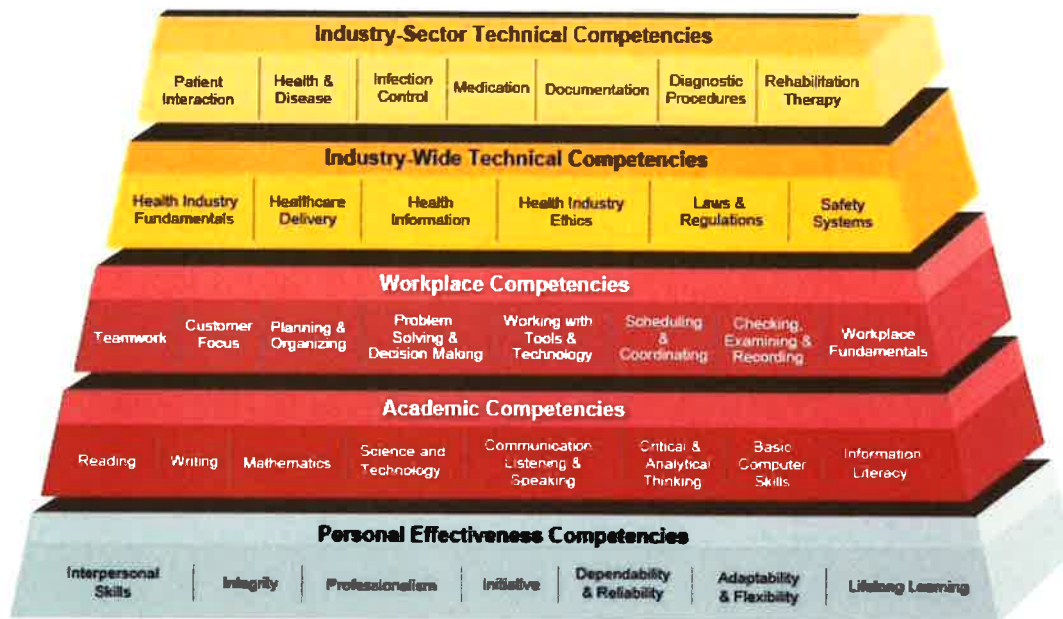
For the Transportation industry, planning, management, and movement of people, materials, and goods by road, pipeline, air, rail and water and related professional and technical support services such as transportation infrastructure planning and management, logistics services, mobile equipment and facility maintenance training as illustrated in the graphic below:



For the Construction industry, planning, managing, building and maintaining the built environment training as illustrated in the graphic below:



For the Health industry, planning, managing, and providing therapeutic services, diagnostic services, health informatics, support services, and biotechnology research and development training as illustrated in the graphic below:



Most of the Personal Effectiveness, Academic and Workplace competencies are common between the key industries and provided by a range of providers from One-Stop workshops to technical colleges to universities. The Industry-Wide and Industry-Sector Technical Competencies are generally provided by a technical college, such as Gateway Technical College, or a university, such as UW-Parkside.

3. Provide an analysis of the workforce in the region, including current labor force employment (and unemployment) data, and information on labor market trends and the educational and skill levels of the workforce in the region, including individuals with barriers to employment.

The analysis of the workforce in the region begins with the labor force. The labor force has increased during the past four years as the unemployment rate has decreased. The table below shows those changes over the past four years. The unemployment rate has continued to decrease during 2018 to 3.0%.

Period	2014 Annual	2017 Annual	Change in 4 years
Labor Force	243,824	248,228	4,504
Employed	228,820	238,847	10,027
Unemployed	15,004	9,481	(5,523)
Unemployment Rate	6.2%	3.8%	-2.4%

The SE WI WDA generally lags in higher educational credentials compared to WI as noted in the following table but compares favorably for less than HS and HS diplomas. But the data below also masks the educational issues especially in the City of Racine with US Census data 2014 showing an estimated rate of 33.2% for those age 18 and over and not having at least a HS/GED award.

Educational Credential	Wisconsin	SE WI WDA
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< HS	11.6%	12.6%
HS/GED	31.1%	36.1%
Some College/AA Degree	46.7%	44.6%
BA Degree +	10.6%	6.7%

Even though the Labor Force Participation rate has increased in SE Wisconsin the unemployment rate is reaching near record lows making it difficult for employers to find new employees. The following table gives the labor force participation rate as the percentage of those age 16 and older in the labor force.

Estimated Labor Force Participation Rate (LFPR)

WDA1: Southeast Workforce Development Area

County	2014	2015	2016
Kenosha	67.0%	67.1%	67.6%
Racine	66.6%	66.0%	66.1%
Walworth	68.3%	69.3%	69.9%
Average	67.3%	67.5%	67.8%

The labor force that is disabled is a resource for employers. Employers can benefit from employment practices that may be innovative for an employee, such as "Job Carving". Job Carving assigns certain tasks of a job to more than one employee instead of one employee completing all of the job tasks.

Further study needs to be done for the potential of upskilling the full-time employed disabled population of 6,916. The movement of the part-time disabled population to full time, and movement of the did-not-work disabled population to part-time also needs to be studied. The data does not indicate if segments of the disabled population are working at their capacity.

Employment and Disabilities	Wisconsin	%WI	WDA 1	% WDA
Estimate; Total:	3,535,119		285,665	
Estimate; Worked full-time, year round:	1,914,599	54.2%	148,312	51.9%
Estimate; Worked full-time, year round: - With a disability	78,619	2.2%	6,914	2.4%
Estimate; Worked less than full-time, year round:	1,058,064	29.9%	85,690	30.0%
Estimate; Worked less than full-time, year round: - With a disability	89,129	2.5%	7,064	2.5%
Estimate; Did not work:	562,456	15.9%	51,663	18.1%
Estimate; Did not work: - With a disability	176,916	5.0%	16,381	5.7%

4. Describe any WDA specific labor market characteristics not reported in 1.a. and b.

The SE WI WDA is located between two major urban areas, Chicago, IL, and Milwaukee, WI. Our location creates a wide open job market for commuting, both incoming and outgoing.

The SE WI WDA is also in a position to partner with the University of Wisconsin-Milwaukee for the Water Consortium because of the WDA's unique location of Lake Michigan to the east.

A County within the SE WI WDA, Kenosha County, is part of the Greater Chicago Labor Market Area giving recognition for the WDA's access to one of the nation's largest labor markets especially for transportation and logistics.

Projected growth in advanced manufacturing and related supply chain industries will create a great demand for a trained labor force.

C. Assessment of Current Workforce Investment Activities in the Local Area

- 1. Provide an analysis of the type and availability of workforce development activities for adults and dislocated workers, including education and training, in the local area. This analysis must include the strengths and weaknesses of workforce development activities and capacity to provide workforce development activities to address the education and skill needs of the workforce, including individuals with barriers to employment, and the employment needs of employers. Describe plans to address any weaknesses identified. [§108(b)(1)(D)]**

The analysis of the type and availability of workforce development activities for adults and dislocated workers begins with the training organizations. The Educational Approval Board (EAB) provides statewide leadership in regulating, maintaining, and evaluating postsecondary schools and institutions. This includes setting standards for school administrative capacity, protecting consumers' rights, and ensuring program quality and operational integrity. The EAB was used as a guide to create the following table, which lists the types of training organizations available in the SE WI WDA, and those that are available online, that could meet job skill training needs for the growth industry sectors.

	Located in the SE WI WDA	Virtual or On-Line
Health & Services	5	61
Manufacturing & Related Occupations	1	0
Transportation & Driving	3	2
Construction	3	2

Employers are a direct resource for training. First, employers that employ entry level employees are good resources for job skills training as informal or formal on-the-job training sites. Over 2,000 employers in the SE WI WDA are entry level on-the-job training providers and more likely to provide basic job skills training for their employees before the employee moves on to other career employment.

Second, employers that are temporary employment organizations are another resource for on-the-job training opportunities. These employers provide entry level training opportunities for those who are ready to work, but need an improved work history to gain full time employment. At times, there are temp to hire opportunities among these employers which increases the possibility of full time employment. Based upon our experiences, there are at least 30 temporary employment agencies located in the SE WI WDA which provide more training sites for immediate job skills training.

The capacity of the workforce development system to address the education and skills needs of the workforce and employers is primarily met through school based and employer entry-level training. Employer specialized or "customized" training that is organized with schools, is an increasing method of meeting the skills demands. These opportunities offer training such as CNC operator, health support and office or logistics.

Workforce development activities that employers receive include: job postings, access to job seekers, access to training resources, workshops, forums, screening services, interviewing facilities, job fairs, and specialized recruitments.

Workforce development activities and services that job seekers receive are through the well-established One-Stops. These activities and services include: career planning, workshops, basic skills training, funding for job skills education, job search coaching and matching with employer job openings.

The hidden labor force for services is the workers who are trapped or limited in low-wage and low-skill employment who have the potential for upskilling. Upskilling not only improves their economic status, but also the economy of the SE WI WDA. The US Bureau of Labor Statistics 2014 estimates that 71,000 workers are being paid at or below minimum wage in Wisconsin that could be targeted for upskilling to meet the needs of employers.

The overall capacity of the workforce development system is limited by the funds available. Those funds are not able to meet the reemployment needs of over 15,000 unemployed individuals in 2014 in the SE WI WDA. This limitation is partially addressed by the following practices: prioritizing financial support for the most in need of training, ensuring that individuals apply for all available financial aid, taking advantage of cross program coordination of funding, using the training services of public post-secondary schools, coordinating fund sources, providing more group activities instead of individual and partnering with other employment or community based organizations.

2. *Provide a description and assessment of the type and availability of youth workforce investment activities in the local area including activities for youth who are individuals with disabilities. This description must include an identification of successful models of such activities being used and/or planned. [§108(b)(9)]*

The SE WI WDA innovates youth programming to build upon a very successful summer youth employment programming to implement year-round educational and work-focused programming that connects youth to real-world jobs, provides high school credit, and results in direct employment or opens up post-secondary school opportunities. The SE WI WDA is piloting and researching methods to increase HS diploma and GED achievement through learn and earn or financial rewards for diploma or goal achievement.

For youth with disabilities, the SE WI WDA partners with the State Division of Vocational Rehabilitation, disability counselors and community based organizations who serve the disabled for recruitment, career and job planning, training and job placement support in order to begin to address the employment needs of disabled youth.

3. *Describe the strategy to identify business requirements within the local area and provide support in meeting their needs. [§682.320]*

The SE WI WDA strategies for identifying business requirements is to use the following resources as service, information and/or planning partners.

- WDB and Committee members
- Local and state elected officials
- Community based organizations, especially those that provide job training or placement services
- Economic development organizations
- Chambers of Commerce
- Service organizations such as Rotary or Kiwanis
- State agencies such as Wisconsin Job Service, Division of Vocational Rehabilitation and Wisconsin Economic Development Corporation
- Post-secondary schools including their curriculum advisory committees

After receiving input and advice, the SE WI WDA can involve their WDB for determining the action steps to plan and take to address the business requirements and provide support that is within the scope of workforce development and resources.

4. *Provide a description and assessment of the type and availability of services available to employers in the local area.*

Employers in SE WI WDA receive workforce services through teams of business solutions professionals operating within the region's One-Stops. These professionals are connected, and in some cases,

employed by local economic development corporations, chambers, and business associations. All employers within SE WI WDA are serviced by account representatives especially targeting the employers within the growth industry sectors. Services that employers receive include account management, job posting, access to job seekers, access to training resources, workshops, forums, screening services, interviewing facilities, OJT development with wage reimbursement and specialized recruitment.

The SE WI WDA promotes the targeted contractual training provided by Gateway Technical College as well as Customized Labor Training to employers through the respective Business Solutions Teams and in coordination with the WEDC.

II. Vision and Workforce Development Area Goals

A. *Provide a description of the Board's strategic vision and goals for preparing an educated and skilled workforce including youth and individuals with barriers to employment. Include goals relating to the performance accountability measures based on primary indicators of performance in order to support regional economic growth and economic self-sufficiency. [§108(b)(1)(E)]*

The SE WI WDB seeks to promote the economic prosperity of the region by providing exceptional workforce development services. This will be accomplished by using best practices and talent development and retention methods that collaborate across stakeholder platforms. This approach integrates a continuum of services to job seekers and businesses in a manner responsible with tax payer resources. By doing so we shall become a destination of choice for talent and businesses.

The Strategic Goals of Southeast Wisconsin Workforce Development Area that connect with the vision are to:

- Operate established One-Stop centers for services to employers, with job seekers prepared to meet employer hiring needs.
- Promote educational attainment and credentials that meet employer hiring needs.
- Develop and support workforce strategies that respond to current economic conditions and specific regional and local needs, customizing services for specific employers.
- Proactively address future workforce needs.
- Participate and align with regional workforce initiatives through the Regional Workforce Alliance, as well as local goals developed by local and county based partnerships.

B. *Describe strategies to work with the entities that carry out the core programs that align resources available to the local area to achieve the strategic vision and goals described in II.A. [§108(b)(1)(F)]*

The strategies the SE WI WDA will use to achieve the strategic vision and goals are:

- Collaborate with core program partners for planning, analysis and evaluation of services.
- Plan service delivery with core program partners to reduce duplications of service.
- Meet regularly with core program partners to be aware of each other's program goals and share labor market intelligence.
- Be involved with business and economic development organizations to discover and share information about business and industry changes and needs.
- Use evidence and data based analysis in the decision processes.
- Regularly evaluate and analyze economic and labor market data in cooperation with the Regional Labor Economist and Business Solutions Teams.
- Prepare and submit a quarterly report of service outcomes to the SE WI WDB and Committees.

C. *Describe the measures the WDB will use to track progress toward these goals.*

The SE WI WDB will track, evaluate, and report progress through WIOA performance, customer satisfaction and other measurable activities that support the vision.

D. Describe the process used to develop your area's vision and goals, including participants in the process, especially focusing on how industry sector partnerships will be utilized.

The process used to develop our area's vision and goals included wide input from the SE WI WDB, business, labor, economic development, elected officials, One-Stop staff and data used in the labor market analysis.

E. In order to achieve the goals identified above, implementation strategies need to be developed. Describe the strategies the WDB will use to achieve the WDA's vision and goals for the local area.

The implementation strategy for achievement of the area's vision and goals is to follow through on the goals and plans with the regular reporting on progress. The strategy is to be persistent and not be sidelined by other issues and plans that arise.

III. Governance and Structure

A. Plan Input and Review Process

1. Describe the process used, in accordance to the five criteria below, to provide an opportunity for public comment and input into the development of the local plan.

To provide adequate opportunity for public comment, the Local Board must:

- a. Make copies of the proposed local plan available to the public through electronic and other means, such as public hearings and local news media;**
- b. Include an opportunity for comment by members of the public, including representatives of business, labor organizations, and education;**
- c. Provide no more than a 30-day period for comment on the plan before its submission to the Governor, beginning on the date on which the proposed plan is made available, prior to its submission to the Governor;**
- d. The Local Board must submit any comments that express disagreement with the plan to the Governor, along with the plan, the WDB's response to those comments, and a copy of the published notice; and**
- e. Consistent with WIOA section 107(e), the Local Board must make information about the plan available to the public on a regular basis through electronic means and open meetings.**

Following the completion of the plan, the SE WI WDB will make copies of the local plan available to the public through local media outlets, electronically, and by posting it to the three county job center websites. A thirty-day comment period will be made available to members of the public, including representatives of business, labor organizations and education.

After the thirty-day period, any comments that are received will be sent to the State, along with a copy of the finished WIOA Plan and a copy of the published notice. In accordance with the WIOA Section 107(e), the WDB will make all information about the plan available to the public on all three county job center websites and a hard copy of the plan will be kept in the local centers Manager's office.

2. Describe how local workforce partners were involved in the development of the WDB's local plan. Also describe how local partners will be involved in the ongoing implementation of the local plan.

Input from local partners was sought throughout the development of the plan. When a partner was seen as a subject matter expert or purveyor of best practices in a specific criterion or section of the plan, local staff made an extra effort to consult with the partner's staff.

Since WIOA encourages and requires enhanced collaboration and accountability across the various program Titles, ongoing collaboration and coordination will be required to maximize performance outcomes, ensure access to targeted populations and achieve high levels of business and job seeker satisfaction.

B. Chief Elected Official(s) (CEO)

- 1. Describe the role of the CEOs in the governance and implementation of WIOA in the local area. In local areas consisting of more than one unit of government, describe the decision making process between the local elected officials. If this is addressed in a WDB/CEO Agreement, please state that it is included in that Agreement and provide the section where it can be found.**

The CEOs, three in the SE WI WDA, are members of the SE WI WDB's Executive Committee. Governance of WIOA and decisions made are discussed and voted on at Quarterly meetings.

- 2. Section 683.710(b)(2) states that when a local workforce area is composed of more than one unit of general local government, the liability of the individual jurisdictions must be specified in a written agreement between the CEOs. Please provide this document or specify its location, if it is within another document.**

The SE WI WDA's liability between the three units of government or counties is included in the CEO Consortium Agreement and submitted as Attachment C.

- 3. Please submit a WDB/CEO Agreement and/or the CEO Consortium Agreement.**

The WDB/CEO Consortium Agreement is submitted as Attachment C.

C. WDB Functions

- 1. Describe any roles and responsibilities, as agreed to with the CEO, which may differ or be in addition to those specified in the Act and regulations. Please identify where these responsibilities are listed in the WDB/CEO Agreement.**

In Attachment C, the WDB/CEO Consortium Agreement gives the Chief Elected Official the authority to designate an Administrative and Fiscal Agent for the WDB. See Attachment C.

- 2. Identify the fiscal agent or entity responsible for the disbursement of grant funds. If a fiscal agent is used, attach the current contract and identify who has signatory authority. Submit the WDB/Fiscal Agent Agreement.**

The CLEO designated Kenosha County Department of Human Services as the Administrative/Fiscal Agent for SE WI WDB. The CLEO has signatory authority per Article 15 of the WDB/CEO Consortium Agreement, Attachment C. Attachment E, Chief Elected Official and Administrative/Fiscal Agent Agreement delineates the duties of the Administrative/Fiscal Agent.

D. WDB Composition

The Governor shall, once every two years, certify one local board for each local area in the State. Such certification shall be based on criteria established under section 107(b), and for a second or subsequent certification, the extent to which the local board has ensured that the workforce investment activities carried out in the local area have enabled the local area to meet the corresponding performance accountability measures and achieve sustained fiscal integrity. For

PY15, DWD issued Administrator's Memo 15-05 which details the requirements that must be met for certification of a local board. A WIOA compliant board must be in place by December 31, 2015.

For the following questions, if the response is provided in the CEO Consortium Agreement, the WDB/CEO Agreement or in the WDB By-Laws, indicate which agreement the description can be found in and the section where it is stated. If not included in any of these documents, provide the response below:

- 1. Describe the nomination and selection process used to appoint local business representatives to the WDB.**

Nomination and appointments shall be made in accordance with applicable State criteria, conform to the Federal legislation, and meet the requirements of any plan of representation adopted by the Board.

- 2. Describe how the Board will provide a leadership role in developing policy, implementing policy, and oversight for the local workforce investment system.**

The SE WI WDB will be the approval organization for the SE WI WDAs policies and provide oversight of the workforce system and goals at WDB and Committee meetings.

- 3. Identify the circumstances that constitute a conflict of interest for, or any matter that would provide a financial benefit to a Board member, a member's immediate family, or a representative entity. Include actions to be taken by the Board or Board member in the event of a conflict of interest. If this question is addressed in your conflict of interest policy, state what section(s) contain the response. Submit the WDB's conflict of interest policy. [§107(h)(1 & 2)]**

The SE WI WDB Conflict of Interest policy is submitted as Attachment K.

- 4. Provide a complete and current WDB membership list.**

The SE WI WDB membership list is submitted as Attachment J.

- 5. Attach a diagram, description of roles and responsibilities, and regular meeting schedule of the WDB and subcommittees.**

The SE WI WDB diagram, description of roles and responsibilities, and regular meeting schedule of the WDB and subcommittees is submitted as Attachment L.

- 6. Describe how the WDB ensures that meetings and information regarding WDB activities are accessible to the public (including persons with disabilities). [§107(e)]**

SE WI WDB meetings are posted in public meeting notice boards, the local news media and One-Stops as well as sent to partner and community based organizations.

- 7. Describe the process the WDB will use to notify the CEO of any vacancies and to fill those vacancies with appropriate representatives.**

The SE WI WDB Chair will notify the CEO in writing within 30 days of becoming aware of the WDB vacancy and the type of business representation needed for the WDB.

- 8. Attach the Workforce Development Board By-Laws including date adopted/amended. The by-laws must comply with the parameters listed in Admin Memo 15-05.**

The SE WI WDB by-laws are submitted as Attachment M.

E. Standing Youth Committee

1. Describe the role and responsibilities of the Standing Youth Committee.

At this time, there is not a Standing Youth Committee; the WDB is responsible for all program activities.

2. Describe how the Standing Youth Committee is involved in developing policy.

N/A

3. Identify circumstances that constitute a conflict of interest for Standing Youth Committee members and describe how codes of conduct and conflict of interest issues related to Standing Youth Committee members will be addressed. If this question is addressed in your conflict of interest policy, state what section(s) contain the response. Submit the conflict of interest policy.

N/A

4. Describe how the Standing Youth Committee conducts oversight with respect to eligible providers of youth services in the local area and their role in provider selection.

N/A

F. WDB Support and Administration

1. If the WDB employs staff, identify the number of staff (time percentage), general role, and as part of what structure/organizational entity. Indicate whether or not this same entity has staff that provides direct WIOA services. Submit the WDB Staff Agreement and/or job description for WDB Director.

The SE WI WDB does not directly employ any staff at this time.
See Attachment O – job description for WDB Director.

2. Include an organizational chart with an 'effective as of date' of WDB staff, administration and support.

Because the SE WI WDB does not employ staff, no organization chart is provided.

3. Provide a copy of the Administrative Entity/Fiscal Agent's organizational chart with an 'effective as of date'.

The SE WI WDB/WDA Administrative Entity/Fiscal Agent's organizational chart with an 'effective as of date' is submitted as Attachment Q.

4. Attach a copy of the WDB's current Cost Allocation Plan.

The Cost Allocation Plan for the SE WI WDB is through the fiscal agent, the Kenosha County Dept. of Human Services is submitted as Attachment R.

5. Describe and submit the WDB's cash management policy and procedures.

The SE WI WDB does not conduct any business in cash and therefore does not have a policy.

6. Is an Indirect Cost Rate or de minimis rate of 10% used?

The SE WI WDA uses an indirect cost rate of 10%.

- 7. Describe the fee for service(s) activities, and how the funds are accounted for. Submit the WDB's local policy regarding fee for services.**

The SE WI WDB Fee for Services policy is attached - See Attachment I.

- 8. Employee health and welfare costs incurred in accordance with local board policies are allowed for the improvement of working conditions, employer-employee relations, employee health, and employee performance are allowable (2 CFR 200.437). Submit the WDB's policy for the provision of these costs for WDB staff.**

The SE WI WDB does not directly employ any staff at this time.
See Attachment N.

- 9. Incentive compensation to employees based on cost reduction, or efficient performance, suggestion awards, safety awards, et., is allowable (2 CFR 200.430). Provide the WDB's policy for incentive compensation to employees and/or service provider staff.**

The SE WI WDB does not directly employ any staff at this time.
See Attachment H.

- 10. Submit the WDB's personnel policies and procedures.**

Personnel Policies and Procedures is attached - See Attachment P.

IV. One-Stop Delivery System

A. One-Stop Service Delivery

- 1. Describe the One-Stop delivery system in your local area, including the roles and resource contributions of one-stop partners. [§121(a)] Include a list of the comprehensive One-Stop centers and the other service locations in your job center network. Use Form D.**

The One-Stop system in the SE WI WDA is a system that has been a leader in service collaboration before legislation required the formation of One-Stops and continues innovations as changes occur with locations listed in Form D. The table of One-Stop partners with their roles and resources is submitted as Attachment EE.

- 2. Is each of the required WIOA partners included in your One-Stop delivery system? Describe how they contribute to your planning and implementation efforts. If any required partner is not involved, explain the reason. [§121(b)]**

The WIOA partners a) contribute to One-Stop services planning and seek to reduce duplication of services, b) sharing resources, both services and financial, and c) merging efforts to meet the needs of employers.

- 3. Identify non-required partners included in the local One-Stop delivery system.**

The SE WI WDA One-Stops have multiple non-required partners and submitted in Attachment II.

- 4. Describe how entities within the one-stop delivery system, including one-stop operators and one-stop partners, will comply with Section 188 and the Americans with Disabilities Act regarding physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing needs of individuals with disabilities. Describe how the WDB incorporates feedback received during consultations with local Independent Living Centers regarding compliance with Section 188 of WIOA.**

All contracts approved by the WDB includes a compliance law for Section 188 of WIOA and the ADA. The entities located in the SE WI WDA One-Stops comply with Section 188 of WIOA and the ADA and ensure that physical access to the buildings and services are barrier free. To verify this, the WDA carries out annual physical checks of properties. Additionally, the WDA can provide the use of technology for means of access to services and programs. Pamphlets and brochures targeting disabled populations for services are also provided. The WDA also consults with Division of Vocational Rehabilitation staff for advice and provides annual staff training about meeting the needs of disabled populations. WDA management monitors services provided and receives consultative feedback from the Independent Living Centers. Management, acts on feedback and input as required.

5. Describe the WDB's policies and procedures for resolving grievances or complaints filed by participants and other interested parties affected by the local workforce system, including one-stop partners and service providers.

The SE WI WDB Grievance and Complaint Procedures is attached – See Attachment JJ.

6. Helping veterans obtain training and employment is the responsibility of all Job Center staff. The local Job Center must provide priority of service to all veterans and eligible spouses to ensure that the full range of employment and training services are provided in a comprehensive, customer-driven, and seamless manner. Describe processes in place at the point of entry to the system to identify veterans and eligible spouses who are entitled to priority of service (including signage and/or designated areas and staff training). Submit any implementing policies or procedures describing how priority of service is implemented uniformly and appropriately across the local workforce system.

The SE WI WDB and One-Stop policy for priority of services to veterans is submitted as Attachment T.

In addition to signage, WIOA staff training and policies that promote services to veterans and eligible spouses, the One Stops have on site the County Veterans Service Office and Veterans Employment and Training Services who help in identifying veterans and eligible spouses for the full range of services.

7. Please list which career services are provided by which partners to job seekers and employed workers.

Career Service	Service Group	Partner/Provider
Employment matching & counseling, Job openings listing	General Public	Wisconsin Job Service
Career planning, job skills training and job development	Disabled	Wisconsin Department of Vocational Rehabilitation, Goodwill Industries, Professional Services Group, Boys & Girls Club of Kenosha, Gateway Technical College, Kaiser Group, Racine Area Manufacturers and Commerce, Kenosha, Racine and Walworth Counties
Employment matching & job search support	Veterans	Veterans & Employment Training Services, Goodwill Industries, Professional Services Group, Gateway Technical College, Kaiser Group, Racine Area Manufacturers and Commerce, Kenosha, Racine and Walworth Counties
Career planning, job skills training, job search	WIOA eligible	Goodwill Industries, Professional Services Group, Gateway Technical

preparation and support, and Business Solutions		College, Boys & Girls Club of Kenosha, Kaiser Group, Racine Area Manufacturers and Commerce, Kenosha, Racine and Walworth Counties
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8. Describe the strategy to identify business requirements within the local area [682.320]. In addition, describe the Business Solutions available to area employers through the One-Stop system, and who provides these services. Provide details about any fee-for-service Business Solutions.

The strategy the SE WI WDA will use to identify business requirements is to a) partner with local economic development and business organizations, b) participate in business service organizations such as Kiwanis and Rotary, c) maintain regular contact with the Wisconsin Economic Development Corporation, d) participate in the curriculum committees of the educational institutions, e) providing business account services through the One-Stops and f) participating in the local HR committees.

Fee for services may occur through fees for participation by employers in WDA job fairs and employer requested workshops.

9. Describe how "center-based" Business Solutions are provided. This description should include how all programs that conduct Business Solutions are included in the system and the coordination practices; and how input and feedback from all partners is received and implemented equitably.

Center based Business Solutions are provided by a Business Solutions Team that has multiple funding resources and whose role is to represent the One-Stop to employers. The Business Solutions Supervisor leads the Business Solutions Team which includes sub-contractor and partner staff. One-Stop partners participate in meetings with the account staff for Business Solutions to exchange business/job intelligence and plan for future actions. A weekly list of new job listings is distributed to program staff in the One-Stop who have direct access to customers or consumers.

10. Describe actions taken by the WDB to promote maximum integration of service delivery through the One-Stop delivery system for both business customers and individual customers. Attach any local policies or procedures in support of this.

The actions the SE WI WDA takes to promote maximum integration of service delivery through its One-Stops is:

- plan and provide a service with multiple funding sources, e.g. job preparation workshops,
- transparency between partners in service planning, implementation and outcomes,
- sharing of indirect costs such as heating and cooling, and
- publicity for all partners in providing a service.

11. Describe how the WDB will ensure the quality of service delivery and continuous improvement throughout the One-Stop centers.

The SE WI WDB will ensure the quality of service delivery and continuous improvement throughout the One-Stop centers through One-Stop oversight by the WDB Administrator and Monitors. Outcomes, improvement, pilots and innovations are reported quarterly to the SE WI WDB for review and approval.

12. Describe how the WDB facilitates access to services provided through the local delivery system, including remote areas, through the use of technology and through other means. [§108(b)(6)(B)]

Access to services by the SE WI WDB through local service delivery and remote areas is to:

- support three major One-Stops,
- support two satellite One-Stop locations in Bristol and Burlington,

- partner service locations that are not within a One-Stop location,
- any location that has Internet access including libraries and homes,
- job fairs at various locations in the SE WI WDA during the year,
- SE WI WDA web site listing services and access, and
- posters promoting One-Stop services at educational institutions, churches and employers, especially those in a reduction mode.

13. Describe the connection between the local board WIOA Youth Program and the Job Center service delivery system.

The connection between the One-Stop delivery system and the SE WI WDB WIOA Youth program and services is:

- from employers who give feedback to youth about career and job needs,
- job preparation service and workshops tailored for first time employees and entry level employment,
- a transition for youth from secondary academic training to post-secondary job skills training,
- career planning services if needed, and
- Co-location and access to all One-Stop services.

14. Describe the WDB's activities/actions with local partners to ensure the development and implementation of common intake for all Resource Rooms per State (to be issued). Also include a description of how activities will be coordinated with other points of intake such as the Division of Vocational Rehabilitation.

The One-Stops, whenever possible, utilize a customer sign-in at reception areas/resource rooms that offer a first level of screening for all services offered through the system including those offered through partners such as DVR, Veterans programs and Job Service. Additional screening and assessment occur in the intake process to each specific program. The intake process in the One-Stops will be reviewed and altered as needed when the common intake for all resource rooms is issued by the state.

Partner agencies, such as DVR, participate on One-Stop teams, such as Business Solutions, Service Delivery, etc.... and are therefore knowledgeable of the One-Stop services available as well as how their consumers can access them upon intake into their program.

15. Describe how the end result of the activities described in the previous question show reduced duplication of services for program participants; ease of program accessibility; and identification of gaps the partnership has to address.

The current end result of WIOA and the Division of Vocational Rehabilitation coordination in the SE WI WDA is to:

- promote information about services available for ease of program accessibility,
- ensure that physical and on-line access to services is barrier free, and
- merging of fund sources for the cost of job skills training. The SE WI WDA feels that additional support for collaborative policy decisions at the State DWD level could add to the collaboration at the local level.

16. Describe activities to promote Job Center of Wisconsin (JCW), and address the following:

- Any participant needs for computer literacy as part of a system improvement; and**
- How the WDB is coordinating with workforce partners, including Veterans' Services staff, to ensure that JCW is the vehicle for posting job orders for optimal competition of job seekers and available candidates for employers of the job openings.**

Each of the One-Stop locations in the SE WI WDA have computer literacy training available on-site for anyone to improve their computing skills and being able to access JCW. The One-Stops also have computers on-site in Resource Rooms for anyone to use to access JCW.

The One-Stop Business Solutions Teams, who represent the One-Stop partners to employers, promote JCW as the vehicle for employer recruitment to find qualified applicants to fill their open jobs. In addition, the JCW's resume data base is promoted as a tool for recruitment by employers.

17. Describe how Salesforce will be used to support and enhance JCW rather than supplant JCW.

SalesForce offers enhancement of JCW data by a) offering different views of data, b) a comprehensive analysis of job listings, c) creation of dashboards that are available at any location and to any computer/tablet through the cloud, and d) extending labor market information for planning services.

18. Briefly describe Information Technology (IT) systems in the local area, including:

a. Systems in place to assess and place job seekers (include all IT services owned or subscribed to).

TABE, Workkeys, Career Cruising, OPAC, Job Center of Wisconsin

b. Systems used for employer management (include all IT services owned or subscribed to).

SalesForce, Constant Contact, JobNet Business

c. Systems used to track participant services (include all IT services owned or subscribed to).

ASSET, JobNet Business, WEBI

d. Coordination of local IT systems with Job Center of Wisconsin, ASSET, and other federally or state provided systems.

Local IT Administrators coordinate with DWD IT Department to make sure systems are accessible at all times.

e. Other systems the WDB is utilizing and the purpose of these systems.

UI

f. The assessment process utilized to determine IT needs.

IT Coordinator's in each location will regularly review IT equipment and software.

B. Memorandum(s) of Understanding (MOUs)

The local board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding between the local board and the one-stop partners which would be effective July 1, 2016. Due to the changes with enactment of WIOA, DET will be providing additional guidance to the WDB's to assist in the development of local MOUs. Thus, copies do not need to be submitted at this time. The local MOUs must be reviewed and approved by DET by June 30, 2016. The Local Plans for WDBs without an approved MOU will only be conditionally approved.

MOU's will be developed and submitted as updated.

C. One-Stop Operators (OSO)

1. Identify the current One-Stop Operator in the local area and attach the current WDB/One-Stop Operator Agreement.

The SE WI WDA has seasoned American Job Centers that have long standing experience in partnership development and collaborative management. Each of the three Counties in the SE WI WDA has a primary American Job Center and there is currently a satellite location in Kenosha where substantial populations are located.

The Current One-Stop-Operator (OSO) is Kenosha County Department of Workforce Development, Wisconsin Kenosha Racine Partnership (WKRP). The OSO Agreement is in attachment S.

2. Describe how the WDB is preparing for the competitive process for OSO selection. Describe how market research, requests for information, and conducting a cost and price analysis were conducted as part of that preparation. [§121(d)]

A Request for Proposal was issued by Administrative/Fiscal Agent, no responses were received. With that in mind the SE WI WDB contacted the State of Wisconsin LPL for guidance, the result was to Sole Source the OSO to a division within Kenosha County that has a consortium servicing the Racine and Kenosha Income Maintenance programs, WKRP. They indicated that they have capacity to additionally cover the Walworth County American Job Center. The SE WI WDB staff conducted research in other workforce areas in WI to determine the cost of the OSO

3. Roles and Responsibilities

a. Provide a description of the roles and responsibilities of the OSO(s) in the Comprehensive Job Center(s) and for service locations in the One Stop delivery system.

The One-Stop Operator is responsible for coordinating the WIOA American Job Center service delivery, with oversight and monitoring by the SE WI WDB. Services shall be provided for the SE WI WDB network of American Job Centers.

The operator is charged with coordinating the service delivery among partner agencies in the SE WI WDB American Job Centers and satellite location. The following list delineates the role of the One-Stop Operator:

- Coordinate with WIOA fiscal agent regarding daily operations for the lease, utilities and other activities to support the center
- Coordinate partner responsibilities defined in the Memorandum of Understanding (MOU) among partners
- Coordinate hours of operation for related service provisions
- Coordinate one-stop services for individuals and businesses
- Ensure that basic services such as orientations, labor market information, and resource rooms are available
- Implement SE WI WDB policy
- Adhere to all federal and state regulations and policies
- Report to SE WI WDB on operations, performance, and continuous improvement recommendations

The One-Stop Operator will be responsible for ensuring a seamless delivery of services from all partners. Certain workforce services are integrated into the framework of the one-stop service delivery system and are provided through partner agencies under various funding sources. It is the mission of the SE WI WDB that the needs of business and workers drive workforce solutions; the centers provide excellent customer service to job seekers and employers and focus on continuous improvement; and the workforce system supports strong regional economies and plays an active role in community and workforce development.

The One-Stop Operator's responsibilities have been defined as:

- Coordinate service delivery among partners and service providers;
- Act as a liaison with the WDB staff;
- Market the SE WI WDB and its services;
- Ensure each Center partner abides by the American Job Centers MOU;
- Recruit additional partners as needed;
- Facilitate the sharing and maintenance of data;

- Create continuous improvement methods reflective of the SE WI WDB network of American Job Centers;
- Serve as a liaison to the community, partner agencies and employers for the SE WI WDB;
- Assure compliance with state and SE WI WDB certification criteria which is essential for receipt of infrastructure funding;
- Work to enhance SE WI WDB initiatives.

b. If there are multiple operators and/or consortia, be specific as to what each agency's role is and which Job Centers are involved with each.

There is only 1 One-Stop Operator Agency for all the American Job Centers and service sites in WDA 1.

D. Certification and Continuous Improvement [§121(g)]

The state's certification policy has not yet been finalized by the state workforce board. Following its completion and issuance, please describe any additional criteria or higher levels of service coordination than required in order to respond to labor market, economic, and demographic conditions and trends in the local area.

The SE WI WDB does not have an additional criteria to add to the state's certification policy.

V. Results-Driven Talent Development System

1. Describe the local area's workforce development system, including identifying the programs included in the system, and how the WDB will work with the entities administering core programs and other workforce development programs to support alignment and provision of services, including the following:

- ***PK-16 Council***
- ***Local technical colleges***
- ***Local University of Wisconsin campuses***
- ***Regional economic development entities***

The SE WI WDA addresses alignment and provision issues of workforce programs a) starting with the leaders of the area educational institutions being on the WDB and Committees, b) sharing labor market intelligence, c) meeting to develop or discontinue training programs based on employer feedback, d) participating on the curriculum design committees and e) including the educational institutions in Rapid Response activities.

SE WI WDA meets regularly with the Milwaukee Area Workforce Investment Board and the Waukesha-Ozaukee-Washington (W-O-W) Workforce Development Board in a 7-county Regional Workforce Alliance (RWA). The RWA operates industry partnerships in manufacturing, healthcare, and energy. These Industry Partnerships were created in response to employer's need for specific skills training. The Milwaukee7 Manufacturing, Power Controls, Water, and Health Care Industry Partnerships are a venue for small to mid-sized employers with common training needs to align funds to provide training for incumbent and new workers. These Industry Partnerships provide a venue for employers with similar training needs to send a handful of employees to training so that production levels are kept as close to "normal" are possible, while having full-class-sized groups for training, making training more cost effective for all employees. The Industry Partnerships have been in convening since 2010 and will continue.

2. Provide a description of how the WDB, working with entities to carry out core programs, will expand access to employment, training, education and supportive services for eligible individuals, particularly eligible individuals with barriers to employment. Include how the WDB will facilitate the development of career pathways and co-enrollment, as appropriate, in core

programs, and improve access to activities leading to a recognized postsecondary credential including a credential that is an industry-recognized certificate or certification, portable, and stackable. [Section 108(b)(3)]

In order to enhance the current WIA services system into WIOA, the SE WI WDA will plan and develop the following steps for a results-driven talent development system.

- Engage employers and use labor market intelligence in determining providing training and hiring options in their industry sector.
- Develop and implement earn-and-learn job opportunities with employers through on-the-job training, internships and apprenticeships.
- Measure and evaluate employment gained by program enrollees and earnings outcomes by target enrollment group.
- Promote stepping stones for employment from entry, to advancement, to career.
- Promote competency attainment in industry sectors with training skills.

3. Describe how the WDB will ensure that individuals are informed of non-traditional employment and training opportunities.

The SE WI WDA One-Stop Career Planners inform WIOA enrollees about all training options, including non-traditional, as a regular task in career planning services.

4. Describe the WDB's use of initiatives such as incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other Business Solutions and strategies, designed to meet the needs of employers in the local area to meet the needs of businesses. [Section 108(b)(4)(B)]

The WDB has worked closely to meet the needs of local business and will continue to do so, using various training programs and strategies. By funding OJT's, the WDB can provide a flexible and employer friendly option to businesses to train new employees. OJT's allow the WDA to meet particular needs of specific employers in an efficient and cost effective manner. By identifying industry and sector strategies and supporting career pathways, the WDA will continue to serve business expansion and talent development throughout the region. The WDB continues to look for and partner with other entities to fund these initiatives. These strategies not only benefit the business community, but the job seekers as well.

5. Describe mechanisms that are currently in place or will be in place to provide microenterprise and entrepreneurial training, support programs and co-enrollment, where appropriate, in core programs. [134(a)(3)(A)(i)]

The SE WI WDA has established links for services with the Small Business Development Corporations at UW-Parkside and UW-Whitewater as well as the Wisconsin Women's Business Initiative Corporation for development of entrepreneurship. If any workforce development needs are identified in the business start-up process, the One-Stops are ready to provide those services.

6. Describe how the WDB enhances the use of apprenticeships to support the local economy and individuals' career advancement. Describe how job seekers are made aware of apprenticeship opportunities in the area's job centers.

The SE WI WDA includes apprenticeships in the training options for WIOA participants as well as linking with the local apprenticeship development staff at Gateway Technical College. The WDA also recognizes that job seekers are at times not able to follow the longer process to apprenticeship employment and need jobs as soon as possible.

- 7. Describe how the WDB will identify and work with key industry partnerships where they exist within the local area, and coordinate and invest in partnership infrastructure where they are not yet developed.**

The SE WI WDB will work with the key industries, as identified in this plan. Through our strong relationships with our Economic Development agencies and the business community, the SE WI WDB is often involved with identifying new industry partnerships as they are being developed. We continue to work with the existing industry partnerships through our WDB members, elected officials, Chamber organizations, business park organizations, business service organizations such as Kiwanis and Rotary, K-12 school administration and post-secondary institutions. As an active member in these industry partnerships, the WDB contributes workforce expertise and access to the labor force.

- 8. Identify how the WDB plans to better align its resources to support and meet the training and employment needs of key industry sectors in the local area. Describe policies adopted or planned for aligning training initiatives and Individual Training Accounts (ITA) to sector strategies and demand occupations.**

The SE WI WDB will align resources to support the needs of key industry sectors by targeting job skills, training and ITAs that meet the hiring needs of employers. With our active role in the key industry partnerships described in item 7 above, our ITA policies are designed to be flexible to respond to the emerging workforce needs as they are identified.

VI. Program Services

A. Priority of Service

- 1. DET will provide a process for establishing priority of service for the Adult program for public assistance recipients, other low-income individuals, and those who are basic skills deficient. Describe any additional priority groups for the adult program other than those required by the Act.**

There are no additional priority groups for the Adult program.

- 2. WIOA Section 680.600 requires local areas to establish criteria by which the one-stop operator will apply priority of service. Such criteria may include the availability of other funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area, and other appropriate factors. Provide the WDB's local criteria and/or policy. [134(c)(3)(E)]**

Target WIOA program enrollment for the Adult program through:

- All veterans or surviving spouses who are able to take advantage of the WIOA Adult program;
- Long term unemployed;
- Having less than HS diploma or less than 12th grade numeracy skills;
- Employed and earning less than \$8.50/hr. for upskilling.

- 3. Provide a copy of the WDB's local policy that addresses how priority of service to veterans and eligible spouses will be applied. In addition, describe the local procedures developed to implement the requirements under the Jobs for Veterans Act (P.L.107-288)(38 USC 4215).**

The SE WI WDB's local policy that addresses how priority of service to veterans and eligible spouses is applied is submitted as Attachment T.

The local procedures developed for implementing the requirements under the Jobs for Veterans Act are minimum annual refresher training for all WIOA funded staff, monthly analysis of veterans being served through WIOA, minimum quarterly review of services for veterans through WIOA with VETS and County

Veterans Office staff and annually conducting a veteran's services audit to identify strengths and weaknesses from service delivery for veterans also providing the results to the SE WI WDB for review and comments or changes.

B. Funding

- 1. Describe any plans for transferring up to 100% of the funds between the adult and dislocated worker programs. If planned, include the circumstances applicable to a transfer request, the measures to assure no loss of service to the original program population, and the expected impact on program performance.**

The SE WDB will request the transfer of funds from Adult to Dislocated Worker to allow the Workforce Development Board to continue services for Dislocated Worker population through 1st quarter of PY18. The remaining Adult funds will remain adequate to not affect performance.

- 2. If applicable, describe the WDB's plans to utilize up to 10% of local dislocated worker, adult, and youth formula funds toward the pay-for-performance contract strategy.**

The SE WI WDA does not plan to use funds toward the pay-for-performance contract strategy at this time. The SE WI WDA may consider development of an awards-for-performance strategy during the next year.

- 3. Describe the WDB's plan for the allocation of funds between service categories for both adults and dislocated workers. Show the percentages for career services and training allocations for the Adult and Dislocated Worker programs.**

The goal for use of WIOA funds in the SE WI WDA for the Adult and Dislocated Worker programs is:

Career Services	65%
Training Allocations	35%

C. Service Strategies

- 1. Describe service strategies the WDB has in place or will develop that will improve meeting the needs of customers with disabilities as well as other population groups protected under Section 188 of WIOA and 29 CFR Part §38.**

The service strategies the SE WIWDB has in place or will develop that will meet the needs of customers or consumes with disabilities are a) further enhancement to the partnership with the State Division of Vocational Rehabilitation for further integration into One-Stop services and transparency, b) assigning a WDA Talent Development Manager to become an expert for WDA services to disabled individuals, c) developing an on-call job carving expert for analysis and creation of jobs that can be utilized by employers and disabled persons with work capacity limits and d) offer employers financial incentives for hiring a person with disabilities linking with the Division of Vocational Rehabilitation resources.

- 2. Describe the methods and procedures that have been developed (or are planned) to ensure coordination and collaboration with the following programs:**

- a) Offender Reentry**
- b) TANF**
- c) Food Share Employment and Training**
- d) Adult Basic Education and English Language Learning Programs Authorized by Title II of WIOA**
- e) Registered Apprenticeship**
- f) Jobs for Veterans State Grants Program [38 U.S.C. §4102A(c)]**
- g) National Farmworker Jobs Grant Program**

h) Senior Community Service Employment Program (SCSEP)

The SE WI WDA One-Stops have many of these organizations on-site as one-stop partners and therefore they participate in regular meetings, exchange information and co-enrollment of participants to maximize efficient use of funding streams. For partners that are not on-site, regularly scheduled meetings are held, information is exchanged and referrals to one another's programs occurs.

- 3. Describe how the local workforce development board will work with local and statewide offender reentry initiatives supported by the Department of Corrections, as required by 2015 Wisconsin Act 55, 106.36(2)(b). The description should include the following: how labor market information and assessment tools will be utilized, how the board will collaborate with local work release facilities, plans for coordination of case management services, and coordination with programs authorized under WIOA Section 225(a).***

The SE WI WDB has a long history of working with re-entry initiatives. The Windows to Work Coach is located at the one-stop center that has the largest number of offenders returning to that community. When offenders return to communities served by the other One-Stops within the region, the Coach provides service at that One-Stop with the assistance of a navigator who is familiar with the processes at the center and community resources. Using the Department of Corrections developed curriculum, identifying career and educational pathways, soft skills, resumes and interviewing skills are done before the offender is released.

As the jails are a function of County government, there is a foundation and access to the Sheriff's department to provide services pre and post release. The SE WI WDB partners with Community and Faith Based organizations that have established expertise and experience in providing re-entry services. These organizations are made aware of WIOA services, including intensive, short-term training "boot camp" model that has successfully served felons.

- 4. Describe how the WDB will ensure collaboration with Adult Basic Education and English Language Learning programs so that adults who need to improve their reading, writing, math and/or language skills have access to integrated instruction and accelerated entry into post-secondary education to earn an industry-recognized credential.***

Each of the One-Stop centers have ABE resources on-site which are staffed by Gateway Technical College. This provides immediate on-site access for job seekers who are basic skills deficient or are looking to refresh their skills prior to entering post-secondary education programs. English Language Acquisition services are provided through a partnership with Gateway Technical College, when demand is sufficient these classes may be offered at the one-stop centers. As part of the enrollment process, students participate in career awareness activities and are made familiar with enrollment in post-secondary programs upon completion of GED or ELL activities.

- 5. Provide a description of plans, strategies and assurances to maximize coordination of services provided under the Wagner-Peyser Act and WIOA (for example, WIOA Title 1 staff document workshop services provided by WIOA Title 1 staff in ASSET). The description should include how improved service delivery and avoidance of duplication of services will be achieved. [§108(b)(12)]***

The SE WI WDB has established One-Stops with a history of maximizing coordination of services provided under the Wagner-Peyser Act and WIOA. Strategies include collocation, merging workshops for multiple partners, promoting and using JCW, coordinating activities and minimizing duplication wherever possible in service delivery.

- 6. Describe the process used for reviewing and updating Individual Employment Plans (IEP). Include if the process is used for every participant or if there are exceptions, how frequently it is done, and how it is documented in the participant file and ASSET.***

The SE WI WDA's process for reviewing and updating the IEP for all active WIOA participants includes a minimum of a monthly follow-up contact for a services update and checkup and a minimum of a semi-annual written IEP update. The contacts are all noted in the case file and then in ASSET whenever policy requires it to be entered.

7. *Attach the WDB's policy on Needs Related Payments, or, indicate that the WDB does not use this WIOA provision.*

SE WI WDA **does not** issue Needs Related Payments. See Attachment AA.

8. *Attach the WDB's supportive service policy.*

The SE WI WDB Supportive Service Policy is attached – See Attachment BB.

9. *Describe the process for contacting active participants (adults/dislocated workers and youth). Include if the process is required for every participant or if there are exceptions, how frequently contact attempt is required, how it is documented, and what the procedures are for successful contact attempts.*

The SE WI WDA's process for contacting WIOA active participants is to a) first, attempt an in-person contact or appointment monthly, b) if an in-person contact is not possible, then a telephone contact is appropriate, documenting in the case file why an in-person contact is not possible, c) if the WIOA participant does not respond for three consecutive contact attempts, then a letter is to be sent to the participant giving them 14 days to respond or WIOA services will be terminated, and d) all related contact activity is to be documented in the case file by the Talent Development Manager.

10. *Describe the criteria used by the WDB to determine the appropriateness of exiting a participant (adults/dislocated workers and youth). For example, no contact with Talent Development Manager, employment plan goals have been met, participant becomes employed at the locally-defined self-sufficiency wage or certain percentage of federal poverty limit, has been employed for minimum number of days, etc.*

We will follow the State and Federal guidelines for exiting participants. 20 CFR 677.150c, provides definition of exit.

11. *Provide a copy of the WDB's follow-up services policy. This policy should include follow-up requirements (follow-up on all participants or exceptions), frequency of contact, and required documentation.*

The SE WI WDB's policy for follow-up services is submitted as Attachment BB.

D. *Dislocated Workers*

1. *Provide the WDB's definition of "unlikely to return to previous industry or occupation" when required for eligibility for dislocated worker services.*

Unlikely to return to previous industry or occupation: An individual who is laid off without a recall date (or the recall date has passed) and falls into one of the following categories:

- The number of jobs in the applicant's previous industry/occupation is not projected to exceed the average rate of growth as shown in Labor Market Information (LMI) data;
- The projected annual increase in employment growth within the local area based on LMI is fewer than 100 jobs in previous occupation;
- The applicant is dislocated from a job not found on the most recent local or state list of demand occupations (Hot Jobs publication of similar LMI);

- The applicant has conducted a dedicated but unsuccessful job search in the previous industry/occupation, as evidenced by employer contact logs;
- Evidence, preferably from several sources including JobCenterofWisconsin.com, professional journals, etc., of few openings in the previous industry or occupation;
- The applicant lacks either the education, credential, certification, licensure or skills, which creates a barrier to returning to the previous industry or occupation;
- The applicant, based upon LMI, is unlikely to obtain new employment at a wage that replaces 90% of the previous earnings;
- Conditions in the labor market have created an oversupply within the industry or occupation. This could include, but not limited to, plant closings or mass layoffs at other companies which employ workers in similar industry or occupation;
- The applicant is unable to perform the duties of the previous job as a result of a limitation;
- The applicant, through self-attestation, indicates s/he is no longer interested in returning to the previous industry or occupation.

2. Describe WDB policies and procedures to support Re-employment Services (RES) activities. For example, participation in RES in-person sessions.

RES activities are strongly supported in the One-Stops. Group sessions are held, facilitated by a designated representative of DWD. Depending on availability, WDB staff may assist in the facilitation as needed. Information on WIOA and other One Stop services is given out. When possible, participants can meet with WIOA Career Planners and/or given referrals to other resources as needed. Additionally, one on one meetings can be held for dislocated workers who need accommodation for special needs including disabilities and language barriers.

3. Describe the process for providing rapid response services to worker groups on whose behalf a Trade Adjustment Act (TAA) petition has been filed. [§134(a)(2)(A)] This description must include how the local area disseminates benefit information to provide trade-affected workers in the groups identified in the TAA petitions with an accurate understanding of the provision of TAA benefits and services in such a way that they are transparent to the trade-affected dislocated worker applying for them.

TAA petitions are generally not certified at the time of the Rapid Response, therefore the process is the same as the process for any other dislocation. See Rapid Response process description below. Rapid Response services are always coordinated with the DWD and a DWD Representative is present to provide information to the workers of the TAA benefits and program. In the event that a petition is certified, the WDA would coordinate services with DWD and support outreach to all affected workers. Co-enrollment in WIOA is encouraged.

4. Describe the local area's Rapid Response framework and processes, addressing the following items:

- Identification of WDB and Job Service Leads (Rapid Response Practitioners)**
- Clarification of roles and responsibilities for the WDB and Job Service**
- Mechanisms for routine communication between the WDB and Job Service**
- Integration of the minimum level of required transition services (see list on the Rapid Response Practitioners' webpage, <https://workweb.dwd.state.wi.us/det/bwt/dw/default.htm>)**
- Identification of flexible and innovative services and solutions to address both employers' and workers' transition needs**
- Mechanisms for leveraging staff and other resources**
- Effective utilization of materials**
- Engagement of appropriate partners**

The SE WI WDB Rapid Response Plan is attached – See Attachment HH.

5. Describe the mechanism to identify local area Rapid Response practitioners responsible for carrying out rapid response activities in the local area.

The “mechanism” of the SE WI WDB are the staff that are identified by the Board. Based on their knowledge of WIOA services, of the local area and its resources, and have attended or will attend DWD training on Rapid Response, the staff will be designated. Staff response will be determined on the size of the event. See Attachment JJ – Rapid Response Plan.

6. Describe the minimum level of service that will be provided for rapid response activities.

The minimum level of service for rapid response activities is providing written and/or verbal presentation of basic transition information, including: Unemployment Insurance, Dislocated Worker Programs, Job Center Resources, and relevant topics related to Healthcare and Retirement during employment transition.

6. Describe the mechanisms that are currently in place or will be in place to identify employers at risk of layoffs. [§682.330(g)(1)]

The primary SE WI WDB mechanisms for identifying employers at risk of layoffs: a) responding to an employer call regarding an impending layoff, b) following up with an employer in response to word of mouth or media outlets, c) relationships with economic development and business organizations for labor market intelligence and DWD, d) periodically reviewing labor market data that has identified occupations or industry reductions for a status update, and e) review of labor market data for employers or industries reducing employment.

7. Describe the methods and procedures the WDB developed or will develop to expand coordination of service delivery with the Trade Adjustment Assistance program. The Department of Labor expects the State (via the WIOA program) to offer Rapid Response and wrap-around services to TAA-eligible dislocated workers, prior to and post training services.

The WDA strives to coordinate TAA participants with WIOA services. Co-enrollment in both programs is encouraged, and many workers start with WIOA services and continue in TAA after certification. WIOA services can offer support service the TAA cannot. After receiving notice of petition or lay-off, information is given to the affected employees at the rapid response about all services available to them including WIOA and TAA. Co-enrollment allows trade affected customers to take advantage of the same reemployment, assessment, labor market information, career advisement, case management, and follow-up services available through the local Career Center system. Those who choose to go into training through TAA, transition to career services in WIOA when the TAA training is completed. WIOA and Wagner-Peyser funded staff and services are functionally aligned within each of our local Career Center offices. This allows services to be provided to TAA customers in a seamless and efficient manner. Trade funded services can be layered on top of WIOA and Wagner-Peyser funded services already provided through the One Stops.

E. Title I Basic Career Services

1. Describe any basic career services that will be provided in addition to those specified in Sec. 134(c)(2)(A)(i) of the Act and TEGL 3-15.

In addition to the basic career services referenced in TEGL 3-15, additional activities are available at the One-Stops. One-Stop computers are available for self-administered career planning tools and skill upgrading. Group workshops on a variety of topics are available. Preparation for and testing for certifications such as the National Career Readiness Certificate are available.

2. Describe the WDB's design for Title I basic career services.

The SE WI WDB's design for Title I basic career services is to offer a variety of methods to deliver basic career services to help the customer make an informed choice about their career path.

3. ***Under WIOA, there is no requirement that a participant must receive career services prior to training services. However, at a minimum, to be eligible for training, an individual must receive an eligibility determination for training services. Describe how the WDB will manage this for participants being fast-tracked into training. [§680.220]].***

The SE WI WDB will fast-track the eligibility for training services if the WIOA participant has had previous job skills training that was not completed, the opportunity exists for a earn and learn opportunity, or the participant has successfully completed an employer screening for customized training.

F. Individualized Career Services

1. ***Describe any individualized career services that will be provided in addition to those identified in Section 134(c)(A) (xii) of the Act and TEGL 3-15.***

The SE WDB strives to provide all career services as required by Section 134(c)(A) (xii) of the Act and TEGL 3-15. Additionally the WDB will continue to seek new and innovative ways to provide career services that meet the changing needs of the participant and market.

2. ***Describe how individualized career services will be coordinated across programs/partners in the One-Stop Centers, including Vocational Rehabilitation, TANF and Adult Education and Literacy activities. Specify how the local area will coordinate with these programs to prevent duplication and improve services to customers.***

Our case management protocols facilitate an environment of collaboration between the customer, team members and partners to avoid service duplication and leverage all available community resources to meet the needs of the participant.

3. ***DET is currently developing a statewide definition for economic self-sufficiency, including the process for applying the definition. Until that is implemented, WDB's are to use their current definition and processes. WDB's are required to adopt the State's definition and processes once it is issued. The following language should be added to the WDB's local plan: "The WDB will continue applying its previously approved self-sufficiency definition until the State's uniform 'economic self-sufficiency' definition, policy, and process for application have been issued. Once issued, the WDB will cease using its local definition and adopt the uniform definition, policy and process for application." Attach the WDB's previously approved self-sufficiency definition/policy.***

The SE WI WDB follows the State definition: For purposes of the Adult and Dislocated Worker Programs, the DWD-DET defines "economic self-sufficiency" as the minimum amount of income required for a household to meet its most basic expenses, without public or private assistance. Under WIOA, this amount must always be equal to or greater than 100 percent of the Lower Living Standard Income Level (LLSIL), by family size. The SE WI WDB will use the policy and process for application.

4. ***The State's economic self-sufficiency policy allows local areas to place individuals into training programs that may not immediately lead to economic self-sufficient employment. Describe the general instances or circumstances where this would be allowable and the procedure that will be used to allow these exceptions. Otherwise, confirm that this is not an allowable process within the local area.***

Training that does not lead to a self-sufficiency wage may be approved if the training improves the customer's current economic condition or that provides a career pathway that leads to economic self-sufficiency.

G. Training Services

- 1. Of the amount the WDB has allocated for training, identify the percentage of training funds earmarked for ITA, On-the-Job Training (OJT), incumbent worker training, transitional jobs and customized training.**

In order to better serve the community, we choose not to specify allocations under the sub-categories. We allocate funds based on the evolving needs of the participants and employers.

- 2. Describe any plans for using up to 20% of local area dislocated worker and adult formula funds to provide the Federal share of the cost of providing training through a training program for incumbent workers. Submit the local policy and forms, including an itemization of the non-federal reimbursement share [§680.800, 134(d)(4)(A)(i) and TEGL 3-15]**

The SE WI WDB does not plan to use the local dislocated worker and adult formula funds for the Federal share of the cost of providing training through a training program for incumbent workers at this time.

- 3. Describe any plans for using up to 10% of local area dislocated worker and adult formula funds to provide transitional jobs, including the process to identify individuals with barriers to employment, chronically unemployed or have an inconsistent work history; identify appropriate employers, planned reimbursement amounts, what supportive services will be included, and any limits on duration. Submit the WDB's local policy and forms. [134(d)(5), §680.840a and TEGL 3-15]**

The SE WI WDB has not earmarked funds for transitional jobs but per our policy in Attachment W, no more than 10% of formula funds for transitional jobs would be used, if the need is identified.

- 4. Describe how the WDB will, with representatives of secondary and postsecondary education program, economic development agencies and industry, lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment. Also describe how the WDB and the area's technical colleges will define their roles to support a regional career pathway system. Information about Wisconsin Career Pathways, formerly the RISE Initiative, can be found at <https://www.wicareerpathways.org> [§101(d)(5)]**

SE WDB works with the secondary and post-secondary institutions to encourage support utilization of the Department of Public Instruction's Academic and Career Plan (Act 20, Wisconsin Statue 115.28(59)), encourage and support the use of Youth Apprenticeships, career academies and other models that link education and employment, making each more relevant. The SE WDB will initially focus its efforts at developing career pathways, lattices or occupational ecosystems within its key sectors. Currently, these sectors defined in collaboration with economic development, include advanced manufacturing, healthcare, hospitality and transportation/logistics.

When possible, the SE W WDB will build upon the work of the Department of Public Instruction regarding academic and career planning for each young person (6th through 12th) grade. This will serve as a stepping off point for young adults entering the One-Stop system post-graduation. For adults who enter the One-Stop system without an Academic and Career Plan, the utilization of career assessments, identification of an initial career goal and exploration of potential next steps within a career lattice may be discussed.

Within our WDA, collaboration is held with those such as: Career Pathways Committee at the State Level, Higher Expectations, Technical Colleges, etc... Roles and responsibilities are defined at collaboration meetings and are governed by the grants.

- 5. Describe the WDB's policy for its Individual Training Account (ITA) system including limits on duration and amount. This description (and policy) must include the (1) specific process and/or**

method used by which WIOA training funds are coordinated with other sources of funding for training and, (2) process by which WIOA funds are utilized if other sources of funding are pending approval, and how those WIOA funds are accounted for when other sources of funding are approved/disapproved. Submit the WDB's ITA policy.

The SE WI WDB's ITA policy is submitted as Attachment W.

6. Describe and attach the WDB's policy and procedures for adding, monitoring and removing training providers from the ITA list.

The SE WI WDA policy for managing the ITA list is to have management staff regularly receive input and evaluate training outcomes reported from case management staff. Earnings, placement in training field, course completion rate and training expenses (but not limited to) will all be factors used in the determination of ITA provider performance. If a provider is found to not be meeting the standards of performance, they will receive written communication of their removal from the ITA provider list.

7. Describe the WDB's intent to use exceptions (contracts) instead of or in conjunction with the ITA system. Address the following issues as applicable:

a. Describe the WDB's policies for OJT and Customized Training opportunities including the length and amount. Submit the WDB's OJT policy and customized training policy.

The SE WI WDB's OJT policy and customized training policy are submitted as Attachments X and Y.

b. If a determination was made that there is an insufficient number of eligible providers, describe how this determination was made and the competitive process to be used in selecting providers under a contract for services.

The Administrative Entities procurement process will be used when a determination of insufficient providers is made.

c. If the WDB intends to serve special participant populations that face multiple barriers to employment, describe the criteria to be used to determine the demonstrated effectiveness of community-based organizations or other private organizations that serve these populations.

The SE WI WDB will leverage formula funds and other grant funding opportunities to serve special participant populations that face multiple barriers to employment. The WDB will apply for and use funds, along with CBO's, private organizations and the Regional Workforce Alliance after meetings occur to discuss the viability of the proposed RFP; taking into account each organizations demonstrated performance on past grants and record of serving the special population being discussed.

8. Describe the documentation required to demonstrate a "need for training."

As part of the eligibility process, individuals must receive, at a minimum, a documented interview, evaluation or assessment and career planning or other means by which eligibility for WIOA-funded training services can be determined. All participants, with the assistance of WIOA Career Planners, are required to complete a Comprehensive Assessment form at the time of enrollment. This form captures information including participant work history, level of education, certifications and other relevant information. A determination of the need for training is made with this information and is documented in the participant's case file.

H. Youth Program

WIOA outlines a broader youth vision that supports an integrated service delivery system and gives framework through which states and local areas can leverage other Federal, State, Local and philanthropic resources to support in-school and out-of-school youth.

1. Since WIOA requires 75% of youth funds to be spent on out-of-school individuals, please provide the following information:

a. WDB's approach to meeting the required 75% minimum youth expenditure, including the planned program design.

Target WIOA program enrollment and expenditures for the Youth program through:

- homeless; or
- delinquent; or
- more than one year out-of-school or disabled; or
- aging out of foster care; or
- ages 18-24 who have less than a HS/GED.

b. Current and planned recruitment strategies to expand and market services to out of-school youth.

The SE WI WDA will recruit and market service to out-of-school youth through community organizations serving such youth, e.g. Boys & Girls Club, juvenile justice agencies, homeless youth organizations, e.g. Walkin' in My Shoes, secondary school counselors and families enrolled in FSET or W-2 programs.

c. Current and planned strategies to target services to youth, and to ensure seamless, year-round services to out-of-school youth.

The SE WI WDA's strategies to provide seamless year-round services to out-of-school youth are a) to make better use of on-line or virtual training that is not tied to a school semester, b) if the youth is in a school based semester training then other workforce activities such as work experience will be used to fill in the time between semesters and, c) if appropriate, job search preparation workshops will be made available for the youth.

d. Current and planned strategies to encourage 16-17 year old dropouts/non-attenders to return to school.

The SE WI WDA's strategies for encouraging 16-17 year old dropouts or non-attenders are a) to pilot a learn and earn rewards system for school/GED achievement program, b) offer tutoring in non-school settings such as community based organizations and libraries, c) develop links with alternative school counselors, and d) involve mental health counselors in services.

e. Current and planned retention strategies to retain out-of-school youth in employment or post-secondary education.

The SE WI WDA's retention strategies for out-of-school youth in employment or post-secondary education are regular in-person or electronic contact, frequency determined by participant need. When appropriate, the youth incentive policy may also be initiated. (See Attachment CC)

f. Current and planned service strategies for assuring that out-of-school youth deficient in basic reading/writing and math will increase one Educational Functioning Level.

The SE WI WDA service strategies for assuring that out-of-school youth deficient in basic reading/writing and math will increase one Educational Functioning Level are intensive one-to-one tutoring at least three times a week and to develop a system of learn to earn rewards for achievement.

g. Strategies to ensure career pathways information will be included in the participant's Individual Service Strategy.

The SE WI WDA's strategy to ensure that career pathways information is included in the participant's ISS is to have the information included as part of the individual's WIOA program orientation package.

2. Provide the name of the assessment tool(s) the local board will administer to in-school and out-of-school youth to assess their academic levels.

The SE WI WDB uses the TABE to assess youth academic levels.

3. Describe how the local board will assess the youth for occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs.

The SE WI WDB will utilize the services of Youth Career Planners/staff at the contracted youth serving organization. The objective assessment, individual service strategy (ISS), general case management, and follow-up services will lead WIOA youth toward successful outcomes. Both the objective assessment and the ISS are integral to the youth program, and are intended to be on-going throughout program participation. The Youth Talent Development Manager and the participant use the information from these two activities to serve as the basis for which decisions are made that lead to the receipt of the array of the 14 program elements.

4. Describe the activities the local board will provide that lead to the attainment of a secondary school diploma or its equivalent, or a recognized post-secondary credential.

The SE WI WDB utilizes many activities to support youth with attaining secondary school diploma or its equivalent, or a recognized post-secondary credential. The objective assessment and the ISS are utilized to track and assign those activities and assess the individualized needs of the youth. The SE WI WDB will primarily provide individual and on-line tutoring services for youth to attain the goal of a HS diploma or a GED. Activities include, partnerships with the local school districts and technical colleges to enhance linkages with adult education and skills development to accelerate achievement of diplomas and credentials, and maximize opportunities for Youth to explore SE WI WDB sector-based career paths.

5. Describe the activities the local board will provide to prepare the youth for post-secondary educational and training opportunities.

Utilizing the youth's objective assessment and the ISS, a series of short and long term goals are established and based on the interests of the youth. Based on the assessment a career pathway is determined and career counseling is provided to assist the youth in navigating the next steps of their career path. Participation in activities in the 14 required youth program elements provides the support to move along their Career path.

6. List the agencies and/or organizations the local board will partner with to provide services to youth that are:

- a. Subject to the juvenile or adult justice system;***
- b. Homeless;***
- c. Runaway;***
- d. Pregnant or parenting;***
- e. Individuals with a disability;***
- f. Foster children;***
- g. Aging out of foster care;***
- h. English language learners;***
- i. School dropouts; and***
- j. Within the age of compulsory school attendance, but have not attended school for at least the most recent complete school year quarter.***

The SE WI WDB's youth services partnering with the organizations listed above in a) through j) are submitted as Attachment FF.

7. List the resources or services the agencies and/or organizations could provide these youth.

The SE WI WDB's partnering with the organizations listed above in a) through j) and resources or services are submitted as Attachment FF.

8. Describe how the local board will ensure that parents, participants and other members of the community with experience relating to the programs for youth are involved in the design and implementation of these programs.

The SE WI WDB will ensure parents, participants and other members of the community with experience relating to the programs for youth are involved in the design and implementation of youth programs. Involvement will include encouraging membership on the SE WI WDB, involvement in planning services to youth, reaching out to Youth in Governance for review involvement, and involving Y-Link in youth services programming.

9. Describe how the local board will ensure that each participant be provided information on the full array of applicable or appropriate services that are available through the local board or other eligible providers or one-stop partners.

The SE WI WDB will ensure that each participant will be provided information on the full array of applicable or appropriate services that are available throughout the region. The local board, other eligible providers and one-stop partners will make available printed and on-line materials about all services. Supervisory monitoring and surveys will also be done, including Talent Development, management services and customer services. The results of all surveys and monitoring will be available; appropriate corrective actions, based on survey and monitoring outcomes, will be taken if needed.

10. Describe how the local board will partner with the following programs to serve youth and young adults through the Youth Program:

- a. YouthBuild;**
- b. AmeriCorps;**
- c. Job Corps;**
- d. Youth Apprenticeship; and**
- e. Registered Apprenticeship.**

The SE WI WDB's partnering with the programs listed above in a. through e. to serve youth and young adults through the Youth Program are submitted as Attachment GG.

11. Describe any regional efforts the local board is involved with or is planning with regarding youth initiatives.

Through our local Technical College, the Board partners to conduct a Youth CNC Boot Camp.

12. Describe how the local board will provide the fourteen required program elements for the WIOA youth program design.

In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the WIOA Youth shall provide elements consisting of the following:

	Youth Program Elements
1.	Tutoring & study skills training: Referrals to partners providing educational services and the use of on-line tutorials. The SE WDB authorizes incentives for the participants that achieve benchmarks that contribute to their success. The primary goal of local WIOA youth programming in SE WI WDA is to insure that in-school youth complete their high school education and receive a diploma. For out-of-school youth, who have not received their high school diploma, the primary goal is to insure their completion of a GED/HSED.
2.	Alternative secondary school services, or dropout recovery services, as appropriate: WIOA youth programs will work closely with alternative schools throughout SE WI WDA. Alternative schools will be one source for referrals for eligible WIOA Youth participants. WIOA youth services will be designed to complement activities occurring within alternative schools. The primary goal will be for the youth to obtain their high school diploma or a GED.
3.	<p>Paid and unpaid work experiences that may have an academic and an occupational education component, may include (i) summer employment opportunities and other employment opportunities available throughout the school year; (ii) pre-apprenticeship programs; (iii) internships and job shadowing; and (iv) on-the-job training opportunities:</p> <p>Participants will prepare for employment opportunities through the provision of various services including, but not limited to:</p> <ul style="list-style-type: none"> • basic skill remediation; • supervised work experiences; • pre-employment abilities such as career planning, resume preparation, use of labor market information, completing applications, and interviewing skills attainment ; • attainment of core employability/work maturity skills such as dependability, honesty, problem solving skills, initiative, enthusiasm, team player; • interpersonal skills, appearance, leadership, and cultural sensitivity.
4.	Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are align with in-demand industry sectors or occupations in the local area: The WDB promotes and is involved in this training, an example of which is the High School CNC training, which includes in-demand occupational training and a number of recognized certifications and credentials.
5.	Education is offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.
6.	Leadership development opportunities, which may include community service and peer-centered activities encouraging personal responsibility and other positive social and civic behaviors, as appropriate.
7.	Supportive services: Supportive services will be provided through direct assistance, in-kind, or by an arrangement with other human service agencies when necessary and as funds permit to provide a participant with the necessary resources to achieve their career goals. Supportive services may include, but is not limited, to child care or transportation expenses.
8.	Adult mentoring: The WIOA Youth program providers match and arrange for Adult Mentors to provide the enrolled youth with guidance and advice for improving life and academic skills that lead to post-secondary education or employment.
9.	Follow-up services: Follow-up services for not less than 4 quarters after program completion, will be provided as appropriate. Program operator's Career Planners will be responsible for providing follow-up services.
10	Comprehensive guidance and counseling: All youth programs will provide referral to comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as appropriate. In-school programs will make the necessary connections with school guidance departments, as appropriate. Career counseling will be an integral part of youth programming and provide the basis for individual employment plans. Out of school youth will be encouraged to utilize career counseling services located within the various one stop centers. All centers have career counselors available.

11	Financial literacy education: Financial literacy education is supported by activities such as partnerships with financial institutions and to provide workshops at the local one stop.
12	Entrepreneurial skills training: Entrepreneurial skills training is supported by activities such as partnerships with economic development agencies and referrals to business development organizations.
13	Services that provide labor market and employment information: Information is provided in the local one-stops or on-line systems such as the Job Center of Wisconsin. Information about in-demand industry sectors or occupations is available in areas, such as career awareness, career counseling, and career exploration services.
14	Activities that help youth prepare for and transition to postsecondary education and training: Individual guidance and counseling, including career pathway discussion; assistance with applications for FAFSA; and referral to enrollment and career counseling services at Post-secondary institutions.

13. Describe the process for reviewing and updating the Individual Service Strategy (ISS), including frequency and documentation requirements.

The SE WI WDA's process for reviewing and updating the ISS for all active WIOA youth participants includes a minimum of a monthly follow-up contact for a services update and checkup with a minimum of a semi-annual written ISS update. The contacts are all noted in the case file and then in ASSET whenever policy requires it to be entered.

14. Specify if the local area plans to offer incentives or stipends for youth. If yes, attach the local policy (refer to WIA Policy 13-02: Youth Incentive Awards and Stipend Payment Policy for additional information).

The SE WI WDB's Youth Incentive Awards and Stipend Payment Policy is submitted as Attachment DD.

15. Describe the WDB's approach to comply with the required minimum 20% expenditure for work experience. [§129(c)(4)]

The SE WI WDB's approach to comply with the required minimum 20% expenditure for work experience is a) to promote the work experience options to the WDB members and employers through the One-Stop Business Solutions Teams, b) identify and prepare youth to be ready for work experiences, c) target calendar dates when school is not in session for development of work experience sites especially during the summer, d) set the wage for work experiences higher for older youth and e) include the growth industries in targeting work experience promotions.

16. Provide the WDB's definition of the in-school youth eligibility criterion – "An individual who requires additional assistance to complete an educational program, or to secure or hold employment." The locally developed eligibility criterion must be specific, measurable, and different from the eligibility categories listed for the in-school youth.

The in-school youth eligibility criterion for 2016 is a) failing at least 2 courses for more than one quarter, b) behind class cohort by at least 2 credits for HS graduation in four years, c) first generation student, or d) Pell grant eligible.

17. Provide the WDB's definition of the out-of-school youth eligibility criterion – "A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment." The locally developed eligibility criterion must be specific, measurable, and different from the eligibility categories listed for the out-of-school youth.

The out-of-school youth eligibility criterion for 2016 is a) potential first generation post-secondary student, b) less than 12 consecutive months at the same employer, c) lack of transportation and/or driver's license, d) first generation student, or e) Pell grant eligible.

18. Attach a list of the current youth service providers.

The current youth service providers are:

- Kaiser Group / dba: Dynamic Workforce Solutions
 - Kenosha Boys & Girls Club
 - Racine Area Manufacturer's and Commerce (RAMAC)
 - Racine County Economic Development Corporation (RCEDC)
- See Attachment DD.

I. New Service Strategies for WDAs Failing Performance Measures

As required by WIOA, in response to any WDA failing to meet local performance accountability measures for Adult, Dislocated Worker, or Youth programs in any program year, the Governor (state) will provide technical assistance. Technical assistance may include assistance in the development of a performance improvement plan or the development of a modified local plan. WDAs that fail to meet local performance accountability measures for any program year must describe all new or innovative service delivery strategies the WDA has employed or is planning to employ. The description must also describe how the initiative maximizes resources, improves service levels, improves service quality, achieves better integration or improves performance levels. In addition, the initiative's general design, anticipated outcomes, partners involved and funds leveraged must be described.

SE WI WDB takes a proactive approach to meeting performance metrics. SE WI WDB will send appropriate staff to training sponsored by DWD, NAWB, NAWDP or other organizations sponsoring professional development. Additionally, SE WI WDB would welcome technical assistance training for staff regarding local performance measures from DWD, through the LPL or designee.

In the event that performance measures are not met, the WDB will analyze the data associated with the failing metric. Based upon the analysis, the WDB will develop a corrective action plan and identify strategies and tactics with the assistance of the LPL or designee for improvement.

J. Strategies for Faith-based and Community Organizations

1. *Describe current or planned activities to increase the opportunities for participation of faith-based and community organizations as committed and active partners in the One-Stop delivery system.*

The SE WI WDA includes faith based and community organizations in bid/funding workshops and notices so they can be aware, follow through, and submit a bid for services.

2. *Describe current or planned activities to expand the access of faith-based and community organizations' clients and customers to the services offered by the One-Stops in the WDA.*

Access will be expanded through marketing, use of social media and SE WI WDB staff attendance at various meetings. In addition, outreach activities will be conducted at organizations to access potential participants.

VII. Service Providers and Oversight

A. Selection of Service Providers

1. *Describe the competitive process used to award subgrants and contracts in the local area for activities carried out under WIOA Title 1 [§108(b)(16)].*

As the Administrative Entity for the SE WI WDB, Kenosha County will use a competitive process for awards and contracts by developing and then posting the requirements for providing a service, enrollment and outcome goals, reporting and fiscal requirements with a due date for submission. Upon receiving the

proposals or bids, an evaluation team will analyze and rate the bids. The bidders may be contacted for an interview to explain and clarify their bid. The recommended bid will be forwarded to the CEO Consortium Executive Committee and the SE WI WDB for review and approval.

2. Describe how and where the services will be provided and who will provide them for the following types of services:

- a. **Career services:** Career services are provided by sub-contracted and partner staff at all Centers located in the SE WI WDA. Services provided are through individual one on one meetings with Career Planners, in group settings, at employer sites, or at training institutions.
- b. **Youth services:** Youth services are provided by sub-contracted and partner staff at all Centers located in SE WI WDA and/or the service provider and partner locations. Services provided are through individual one on one meetings with Career Planners, in group settings, at employer sites, or at training institutions.

B. Oversight and Training of Service Providers

1. Describe the WDB's oversight and monitoring procedures including processes for program and fiscal monitoring, including frequency. Also include processes for ensuring quality customer service. [§107(d)(8)]

Program monitoring occurs at least once per program year. Monitoring may include: data validation results, provider performance and WDA wide performance and the DWD annual monitoring results. Review of service delivery includes file reviews of participants, ASSET entries reviews, case notes reviewed for content and appropriate service provision. A written report is sent to each provider, which details areas that are successful and areas for improvement.

Information from the local monitoring is used to evaluate provider program effectiveness, areas where training is required, and areas for improvement.

The same process is used for Fiscal monitoring. Monthly review of fiscal reports is conducted by the Fiscal Agent. Issues are addressed immediately with the provider. In addition, yearly on-site monitorings are conducted.

Continuing issues are addressed in WDA-wide training.

2. Provide a brief description of how the WDB will ensure the continuous improvement of eligible providers of services and ensure that such providers meet the employment needs of local employers, workers and jobseekers. [§108(b)(6)(A)]

The Administrative entity of the SE WI WDA employs a Quality Assurance Data Specialist to ensure that policy, procedure and ASSET documentation is followed by all providers. Corrective actions are issued to providers as issues are discovered in this process. In addition, SE WI WDB holds staff training for all providers to provide training on issues identified in monitoring and data analysis, and to address new policies and/or procedures.

3. Describe how WDB and service provider staff is trained in use of the ASSET system and the WIOA program. Also describe how WDB and service provider staff is informed of new policies (both local policies, DET issuances and DOL guidance) and training opportunities.

New staff are partnered with experienced staff to learn the use of ASSET and the WDA program. The Quality Assurance Data Specialist conducts one-on-one training when needed and WDA-wide training for new features or policies in ASSET. All new policies, local, DET and DOL policies are forwarded to all staff as they are received by the WDA. WDA-wide trainings are conducted for implementation when needed.

4. Describe local processes for monitoring and ensuring timely and comprehensive entry of participant information into the ASSET system.

The SE WI WDA has a Quality Assurance Data Specialist who monitors data entry and completes evaluation reports to the WDB Administration for review and corrective action as needed.

Provider Managers are responsible for the monitoring of ASSET entries completed by their staff. Special attention is given to new participant enrollments to ensure that the file is complete and accurate. Monitoring of the paper file against the ASSET file provides a check and balance on timeliness and accuracy of ASSET entries.

Additional monitoring occurs during the annual audit which includes a review of service delivery including paper file reviews of participants, as well as ASSET entries.

5. Describe any local data systems in use to record and track participant services.

The SE WI WDA uses locally developed MS Excel spreadsheets and Salesforce reports.

VIII. Performance and Accountability

A. If the WDB has developed performance standards, in addition to those required by WIOA, describe the criteria used to develop these local area performance standards. Describe how these standards will be evaluated and corrective actions that will be taken if the performance falls short of expectations.

The SE WI WDB has no additional performance standards.

B. Describe how performance data will be used for local monitoring, evaluation, continuous improvement and oversight processes; and, describe the type of training for staff (and providers where appropriate), and the frequency, on ASSET and performance measures.

The SE WI WDB will use performance data/reports for local monitoring, evaluation, continuous improvement and oversight processes a) at a minimum, quarterly, to identify goal achievement or lagging, b) development and implementation of any corrective actions that may be needed, d) identifying adjustments that may be needed for changing economic conditions, e) conducting individual or WDA-wide staff training on identified issues, and e) oversight and evaluation of provider services.

C. Describe how your local area's program design will maximize performance on the WIOA primary indicators of performance outlined in Section 116(b). After setting adjusted levels of performance with the State, update the Local Plan to provide the adjusted targets.

The SE WI WDA's program design will maximize performance on the WIOA indicators of performance by involving partners for services in WDA One-Stops, addressing the services to employers and WIOA participants that lead up to achieving the indicators of performance. Involving key partners in the exchange of information and service delivery allows for any needed adjustment and modification based on changing labor market needs.

Form A

WIOA Local Plan

Assurances and Signatures

1. The WDB, including the chief elected official of the area and providers receiving funds under Title I of the Workforce Innovation and Opportunity Act, will comply with the Fiscal Controls established in Section 184 of WIOA.
2. The WDB and chief elected official assure that they will comply with the nondiscrimination and equal opportunity provisions of WIOA section 188 and implementing regulations at 29 CFR Part §38, adhere to the DET Methods of Administration for ensuring compliance, including an assurance that a Methods of Administration has been developed and implemented by the WDB and its funded sub-recipients.
3. The WDB assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of WIOA section 188.
4. The WDB assures that veterans will be provided priority access to employment and training activities authorized in section 134 of WIOA.
5. The WDB assures that all WIOA participants will be exposed to a full range of career choices including orienting and exposing them to training and jobs with family-supporting wages.
6. The WDB assures that financial literacy training/information is made available for all participants.
7. The WDB assures that no funds received under WIOA will be used to assist, promote, or deter union organizing.
8. The WDB assures that it will comply with sections 504 and 508 of the Rehabilitation Act of 1973, including the American's with Disabilities Act of 1990.
9. The WDB assures that it developed this plan in consultation with the business community, labor organizations, and required partners.
10. The WDB assures that funds will be spent in accordance with WIOA legislation, regulations, written DOL Guidance, Division of Employment and Training (DET) guidance and all other applicable federal and state laws.
11. The WDB assures that all WDB meeting agendas and minutes will be shared with DET staff (Local Program Liaison).
12. The WDB assures that no WIOA funds will be spent on the development or operation of any data management systems that duplicate systems provided by the State of Wisconsin, especially ASSET, WorkNet, or Job Center of Wisconsin.
13. The WDB Administrative Entity assures the development of a Continuity of Operations Plan (COOP) which outlines the methods by which the Board will function and services will be provided during a critical incident or pandemic, including:
 - Provisions for continuation of employment and training services under the WIOA and other programs or services funded by the DWD as possible during a critical incident or pandemic as well as the restoration of full services when services have had to be limited or interrupted for a period of time.
 - Oversight of the status and activity of the WDA's Job Center sites during a critical incident or pandemic, including regular status reports to DET Services COOP Branch Director or designee as required.
 - Full cooperation with the DWD, DET in the preparation or implementation of a COOP as specified, including submittal of the Board's updated COOP Plan in April of each year upon request, and participation in COOP drills such as call trees, tabletop exercises and other plan reviews as scheduled.
14. The WDB assures that it will comply with state program priorities and directives set out in the state plan and any subsequent modifications.

NOTE: Signatures are also required on the Certifications in the **Forms B and C**.

This plan has been developed for the Southeast WDA in accordance with the terms of the WIOA.

Approved for the Workforce Development Board

Workforce Development Board Chair

Name (type or print): Nicholas T. Galich

Signature: Nw T. Galich Date: 3/28/16

Approved for the Counties of the Workforce Development Area

Chief Local Elected Official

Name (type or print): Jim Kreuser

Title: County Executive, Kenosha County

Signature: Jim Kreuser Date: 3/24/16

Local Elected Officials (Optional):

Name (type or print): JONATHAN DELAGRAVE

Title: RACINE COUNTY EXECUTIVE

Signature: Jonathan Delagrave Date: 3-23-16

Name (type or print): Nancy Russell

Title: Walworth County Board Chair

Signature: Nancy Russell Date: 3/28/16

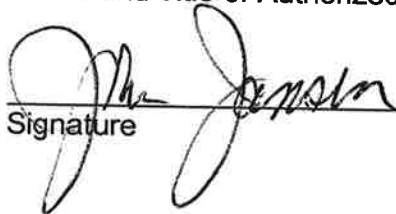
**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

This certification is required by the regulations implementing Executive Orders 12549 and 12689, 2 CFR 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. The regulations were published at §200.212 of Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

BEFORE COMPLETING CERTIFICATION, READ ATTACHED INSTRUCTIONS WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION

- (1) The prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

John Jansen, Director, Kenosha County Department of Human Services
Name and Title of Authorized Representative


Signature

March 22, 2016
Date

Instructions for Certification

1. By signing and submitting this proposal, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of charged circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to check the List of Parties Excluded from Procurement or Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING LOBBYING**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all* subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all* subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 200.450 of Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SE WI WDB/Fiscal Agent, Kenosha County Department of Human Services
Grantee/Contractor Organization

WIOA Title I-B
Program/Title

John Jansen

Name of Certifying Official


Signature

March 22, 2016
Date

Form D**One Stop Service Delivery System: Locations**

<u>Name and address of the Comprehensive Center</u>	<u>Name of the Center Manager/Contact</u>	<u>Manager/Contact Telephone number & e-mail address</u>
Kenosha County Job Center 8600 Sheridan Road Kenosha, WI 53143	Doug Bartz	262-697-4586 doug.bartz@kenoshacounty.org
Racine County Workforce Development Center 1717 Taylor Avenue Racine, WI 53403	Doug Bartz	262-697-4586 doug.bartz@kenoshacounty.org
Walworth County Job Center 400 County Road H Elkhorn, WI 53121	Doug Bartz	262-697-4586 doug.bartz@kenoshacounty.org
<u>Name and address of Other Service Locations</u>	<u>Name of the Site Manager/Contact</u>	<u>Manager/Contact Telephone number & e-mail address</u>
Kenosha County Center-Bristol 19600 75 th Street Bristol, WI 53104	Doug Bartz	262-697-4586 doug.bartz@kenoshacounty.org

Publication Notice

The Southeast Wisconsin Workforce Development Board (SE WI WDB) has completed its Workforce Innovation and Opportunity Act (WIOA) 2018 Local Plan Modification. The SE WI WDB consists of the tri-county area of Kenosha, Racine and Walworth Counties. All programs are provided through American Job or Workforce Development Centers in the three counties.

The programs include the following activities for individuals; assessment, remedial education, skills training, work experience, job preparation/readiness skills and job placement activities. These programs will be provided through levels of service that include Career and Training services. The general funding categories for WIOA are Adult, Dislocated Worker and Youth.

A draft copy of the plan will be available for review July 1st through July 30th. A public meeting for review and written comment for the plan modification are scheduled for the following locations and times:

Racine County Workforce Solutions
1717 Taylor Avenue, Racine, WI 53403
Classroom "C", 3-4 pm on July 17th, 2018

Walworth County Job Center
400 County Road H, Elkhorn, WI 53121
Classroom "103", 1-2 pm on July 18th, 2018

Kenosha County Job Center
8600 Sheridan Road, Kenosha, WI 53143
Office of the Director Conference Room, 2-3 pm on July 19th, 2018

The 2018 Local Plan Modification and written comments will be forwarded to the Wisconsin Department of Workforce Development by August 1st, 2018.

The 2018 Local Plan Modification will also be posted on the following website after July 1st, 2018:

www.kenoshacounty.org

All plan documents can also be reviewed at the SE WI WDB Administrator's office during the 30 day review period: c/o Kenosha County Job Center, Office of the Director, 8600 Sheridan Road, Kenosha, WI 53143 by appointment. Appointments or questions can be directed to Doug Bartz, SE WI WDB Administrator, at the above address or by calling (262) 697-4586.

Comments expressing disagreement with plan & WDB's response

There were no public comments regarding the plan modifications.

Southeast WI Workforce Board

8600 Sheridan Road
Kenosha, WI 53143
262-697-4500

Public Comments

Name	Address	Comment
<div>No Comments Received Dated 7-23-18</div>		

Racine 7/17/18 3-4pm

SE WI WDB Staff name:

Marilyn Putz

Date:

7-17-18

SE WI WDB Signature:

Marilyn Putz

7-17-18

Southeast WI Workforce Board

8600 Sheridan Road
Kenosha, WI 53143
262-697-4500

Public Comments

Name	Address	Comment
No Comments Received 7-23-18 Dan		

Walworth 7-18-18

SE WI WDB Staff name: Marilyn Pritz Date: 7-18-18

SE WI WDB Signature: Marilyn Pritz 7-18-18

Southeast WI Workforce Board

8600 Sheridan Road
Kenosha, WI 53143
262-697-4500

Public Comments

Name	Address	Comment
<i>No Comments Received 7-23-18 DM</i>		

Kenosha July 19 2:00 - 3:00 p.m.

SE WI WDB Staff name:

Marilyn Putz

Date:

July 19, 2018

SE WI WDB Signature:

Marilyn Putz

July 19, 2018

**Southeastern Wisconsin Tri-County CEO Consortium Agreement
Workforce Innovation and Opportunity Act (WIOA)**

This Agreement is a revision of the original agreement dated September 3, 1999 and amendments dated July 1, 2003; July 1, 2012; December 30, 2015; July 1, 2018.

This Agreement, made this day July 1, 2018, by and between the COUNTY OF KENOSHA, COUNTY OF RACINE and COUNTY OF WALWORTH, being Counties in the State of Wisconsin (the "COUNTIES").

WITNESSETH

WHEREAS, The Congress of the United States has enacted Public Law 113-128, the federal Workforce Innovation and Opportunity Act of 2014 (the "Act") to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and educational programs in the United States, and to promote individual and economic growth, and for other purposes; and

WHEREAS, the COUNTIES recognize that workforce development activities transcend governmental jurisdictional boundaries; and

WHEREAS, the COUNTIES recognize that the Act provides for the establishment of a consortium to act with mutual cooperation in the planning and administration of programs under the Act to serve substantial parts of a labor market area; and

WHEREAS, the COUNTIES have previously passed separate resolutions to enter into a Tri-County CEO Consortium Agreement; and

WHEREAS, the consortium of COUNTIES desires to establish a Workforce Development Board and to develop and administer program under the Act;

Now, THEREFORE, the COUNTIES agree as follows:

- 1.) The COUNTIES, pursuant to Sec. 66.0301 Wis. Stats. hereby establish a Consortium within the meaning of 29 USC 32.3122(c) (1) (B) (i) of the Act, for the purpose of being designated a service delivery area by the Governor and for implementing the programs under the Act. The Consortium shall be referred to as the "Southeastern Wisconsin WIOA Consortium".
- 2.) The units of government which comprise the members of this Consortium and the geographical areas which will be served by the Consortium and designated a service delivery area are the Counties of Kenosha, Racine, and Walworth.
- 3.) The Chief Local Elected Officials ("LEO's" who are chairpersons of the County Boards of Supervisors or County Executives) or the designees of said officials of the Counties in paragraph 2 shall constitute the Southeastern Wisconsin WIOA Consortium Commissioners (hereinafter, the "Commissioners").
- 4.) Robert Rules of Order, Newly Revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or by-laws duly adopted by the Consortium.

- 5.) Amendments or revisions to this Consortium Agreement and Consortium/Workforce Development Board By-laws thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the Commissioners at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 10 days prior to consideration.
- 6.) The Commissioners shall appoint the members of the Workforce Development Board for the Tri-County Area, under 29 USC 32.3122.
- 7.) The Consortium shall execute an agreement with the Workforce Development Board for the area for the operation and functions of the Board under 29 USC 32.3122 of the Act and shall approve all Local Plans under 29 USC 32.3123 of the Act.
- 8.) The Consortium shall perform functions for LEO's as contained in the Act and as set forth in this agreement and any adopted by-laws.
- 9.) This agreement revises and supersedes any and all prior written or oral Consortium Agreements between the parties. The Southeastern Wisconsin Workforce Development Board, as established under Public Law 113-128 – Workforce Innovation Opportunity Act of 2014, will carry out the duties and responsibilities as the successor to The Workforce Development Board established under Public Law 105-220, the Federal Workforce Investment Act of 1998, which was a successor to the Private Industry Council Board established under Public Law 102-367, the Job Training and Partnership Act.
- 10.) The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of Supervisors of the Counties party hereto and the Governor.
- 11.) The Workforce Development Board for the Tri-County Area shall be named the Southeastern Wisconsin Workforce Development Board.
- 12.) The members of the Workforce Development Board of Directors take office effective with their appointment by the Commissioners, and any adopted shall reflect the appointive, removal, substitution, and replacement powers of the Directors by the Commissioners.
- 13.) Under the provision of the Act, the Commissioners will convene the first meeting of the Southeastern Wisconsin Workforce Development Board within 30 days of the Governors certification of the Consortium.
- 14.) The Consortium will elect the Chief Local Elected Official (CLEO), who shall have the authority to name the Administrative Entity and the Fiscal Entity for the Tri-County Consortium for the receipt of all funds provided pursuant to the Act.
- 15.) An Entity's acceptance of Sub-Grant Recipient and Fiscal Agent status does not relive the Chief Elected Official or the Consortium from liability for the mis-use of funds under the Act.
- 16.) The functions and duties of the Southeastern Wisconsin Workforce Development Board shall be those as set forth in the Act.
- 17.) The roles and responsibilities of the Administrative Entity and the Fiscal Entity shall be defined in the Chief Elected Official and Administrative / Fiscal Agent Agreement.

18.) Liability and Indemnification:

Each party shall be responsible for the consequences of its own acts, or omissions and those of its employees, officers, officials, agents, boards, committees, commissions, agencies, and representatives and shall be responsible for any losses, claims and liabilities which are attributable to such acts, errors, or omissions including providing its own defense. In situations including joint liability, each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, officers, officials, agents, boards, commissions, committees, agencies, and representatives. It is not the intent of the parties to waive any statutory protections or impose liability beyond that imposed by the state statutes.

In WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first above written.

KENOSHA COUNTY:

 7/15/18
County Executive Date

RACINE COUNTY:

 07-30-18
County Executive Date

WALWORTH COUNTY:

 7-19-18
Chair, County Board Date

REVIEWED BY FINANCE DIRECTOR

*Approved
7/27/18*

 7/27/18
Sign Date

Date 7-27-18
Certified to be correct as to form

By 
Racine County Corporation Counsel


Wendy M. Christensen
Racine County Clerk 7/30/18



Attachment D

WDB/CEO Agreement

See Attachment C for the SE WI WIOA Consortium Agreement.

Southeastern Wisconsin Workforce Development Area

Chief Elected Official and Administrative/Fiscal Agent Agreement

June 19, 2018

THIS AGREEMENT, made and entered into by and between the Chief Local Elected Official (CLEO), James Kreuser, of the Southeastern Wisconsin WIOA Consortium/Southeastern Wisconsin Workforce Development Area and the Kenosha County Department of Human Services Department (KCDHS)

WITNESSETH:

Whereas the Southeastern Wisconsin WIOA Consortium (Consortium) consists of one representative for each County in the Workforce Development Area who shall be the Chief Elected Official, the County Board Chairperson or a permanent designee as specified in the Southeastern Wisconsin WIOA Consortium Bylaws; and

WHEREAS, the CLEO is the elected Chairperson of the Southeastern Wisconsin WIOA Consortium under the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128 (hereinafter referred to as "the Act"); and

WHEREAS, the CLEO is the Designating Authority for the Workforce Development Area, the Grant Recipient, Designating Authority for the Administrative/Fiscal Agent and Sub-Grant Recipient, appointing authority for the Workforce Development Board (WDB) under said Act; and has such other roles and responsibilities enumerated in the Act, its regulations and the agreement below,

WHEREAS, the WDB is the body appointed by the Consortium to carry out, where specified in conjunction with the Consortium, the functions of the Workforce Development Board as enumerated in the Act, its regulations, and this agreement below; and

WHEREAS, Kenosha County Department of Human Services is the body named by the Consortium and WDB to function as the administrative entity, sub-grant recipient and fiscal agent for the Southeastern Wisconsin Workforce Development Area, and

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the Consortium, the WDB and Kenosha County Department Human Services do agree to the provisions set forth below as follows:

I. Selection of the Grant Recipient, Fiscal Agent and Administrative Entity

- A. The Act specifies that the Chief Elected Official is the Grant Recipient and Fiscal Agent for funds under the Act, and that the Chief Elected Official may designate an alternate entity as Sub-Grant Recipient and Fiscal Agent. The Chief Elected Official, as authorized by the Southeastern Wisconsin WIOA Consortium, hereby designates Kenosha County

Department of Human Services (KCDHS) as the Sub-Grant Recipient, Fiscal Agent and Administrative Entity for funds under the Workforce Innovation and Opportunity Act and other related funds granted to the Workforce Development Area for which the Southeastern Wisconsin WIOA Consortium and Workforce Development Board have jurisdiction.

- B. Kenosha County Department of Human Services shall function as the Administrative Entity, carrying out the responsibilities set forth in the Act, the Comprehensive Strategic Plan, this Agreement and related regulations.
- C. The acceptance of Sub-Grant Recipient and Fiscal Agent status by KCDHS does not relieve the Chief Elected Official or the Consortium from liability for the misuse of funds under the Act.
- D. KCDHS, as Sub-Grant recipient, fiscal agent and administrative entity shall maintain the following to insure the integrity of the funds granted to it:
 - 1. Department Status:
 - a. KCDHS shall maintain status as a Department of Kenosha County Government.

E. Staff Assistance:

- 1. KCDHS shall provide such resources as determined necessary by the parties to equip the WDB and Consortium with the independent assistance to carry out their required functions under the Act and regulations including, but not limited to; planning, plan development, strategic direction, policy development, oversight, stakeholder convening, competitive procurement, performance negotiation and other functions required under that Act and its regulations and this agreement, in such a manner as to avoid conflict of interest in carrying out those functions. Such measures shall include, but not be limited to, the designation of staff person or persons directly accountable to the WDB and independent of the service delivery structure of KCDHS. At minimum this shall include sufficient funding for WDB Administrator and Administrative Quality Assurance/Intake Specialist.
- 2. KCDHS may also provide such additional assistance as needed to perform duties assigned by the WDB and Consortium in a timely manner, provided such assistance is under the direction of the WDB Administrator.

F. Indemnification

- 1. The parties to this agreement recognize the need to protect all members against loss, liability or damages that may result from their joint and separate actions in performing responsibilities under the Act. The parties agree that adequate insurance shall be provided.
- 2. The Administrative Entity/Grant Recipient shall obtain directors and officers errors and omissions insurance, bonding and general liability insurance. The Consortium and WDB members shall be named as additional insured on the general liability, directors and officers, errors and omissions insurance policies.

3. Subject to and without waiving any and all statutory defenses, immunities, and limitations of liability available to the parties, each party hereto agrees during the term of this agreement to indemnify and hold harmless the other, their successors and assigns, from and against any and every claim, demand, suit, payment, damage, loss; costs and expense that the other party, its successors and assigns, may hereafter suffer, incur, be put to, pay or lay out by reason of the said party performing its obligations, under this agreement.

II. Terms of the Agreement

- A. This agreement is effective July 1, 2018 through June 30, 2020.
- B. This agreement may be terminated or modified:
 - 1.If the Consortium votes to change the Administrative or Fiscal Agent;
 - 2.There is a replacement of any of the three consortium members;
 - 3.The Administrative and/or Fiscal Agent gives ninety (90) day notice of termination of services.
- C. If this agreement is not terminated or modified with the election of a new chief elected official, within 120 days of when a new chief elected official begins office, the WDB must ensure the new chief elected official submits to the WDB a written statement acknowledging the he/she:
 1. Has read, understands and will comply with the current administrative/fiscal agent agreement, and;
 2. Reserves the option to request negotiations to amend the administrative/fiscal agent agreement at any time during the official's tenure as chief elected official

III. Development of Budgets, Contracts and Selection of Service Providers:

- A. Program and Administrative Budgets:
 1. It shall be the responsibility of the Administrative Entity (KCDHS) to develop budgets for funds under the Act, and other funding sources allocated to the WDB, to provide adequate delivery of services, plan administration and oversight under the Act. The Administrative Entity (KCDHS) shall prepare such budgets under the appropriate direction of and approval by the WDB and the Consortium.
 2. Such budget documents shall include costs associated with the Administrative Entity (KCDHS) of the WDB, the Consortium and related costs of Adult, Dislocated Worker, Career Services, Youth Services, Training Services and Business Solutions or such other cost categories as required by funding sources. Budget cost categories shall include program and Workforce Development Area administration, service delivery operations and the costs to secure such additional services as needed to carry out the provisions of the Act and other relevant funding sources.
 3. Budget line-item modifications in excess of 15% shall be jointly approved by the

WDB and the Consortium. Sub-account transfers may be authorized by KCDHS in accordance with approved KCDHS procedures.

4. Program and Administrative Budgets shall become attachments to this agreement as developed and approved by the Consortium and the WDB.

B. Assurances

The fiscal agent must assure that:

1. It will receive and manage all federal, state or local workforce funds for the local workforce area;
2. It is responsible for the receipt, disbursement, accounting and reporting of all funds related to program operations based on the federal, state, or local workforce funds of the local workforce area;
3. It will maintain adequate system of internal control over case to ensure compliance with rules and regulations, to include description of internal control system to be used; and
4. The processes are in place to approve draw requests from and issue funding to sub-recipients and vendors.

C. Awarding of contracts and selection of service providers

1. Selection of service providers shall be in keeping with standards set forth by applicable laws, regulations, and procedures approved by the WDB/Consortium.
2. For the period of this agreement, KCDHS as the Administrative Entity shall oversee the provision of services as identified in the Act and in the Comprehensive Plan, in keeping with budgets prepared in accordance with the provisions in item III.C.1.
3. For selection of service providers other than those specified in the paragraph above:
 - a. KCDHS shall develop and utilize approved Purchase of Service and/or Employer Training Provider List (ETPL) procedures for securing individual participant or business solutions services which shall be based on assessed needs secured within approved budgets, or
 - b. KCDHS shall conduct such other procurement processes as required as follows:
 - 1) Draft specifications which identify services to be let, service levels and outcomes to be attained, and other specifications as may be required by the WDB/Consortium and applicable laws and regulations.
 - 2) Conduct such market analyses as necessary to determine the nature of procurement required for One-Stop Operator, Career Services, Adult, Dislocated and Youth Services and Business Solutions selection under the provisions of the Act.
 - 3) Maintain and administer such procurement policies as necessary to

comply with provisions of the Act.

- 4) Develop and execute such contracts or other instruments as necessary to secure desired services and provide assurance for the delivery of services in accordance with agreed upon specifications.
- 5) As Administrative Agent, KCDHS shall monitor and evaluate the effectiveness of contractors' services.
- 6) As Fiscal Agent, KCDHS will oversee and monitor the fiscal activities of the local workforce development area, sub-recipients, service providers and contractors; communicating all fiscal related audit findings, including any corrective actions, to the Consortium and the WDB and sub-recipients and contractors; and provide technical assistance to the service providers with regard to financial issues.
- 7) The Administrative Entity (KCDHS) will make recommendations for Services Contracts to the Consortium Executive Committee and/or WDB for approval. Upon approval KCDHS will execute contracts.

IV. Oversight

The WDB and Consortium are required to provide oversight, including review, monitoring and evaluation of the programs conducted under the local Workforce Plan in accordance with procedures established by the Board.

- A. KCDHS shall conduct monitoring of all activities carried out under the Act and shall provide such reports on activities, performance, financial transactions, financial and programmatic audits as the WDB and Consortium deem necessary to determine the integrity of funds and appropriateness and quality of services being provided under the Act and other related funding sources.
- B. The performance of duties by KCDHS under IV. A above does not absolve the WDB or Consortium of their oversight obligations under the Act. The WDB shall conduct such evaluation of reported monitoring and evaluation of activities as needed to assure compliance with the Act, regulations, this agreement and the accuracy and integrity of KCDHS monitoring.
- C. The WDB and Consortium maintain the right and obligation to oversee the general progress and conduct of the KCDHS activities and to that end, the KCDHS agrees to submit to such audits as the WDB and Consortium may from time to time require. KCDHS records related to WIOA activities shall be made open to the WDB and Consortium who agree that such audits and access shall only be instituted as necessary to carry out their responsibilities to insure compliance with the Act, its regulations and terms of this agreement.
- D. The fiscal agent is responsible for submitting accurate and timely financial status reports, making adjustments when necessary and ensuring reporting mechanisms are uniform. Additionally the fiscal agent is responsible for ensuring expenditures are allocated against appropriate cost categories and with cost limitations as specified in federal state statutes, regulations and policies.

V. Operating Procedures

- A. Bylaws: The WDB, Consortium and KCDHS shall establish bylaws and/or operating procedures for their respective organizations which are consistent with the provisions of this or any other bilateral agreement between the affected parties, governing legislation and related regulations. In the event that any such bylaws or procedures shall be found to be in conflict with the provisions of this or any other bilateral agreement(s), the provisions of this agreement shall prevail.
- B. WDB Membership Criteria: Members of the WDB are appointed to represent sectors of the Workforce Development Area as outlined in the Act, state and federal regulations, and the plan of appointment approved by the Consortium. All members of the WDB shall be employed within the Southeastern Wisconsin Workforce Development Area. Any change in employment or other status which affects the representative status of a WDB member shall be forwarded to the Chairperson of the Consortium within 30 days of said change. Changes of status which render a WDB member no longer representative of the sector from which originally appointed may result in the Consortium declaring said position vacant.
- C. Maintenance of Effort: To insure maintenance of effort, no contracts to service providers shall be in violation of maintenance of effort requirements of federal laws, regulations or rules of the Department of Workforce Development or other funding sources.
- D. The WDB, Consortium and KCDHS shall commence, carry on, and complete its obligations under this agreement with all deliberate speed and in a sound, economical and efficient manner, in accordance with this agreement and all applicable laws.
- E. Voting:
 - 1. All approvals under this agreement shall require approval of a majority of the members present at a meeting of such said bodies, unless a vote or greater than a simple majority is called for in the Bylaws of the respective body.
 - 2. Votes on matters requiring concurrence shall be conducted in accordance with each body's rules of order.
 - 3. At no time shall the WDB, the Consortium or KCDHS vote jointly as a single unit.
 - 4. Absentee voting may be allowed by the WDB, the Consortium, or KCDHS if agreed to by the Chief Elected Official. Voting through electronic/telephonic or other mediated distance participation shall be allowed for members of the WDB, the Consortium and KCDHS provided such participation allows for two-way audio communication.
- F. Quorum: At minimum, a majority of the current membership of the Consortium is required to be in attendance to constitute a quorum for purposes of conducting business by each of the respective bodies. For the WDB, a majority of the seated business representatives of the Board being present shall constitute a quorum.

Remote participation through electronic/telephonic means shall be allowed and be counted as present for purposes of quorum for the WDB, Consortium, and KCDHS provided such participation allows for two-way audio communication. A quorum for joint committees of the WDB and Consortium shall require a majority of appointed members from each body be in attendance.

VI. General Administrative Provisions:

A. The Administrative Entity (KCDHS) shall be responsible for all Administrative processes for the Consortium.

B. Delivery of Notices and Reports: Notices and reports required by this agreement shall be deemed delivered as of the date of postmark if deposited in a United States mailbox, first class postage attached, addressed to the party's address as set forth below; or by "date sent" identifier incorporated into electronic mail: It shall be the duty of a party changing its address to notify the other party in writing within a reasonable time:

1. To the Consortium addressed to: the current Chief Elected Official at his/her last known address and to the Consortium Custodian of Records (the named Administrative Entity), the WDB Executive Director at the last known Business Address
2. To the WDB addressed to: the current WDB Chair at his/her last known address and the WDB Custodian of Records, the WDB Executive Director at the last known Business Address
3. To KCDHS addressed to: the current KCDHS Director at his/her last known address and the KCDHS WIOA Custodian of Records.

C. Open Meetings Required: The provisions of Subchapter IV of Chapter 19, Wisconsin Statutes, regarding open meetings of governmental bodies shall apply to all meetings and proceedings of the WDB and the Consortium, and KCDHS including those of formally constituted sub-units. The provisions of Section 19.96, Wisconsin Statutes, specifically shall apply. Telephone conference meetings may be permitted if in compliance with Open Meeting Law requirements.

D. Public Records

1. The WDB, KCDHS and the Consortium shall maintain copies of records of their activities in all major areas, including all meeting agendas and minutes, contracts, fiscal and management documentation.
2. The Administrative Entity shall be the custodian of the public records of the WDB and the Consortium.
3. In case of doubt, authorization for release of any public records of the WDB, KCDHS or the Consortium shall be authorized by the Chairpersons of the respective bodies. The WDB, KCDHS and Consortium shall each adopt policies under the public records law for the duplication and distribution of copies of public records and the charges therefore. The Administrative Entity shall cause such policies to be posted in its office.

4. The Consortium, KCDHS and the WDB shall have complete access to the records of each party to this agreement relating to this agreement, except for records of closed sessions pursuant to Section 19.85, Statutes and this agreement wherein persons not members of that body may be excluded.
 5. The WDB, KCDHS and the Consortium shall provide access to all agendas and minutes and documents related to the activities of each respective party to this agreement to the membership of each other body by such means as deemed acceptable to the membership of that body.
- E. Non-Exclusion of Members: The WDB, KCDHS and the Consortium shall not exclude members of any party to this agreement from meetings in closed session pursuant to Section 19.85, Statutes, when the matter under discussion concerns programs, plans, budgets, or staff under this agreement.
- F. Nondiscrimination: During the term of this agreement, the WDB, the Consortium, KCDHS (the Administrative Entity and Grant Recipient) agree not to discriminate against any person, whether a recipient or services (actual or potential), an employee, or an applicant for employment on the basis of factors prohibited by federal or state law, the Act and Wisconsin Statutes. The aforementioned agree to post in conspicuous places, available to all employees and applicants for employment and all recipients of services, actual or potential, notices setting forth the provisions of this agreement as they relate to nondiscrimination. The aforementioned shall, in all solicitations for employment placed on their behalf, state that the aforementioned are "Equal Opportunity Employers."
- G. Assignment or Transfer: Neither the WDB, KCDHS nor the Consortium shall assign or transfer any interest or obligation in this Agreement without prior written consent, except that the Consortium does hereby consent to the assignment of this Agreement to the WDB's or KCDHS's successors which shall be bound in all respects as is the WDB or KCDHS unless specifically relieved by the Consortium.
- H. Wisconsin Law Controlling: It is expressly understood and agreed to by the parties hereto that, in the event of any disagreement or controversy between the parties, Wisconsin Law shall be controlling to the extent that there is no superseding federal law applicable.
- I. Construction: Should any part, clause, paragraph, or sentence of this agreement be construed by a court of competent jurisdiction to be in violation of any federal or state law, rule or regulation, the remainder of the agreement shall remain in full force and effect unless amended in accord with the article.
- J. Signatory Powers: As provided below, the Consortium CLEO, the Chair of the WDB and the KCDHS Director (as the Administrative Agent) shall be the signatories when authorized to execute any document on behalf of said bodies by formal action thereof.
- K. The Workforce Development Board Administrator is authorized to sign any and all documents needed for the efficient operation of the Workforce Development Board and the Consortium, unless signature of the WDB Chair or Chief Elected Official is required.
- L. Entirety of Agreement: The entire agreement of the parties, including attachments incorporated

by reference, is constituted herein. This agreement supersedes any and all prior written or oral agreements and negotiations between the parties relating to the subject matter thereof. Previous agreements, are hereby rescinded.

Ratification of Agreement:

- A. This agreement shall require the approval of the WDB, KCDHS and the Consortium by a majority vote of its members present at a meeting of each body, authorizing the execution of the agreement.
- B. Each signatory certifies that he/she has the legal authority of the governing body of the parties thereto to enter into this agreement, and the parties jointly and separately accept the responsibility for the operation of the program under the Act.

IN WITNESS WHEREOF, the duly authorized signatories for the Consortium, the Workforce Development Board and Kenosha County Department of Human Services have executed this agreement and its schedules as of June 19, 2018.

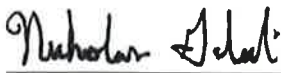
For Southeastern Wisconsin WIOA Consortium


James Kreuser, Kenosha County Executive

Chief Local Elected Official, Southeastern Wisconsin WIOA Consortium

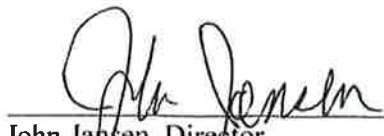
6/20/18
Date

For Southeastern Wisconsin Workforce Development Board


Nicholas Galich, Chair
Southeastern Wisconsin Workforce Development Board

6/22/18
Date

For Kenosha County Department of Human Services


John Jansen, Director
Kenosha County Department of Human Services
WDB Administrative and Fiscal Agent

6-19-2018
Date

WIOA Funding Formula for SE WI WDA and Counties/Examples

Summary

Factors for the SE WDB Formula funds change on an annual basis. Based on review of population changes, unemployment and economically disadvantaged youth including high school dropouts, the lead elected officials for each County modify the distribution of funds to the providers in the three Counties to ensure equitable services. The review also includes identification of easy to find and readily available data to use in determining allocations. The data used in the formulas will be adjusted annually using the three most current years of data.

Each of the WIOA funding sources will have a different formula for allocation between the three Counties. No single County can have the WIOA funding source reduced by more than 10% from the previous year, i.e. hold harmless clause. If a County does have a potential reduction of more than 10%, funds are adjusted between the other Counties to bring the reduction up to 10%.

WIOA Adult Funds

WIOA Adult program participants must meet general program requirements and have been screened for priority of service as defined by rules and regulations. WIOA Adult funds will be distributed to the providers in the three Counties using a most recent 3 years of population averages. The data used for the formula will be updated annually. For example:

Percent = Allocation %
for each County

<u>County</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>Average</u>	<u>Percent of Total</u>
Kenosha	167,352	167,521	168,068	167,647	36.0%
Racine	194,683	194,922	195,163	194,923	41.8%
Walworth	103,052	103,079	103,527	<u>103,219</u>	22.2%
				465,789	

Source: State DWD, Office of Economic Advisors

WIOA Dislocated Worker Funds

WIOA Dislocated Worker program eligibility is dislocated from employment within the last five years, dislocated from a result of a permanent plant or facility closing or substantial layoff and have no recall date from the employer. WIOA Dislocated Worker funds will be distributed to the providers in the three Counties using the most recent 3 years of annual unemployed monthly averages. The data used for the formula will be updated annually. For example:

Percent = Allocation %
for each County

<u>County</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>Average</u>	<u>Percent of Total</u>
Kenosha	7,123	6,659	5,369	6,384	35.5%
Racine	8,421	8,362	6,760	7,848	43.7%
Walworth	4,071	3,906	3,218	<u>3,732</u>	20.8%
				17,963	

Source: State DWD, Office of Economic Advisors

WIOA Youth Funds

WIOA Youth program eligibility is based on whether the youth is In-School Youth (14-21) or Out-of-School youth (16-24), but must follow the WI State DWD's program Guidance. According to the law, 75% of the funds must be spent on out-of-school youth who are typically drop-outs, with 20% of total funds (minus WDB Admin) being spent on work experience. WIOA Youth funds will be distributed to the providers in the three Counties based on the most recent 3 years of averages of the number of middle and high school dropouts *and* number of economically disadvantaged students enrolled in the high school districts.

<u>County</u>	<u># of Dropouts</u>	<u>Percent</u>
Kenosha	137	24%
Racine	400	69%
Walworth	46	8%
SUM	583	

<u>County</u>	<u># of Economically Disadvantaged</u>	<u>Percent</u>
Kenosha	3,539	37%
Racine	4,223	44%
Walworth	1,909	20%
SUM	9,670	

AVERAGE THE TWO
SOURCES OF YOUTH
DATA FOR THE YOUTH
FUNDING FORMULA:

<u>County</u>	<u>Dropout Percent</u>	<u>Ec Dis Percent</u>
Kenosha	24%	37%
Racine	69%	44%
Walworth	8%	20%

<u>Avg of the 2%'s</u>
30.1%
56.1%
13.8%



WIOA Administrative Funds

WIOA Administrative funds are 10% of the total funds awarded to the SE Workforce Development Area which is comprised of Kenosha, Racine & Walworth Counties. Administrative funds are used for management, fiscal, planning and evaluation services. The remainder of the funds, 90%, is used for program services for the Adult, Dislocated Worker and Youth programs.

The WIOA Administrative funds will be allocated to the Administrative / Fiscal Agent.



Attachment F

Fiscal Agent Agreement

See Attachment E, CEO & Administrative / Fiscal Agent Agreement.



Attachment G

Employee Health & Welfare Costs Policy

The SE WI WDB does not directly employ staff.



Attachment H

Incentive Compensation Policy

The SE WI WDB does not directly employ staff.



SE WI WDB Fee for Service Policy

Purpose:

To establish a policy for the allowability of charging fees for the provision of services in SE WDB One-Stops.

Background:

This policy recognizes that some customers may wish to have the Southeast Workforce Development Board offer customized or enhanced services that are not regularly offered. The fee based service may include but are not limited to:

- Specialized vocational / occupational testing
- Management consulting services
- Job Task Analysis
- Customized Skills training
- Specialized out-placement services
- Customized pre-screening services
- Specialized recruitment efforts
- Job Fairs

Policy:

Fee-for-Service is allowable in the Act and the funds generated by fees may go to improving the scope and quality of customer services. Fee-for-service is considered an appropriate adjunct activity to supplement, but not duplicate, core services or services provided to prioritized populations funded under WIOA or other tax supported services provided by One-Stop partnerships without charge. Fee based service fee will vary based on the scope of work required at the local One Stop. Variations may occur based on economy, level of service and location within SEWDB area. The SEWDB will assure that no customer is being charged a fee for career services that is made universally available under WIOA within the One Stop System.

Workforce Development Area Name: Southeast Wisconsin Workforce Development Board

Contact Person Name & Title: Doug Bartz, Workforce Development Manager

Chief Local Elected Official Name & Title: Jim Kreuser, County Executive

CURRENT MEMBERSHIP

#	Last Name	First Name	Title	Business/Organization	Address	Phone #	Email Address	Category of Representation	Define Sub-Category	Nominating Organization	Term Start	Term End	NAICS Code
1	Albrecht	Dr. Bryan	President Director of Education & Training	Gateway Technical College	3520 30th Avenue / Kenosha, WI 53144	262.564.3000	albrechtb@gtc.edu	Ed/Training	AEFLA/Title II	KABA	07/01/2017	06/30/2020	92
2	Belman	Mark		Precision Plus	840 Koopman Lane / Elkhorn, WI 53121	262.743.1700	belmanm@precision.com	Business		WCEDA	07/01/2017	06/30/2020	33
3	Burke	Thomas A.	President & CEO Director of Human Resources	Modine Manufacturing	1500 DeKoven Avenue / Racine, WI 53403	262.636.1377	t.a.burke@na.modine.com	Business		RAMAC	07/01/2016	06/30/2019	33
4	Cesar	Laura		LDV, Inc.	180 Industrial Drive / Burlington, WI 53105	262.757.2401	lcasar@ldvusa.com	Business		RAMAC	07/01/2016	06/30/2019	33
5	Chandek	Susan	Director - WDA 1	Division of Vocational Rehabilitation (DVR) Walworth County Economic Development Alliance (WCEDA)	1516 S. Green Bay Road - Ste. 100 / Racine, WI 53406	262.638.7201	susan.chandek@dwd.wisconsin.gov	Gov't/Econ Dev	VR/Title IV	State DWD	State appointed		92
6	D'Auria	Derek	Director		400 County Road H - Room 105 / Elkhorn, WI 53121	262.741.8134	derek@walworthbusiness.com	Gov't/Econ Dev	Econ Dev	WCEDA	07/01/2017	06/30/2020	92
7	Eckland	Grace	Consultant in IT, Marketing, Hospitality & Tourism	G3, LLC	N2315 Chapin Road / Lake Geneva, WI 53147	262.245.1100	g3@genevaonline.com	Business	Other	WCEDA	07/01/2017	06/30/2020	54
8	Fellman	Kenneth	President	Johnson Bank	8046 39th Avenue / Kenosha, WI 53142	262.619.2958	kfellman@johnsonbank.com	Business		KABA	07/01/2016	06/30/2019	52
9	Frederick	Ron	President Director of Human Resources	Kenosha County AFL-CIO Central Labor Council	3030 39th Avenue / Kenosha, WI 53144	262.496.6074	rff@wi.twcblc.com	Workforce	Labor	AFL-CIO	07/01/2016	06/30/2019	81
10	Gallagher	Mary Sue		Grand Geneva	7036 Grand Geneva Way / Lake Geneva, WI 53147	262.249.4771	marysuegallagher@grandgeneva.com	Business	Other	WCEDA	07/01/2017	06/30/2020	72
11	Galich	Nicholas	Senior Director - Human Services & Medical Staff Services	United Hospital System, Inc.	6308 Eighth Avenue / Kenosha, WI 53143	262.656.3267	nicholas.galich@uhsj.org	Business		KABA	07/01/2017	06/30/2020	62
12	Gaspar	Dave	VP Human Resources	MPC, Inc.	820 Wisconsin Street, Wauwatosa, WI 53184	262.275.5791 ext. 2651	dgaspar@mpc-inc.com	Business		WCEDA	07/01/2016	06/30/2019	32
13	Hazen	David	Chief Professional Officer	Racine Unified School District	2220 Northwestern Avenue / Racine, WI 53404	262.631.7112	david.hazen@racine.k-12.wi.us	Ed/Training		RAMAC	07/01/2016	06/30/2019	92
14	Infusino	Brooke	Director of Talent Development Home Health HR & Aide Education Manager	Kenosha Area Business Alliance (KABA)	5500 Sixth Avenue - Ste. 200 / Kenosha, WI 53140	262.925.3464	binfusino@kaba.org	Gov't/Econ Dev	Econ Dev	KABA	07/01/2017	06/30/2020	92
15	Mlot	Amy		Society's Assets, Inc.	5455 Sheridan Road - Ste. 101 / Kenosha, WI 53140	262.637.9128	amlot@societysassets.org	Workforce		KABA	07/01/2017	06/30/2020	62
16	O'Connor	Rene	District Director	Wisconsin Job Service	8600 Sheridan Road / Kenosha, WI 53143	262.697.4510	rene.oconnor@dwd.wisconsin.gov	Gov't/Econ Dev	Wagner-Peyser/Title III	State DWD	State appointed		92
17	Olson	Loretta	General Manager	Express Employment Professionals	1300 South Green Bay Road / Mount Pleasant, WI 53406	262.635.8580	loretta.olsen@expresspros.com	Business		RAMAC	07/01/2016	06/30/2019	56

[illegible]



Conflict of Interest Policy
Conflict of Interest – (as defined in the SE WI Plan)

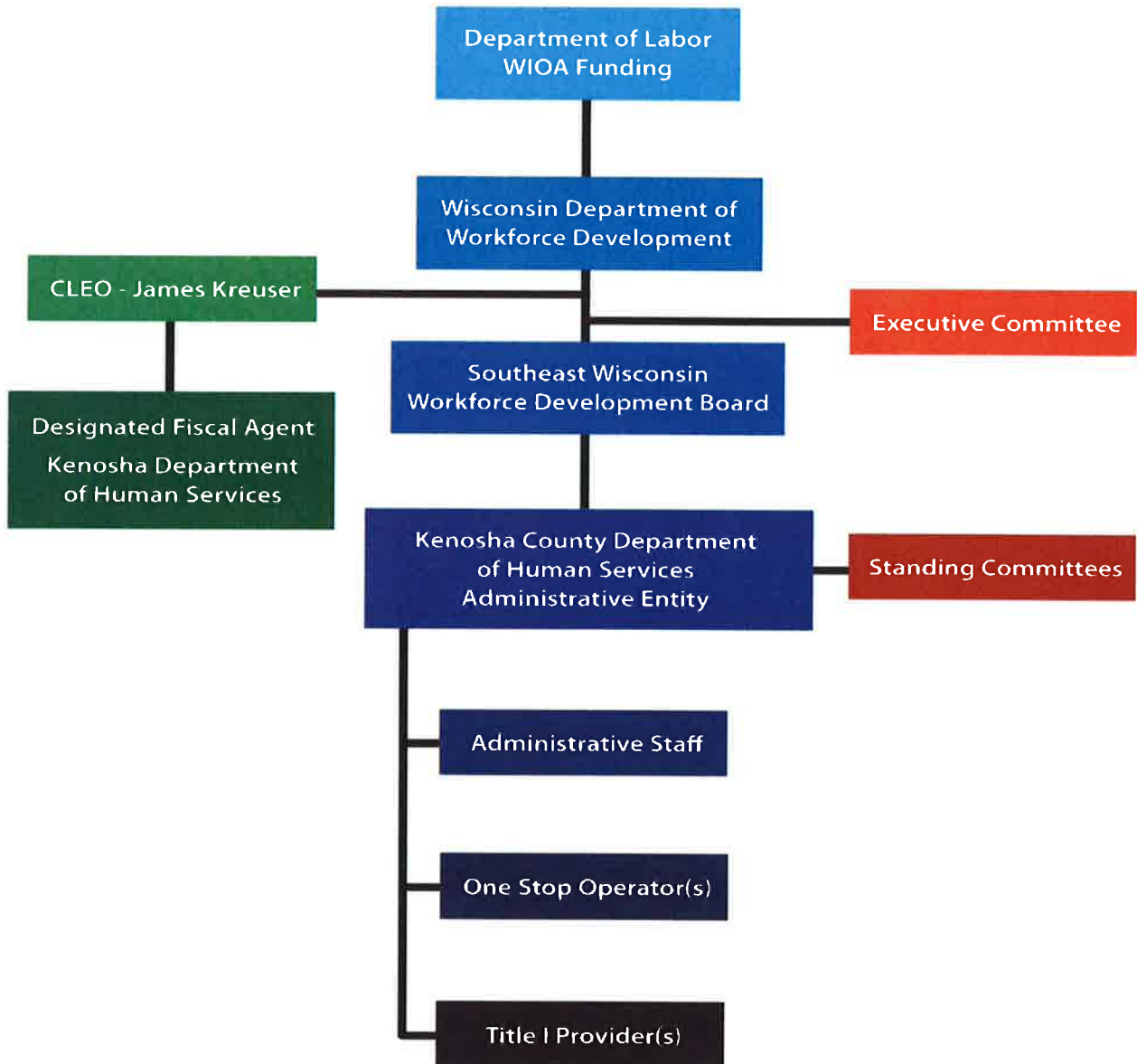
A state board member, a local board member, or a standing committee member must neither cast a vote on, nor participate in any decision-making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or the member's immediate family. For example, a local board member who is also an employer who wants to use services on a fee-for-service basis would be prohibited from voting to approve the use of local area services, facilities, or equipment for employment and training activities to such board member's incumbent workers.

Neither membership on the state board, local board, or standing committee, nor receipt of WIOA funds to provide training and related services, by itself, violates these conflict of interest provisions.

In accordance with § 200.112 of the Uniform Guidance, recipients of federal awards must disclose in writing any potential conflict of interest to the Department of Labor. Sub-recipients must disclose in writing any potential conflict of interest to the recipient of grant funds.



WDB Organizational Diagram and Meeting Schedule





Southeast Wisconsin Workforce Development Board

2018 Meeting Schedule

Kenosha County Center - 17600 75th Street, Bristol, WI (corner of Hwys. 45 & 50)

Hearing Room

Tuesday, October 2, 2018	9:00 a.m. to 11:00 a.m.
Tuesday, December 3, 2018	9:00 a.m. to 11:00 a.m.

Southeast Wisconsin Workforce Development Board

2019 Meeting Schedule

Kenosha County Center - 17600 75th Street, Bristol, WI (corner of Hwys. 45 & 50)

Hearing Room

Quarter 1 - TBD	9:00 a.m. to 11:00 a.m.
Quarter 2 - TBD	9:00 a.m. to 11:00 a.m.
Quarter 3 - TBD	9:00 a.m. to 11:00 a.m.
Quarter 4 - TBD	9:00 a.m. to 11:00 a.m.

Southeast Wisconsin Workforce Development Board

2020 Meeting Schedule

Kenosha County Center - 17600 75th Street, Bristol, WI (corner of Hwys. 45 & 50)

Hearing Room

Quarter 1 - TBD	9:00 a.m. to 11:00 a.m.
Quarter 2 - TBD	9:00 a.m. to 11:00 a.m.

**Executive Committee of the
Southeast Wisconsin Workforce Development Board**

2018 Meeting Schedule

Tuesday, August 7, 2018	9:00 a.m. to 11:00 a.m.	Ives Grove Office Complex
Tuesday, November 6, 2018	9:00 a.m. to 11:00 a.m.	Ives Grove Office Complex

**Executive Committee of the
Southeast Wisconsin Workforce Development Board**

2019 Meeting Schedule

Quarter 1 - TBD	9:00 a.m. to 11:00 a.m.	Location TBD
Quarter 2 – TBD	9:00 a.m. to 11:00 a.m.	Location TBD
Quarter 3 - TBD	9:00 a.m. to 11:00 a.m.	Location TBD
Quarter 4 – TBD	9:00 a.m. to 11:00 a.m.	Location TBD

**Executive Committee of the
Southeast Wisconsin Workforce Development Board**

2020 Meeting Schedule

Quarter 1 - TBD	9:00 a.m. to 11:00 a.m.	Location TBD
Quarter 2 – TBD	9:00 a.m. to 11:00 a.m.	Location TBD

REV: 6/19/18
REV: 12/30/15
REV: 11/3/99

BY-LAWS OF THE
SOUTHEASTERN WISCONSIN WIOA CONSORTIUM/SE WI WORKFORCE DEVELOPMENT BOARD
UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT
The successor to the
WORKFORCE INVESTMENT ACT

Preamble

WHEREAS, the Counties of Kenosha, Walworth and Racine, have duly constituted themselves to be the Southeastern Wisconsin WIOA Consortium; and

WHEREAS, the Consortium has been duly authorized by the Charter of the Southeastern Wisconsin WIOA Consortium to adopt bylaws for said consortium;

NOW, THEREFORE, the Consortium does hereby adopt the following bylaws:

ARTICLE I
CONSORTIUM ESTABLISHED

The counties aforementioned, under Section 66.30, Wisconsin Statutes do hereby constitute themselves to be a consortium for the purpose of Sec 107 (c) of the Workforce Innovation and Opportunity Act the successor to Section 117(c)(1)(B) of Public Law 105-220, the Workforce Investment Act.

ARTICLE II
GOVERNANCE

A. CONSORTIUM

The Consortium shall be governed by three members (hereinafter, the "Commissioners"), which shall consist of the Chief Local Elected Official of each member county or the designee thereof, as provided hereinafter.

1. The County Executive shall be the Local Elected Official (LEO) of any county having a County Executive. In all other counties, the County Board Chairperson shall be the LEO.
2. The appointment of any Commissioner designated by a county executive of any member county shall be subject to confirmation by the county board of said county. Notice of confirmed appointments shall be filed in writing with the other Commissioners.
3. The appointed Commissioner shall be an elected or appointed official of the county represented, and shall serve a term concurrent with the term of the LEO making the appointment. Should the appointee vacate his or her county office, his or her seat on the Consortium shall be deemed vacant until the LEO assumes the position or a new appointment is made.
4. No alternates, other than the Commissioner designated hereunder, shall be permitted as a Commissioner.

B. OFFICERS

1. The Consortium will elect the Chief Local Elected Official (CLEO) who will serve as the Chairperson of the Consortium. The other Commissioners will serve as Vice-Chairpersons.
2. The CLEO will designate the Administrative and Fiscal agent for the Tri-County Consortium for the receipt of all funds provided pursuant to the Act. The CLEO and the Administrative and Fiscal Agent will enact a signed agreement delineating the responsibilities and reporting requirements of the Administrative and Fiscal Agent. The COUNTIES shall be liable for any misuse of the grant funds allocated to their local area under 29 USC 32.3163 and 29 USC 32.3173. The fiscal agent shall disburse program funds immediately to each County per the agreed upon formula. The Administrative and Fiscal Agent will operate with the administrative funds budget approved by the Consortium/Southeastern Wisconsin Workforce Development Board.
3. The Chairperson shall preside over meetings of the Consortium, appoint all committees created by the consortium, be responsible for the management of the affairs of the Consortium, and serve as the Consortium Chief Elected Official as authorized in WIOA Sec 107 (c)(1)(B)(i). The Chairperson shall sign all documents and contracts that require the CLEO signature.
4. One of the Vice-Chairpersons shall perform the duties of the Chairperson in his/her absence or disability.
5. The designated Administrative Agent is responsible for keeping the records of the Consortium. Thereby responsible for the taking, recording, duplicating, distribution and filing of all minutes of the Consortium and for keeping on file all official public records, including fiscal records, and correspondence of the Consortium or its members, upon request thereof.

C. COMMITTEES:

1. The Consortium may create such committees with the Southeastern Wisconsin Workforce Development Board (hereinafter, SE WI WDB) as are needed to effectively administer the provisions of 29 USC.
- ~~2.~~ All committees authorized hereunder shall report to the SE WI WDB.

D. POWER OF THE CONSORTIUM:

The powers granted to the LEO's in a consortium of local units of government under 29-USC, include:

1. Appointment of the SE WI WDB under 29 USC 32.3122 of the Act, and any applicable agreements and pursuant to Article III E of these bylaws.
2. Entering into planning and operations procedural agreements with the SE WI WDB for local board functions under 29 USC 32.3122 of the Act and as detailed in WIOA Section 107 9(d) 1-13.
3. The Commissioners and the SE WI WDB will name One-Stop Operators through an RFP process and terminate for cause, if necessary, of said operators under Section 121 (d)(2)(A).
4. Approval of the Local Plan, jointly with the SE WI WDB, under Section 107 (d) of the Act.
5. Jointly with the SE WI WDB, approval of the distribution of funds awarded to the SE WI WDB to the counties per the formula in the CEO Consortium Agreement's Attachment A.
6. Exercise such other powers and establish such policies under the Act as may be necessary and proper in order to carry out the foregoing powers.

ARTICLE III
PROCEDURAL RULES

- A. **RULES OF ORDER:** Robert Rules of Order, Newly Revised, shall govern the proceedings of the Consortium insofar as they do not conflict with applicable law, administrative rules or these Bylaws.
- B. **QUORUM:**
- 1) A quorum shall consist of a majority of the Commissioners duly representing member Counties.
 - 2) A majority of the current membership, or approved alternates per section III (E.)(5.)(f) in this document, of the SE WI WDB is required to be in attendance for the purpose of conducting business.
- C. **AGREEMENTS, PLANS AND BUDGETS:** All agreements, local plans, and budgets for the administration of programs under 29 USC requiring Consortium approval, and any amendments thereto, shall be approved by majority vote of the Commissioners present at a meeting of the Consortium prior to execution by the Chairperson.
- D. **MEETINGS:** Regular meetings shall be established by the Commissioners or may be called by the Chairperson when deemed necessary. Attendance through technology, phone or Web-based, may be used for voting purposes. The Chairperson may cancel any meeting so called if he/she deems that the business is not sufficient to warrant it, with the consent of a majority of the Commissioners.
- E. **SE WI WDB APPOINTMENTS:**
1. All regular appointments to SE WI WDB positions shall be made by the Consortium after appointment by each County's Chief Local Elected Official in accord with 29 USC and WIOA Sec. 107(b). Terms will be for three years and may be renewable.
 2. Notification of a vacancy of an appointment is made via email to the consortium members with information on a proposed replacement. All appointments to fill vacancies on the SE WI WDB shall be made by the Consortium for the balance of the unexpired term.
 3. All Consortium appointments shall require the approval by the recorded vote of a majority of the Consortium members present based on the rules and procedures set forth herein.
 4. SE WI WDB meetings shall allow attendance through technology, phone or Web-based, for voting purposes. SE WI WDB meetings shall be convened whenever possible for the time, location and convenience of the board members. Agenda input shall be regularly solicited to ensure members' engagement and active participation.
 5. The following rules shall apply to the appointment of the members of the Southeastern Wisconsin Workforce Development Board:
 - a) Employer membership shall mirror the labor market of the Tri-County Area;
 - b) The LEO's shall appoint employer members as nominated by local business organizations and business trade associations;
 - c) Employers must comprise at least 51% membership of the SE WI WDB;
 - d) SE WI WDB shall elect an employer member as a chair to serve a three year term to preside over the SE WI WDB.

- e) SE WI WDB shall elect a Vice Chair to serve a three year term to preside in the capacity of the chair when the chair is not present.
- f) In the course of the SE WI WDB operation, a single alternate member may be appointed at the direction of the Consortium to represent the official appointee to the WDB. Such requests for alternate representation must be submitted in writing or electronic communication to the Consortium Chair and the SE WI WDB Administrator prior to the start of an official meeting of the SE WI WDB and acted upon by the Consortium CLEO at a properly convened meeting. Such appointed alternates may attend meetings, be counted toward quorum and may vote in place of the appointed member.
- g) The Southeastern Wisconsin Workforce Development Board membership shall include not less than 20% of representatives from Labor Organizations, Community Based Organizations and Youth Serving Organizations. The remaining board members shall be from Education and Training entities, Economic Development Organizations, required Government representatives and other local entities.

F. COMMITTEES:

- a. The Executive Committee of the Southeastern Wisconsin Workforce Development Board shall consist of the three Commissioners (CEO's) and the Chair of the SE WI WDB who is an ex officio member. The Executive Committee of the SE WI WDB will have authority to act on behalf of the board, if necessary, due to time constraints.
- b. Subcommittees may be established to address specific workforce or legislative issues. Any committee established will have a chair appointed by the Chair of the SE WI WDB and will report to the full board.

G. RECORDS: All records of the Consortium shall be kept at the office of the Administrative Agent. The Administrative Agent shall use their organization's guidelines for public record accessibility and the rates to be charged for duplication.

H. VOTING:

1) Consortium:

- a. All Commissioners shall vote on all questions unless excused by the Consortium for a conflict of interest. The member shall obtain Consortium consent prior to any recorded vote in order to abstain.
- b. A recorded vote shall be taken by roll call at the request of any Commissioner upon any question before the Consortium.

2) Workforce Development Board:

- a. All Workforce Development Board members shall vote on all questions unless excused by the Chairperson for a conflict of interest. The member shall obtain Chairperson consent prior to any recorded vote in order to abstain.
- b. A recorded vote shall be taken by roll call at the request of any Workforce Development Board member upon any question before the Workforce Development Board.

ARTICLE IV AMENDMENTS TO BYLAWS

A. Consortium:

- 1) Amendments may be proposed to the Bylaws in writing by any Commissioner. Adoption shall require approval by the recorded unanimous vote of those present at a meeting of the Consortium.
- 2) Copies of all proposed amendments shall be furnished to each member at least ten (10) days prior to consideration.

B. Workforce Development Board:

- 1) Amendments to Bylaws pertaining to the SE WI WDB may be proposed to the Bylaws in writing by any Workforce Board member. Adoption shall require approval by the Consortium Executive Committee and by the recorded 75% vote of members present at a meeting of the SE WI WDB.
- 2) Copies of all proposed amendments shall be furnished to each member at least ten (10) days prior to consideration.

ARTICLE V
RATIFICATION

A. Consortium:

- 1) These Bylaws shall be effective upon adoption by recorded vote of 2/3 of those present at a meeting of the Consortium called for such purpose.

B. Workforce Development Board

- 1) These Bylaws shall be effective upon adoption by recorded vote of a majority of those present at a meeting of the SE WI WDB called for such purpose.



Attachment N

WDB Staff Agreement

The SE WI WDB does not directly employ staff.

Kenosha County

an equal opportunity employer

Job Description

Attachment O



Southeast Wisconsin Workforce Development Board (SE WI WDB) Administrator

NATURE OF WORK: This position is responsible for the development, implementation, coordination and management of all employment related services of the Workforce Innovation and Opportunity Act (WIOA) program and other workforce support programs for Workforce Development Area #1 (WDA #1). In addition, this position provides executive level leadership to coordinate a wide range of employment related service and education/training program activities of other community organizations as part of a more comprehensive and integrated service delivery system at American Job Centers across the WDA. Oversees and monitors the work of all WIOA and subsidiary monies that come to the SE WI WDB, employment services supervisory and program management staff and reports to the Director of the Department of Human Services. The SE WI WDB Administrator is responsible for the functions of board staff found within the WIOA legislation, attachment 1. Serves as SE WI WDB management representative to local, regional, state-level and national level forums related to employment services (including, but not limited to, the Workforce Development Board, EEO and Complaint Coordinator, state DWD forums related to employment services and American Job Centers, etc.). Develops and manages employment services budget(s) for the SE WI WDB. Organizes and oversees preparation of proposals, plans, reports and other documents related to employment services, American Job Center network of WDA #1 and SE WI WDB. Develops, prepares and oversees service contracts for employment related services and administrative/technical support functions for the American Job Center Network in WDA #1. Convenes and provides staff leadership for management groups and other meetings on behalf of SE WI WDB related to employment services and the American Job Center network in WDA #1. Maintains program and policy expertise for WDA #1 in the areas of employment services and American Job Centers, and develops relevant policies, planning and programming strategies for the SE WI WDB. Represents SE WI WDB to local and state officials and legislative bodies in areas related to employment services and American Job Centers.

QUALIFICATIONS: Possession of a Bachelor's Degree (Master's Degree preferred) in Business, Public Administration, Vocational Rehabilitation, Social Work, Psychology or related area. A minimum of five years management-level experience in an area related to employment services or vocational education/training. Knowledge of relevant state and federal laws and policies in the areas of employment services and American Job Centers. Ability to plan, organize, and coordinate a comprehensive service delivery system. Current knowledge of effective program and service approaches, issues, trends, and research in the areas of employment services and American Job Centers. Basic knowledge of economic support and vocational education/training issues and programs, in order to effectively coordinate employment service activities with these service areas in WDA #1. Ability to communicate effectively and professionally in both oral and written forms and in both individual and group presentation situations. Ability to both facilitate and influence in a cooperative and collegial manner the activities of other organizations as needed to maximize the efficiency and effectiveness of community services which promote and support sustainable and productive employment for the citizens WDA #1.



Kenosha County

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Job Description

Attachment O (1)



Southeast Wisconsin Workforce Development Board Functions

SEC. 107. LOCAL WORKFORCE DEVELOPMENT BOARDS. (d) FUNCTIONS OF LOCAL BOARD. ---Consistent with section 108, the functions of the local board shall include the following: (1) Local plan; develop and submit a local plan to the Governor (2) Workforce research and regional labor market analysis; carry out analyses of the economic conditions in the region, assist the Governor in developing the statewide workforce and labor market information system, conduct other research, data collection, and analysis (3) Convening, brokering, leveraging; convene local workforce development system stakeholders to assist in the development of the local plan [and] in carrying out the functions described in this subsection. (4) Employer engagement; lead efforts to engage with a diverse range of employers, to promote business representation, to develop effective linkages with employers, to ensure that workforce investment activities meet the needs of employers and support economic growth, and to develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers. (5) Career pathways development; lead efforts in the local area to develop and implement career pathways (6) Proven and promising practices; lead efforts in the local area to identify and promote proven and promising strategies and initiatives and identify & disseminate information on proven and promising practices carried out in other local areas (7) Technology; develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers (8) Program oversight; conduct oversight for local youth workforce investment activities, local employment and training activities, and the one-stop delivery system in the local area: Ensure the appropriate use and management of the funds [and] ensure the appropriate use, management, and investment of funds to maximize performance outcomes. (9) Negotiation of local performance accountability measures; negotiate and reach agreement on local performance accountability measures. (10) Selection of operators and providers; Selection of One-stop operators; selection of youth providers, identification of eligible providers of training services; identification of eligible providers of career services; and consumer choice requirements. (11) Coordination with education providers; coordinate activities with education and training providers in the local area (12) Budget and administration; develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official. The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133. (13) Accessibility for individuals with disabilities; annually assess the physical and programmatic accessibility.

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KENOSHA COUNTY POLICIES AND PROCEDURES

PURPOSE and SCOPE

This employee handbook sets forth employment guidelines which employees are expected to follow and lets employees know what they can expect from the County. Kenosha County retains all the rights and functions of management and those that it has by law. None of the statements or policies outlined in this policy booklet are meant to imply that the County is guaranteeing employment for anyone. This handbook is not nor is it intended to be construed as an employment contract. Final interpretation and implementation of any of the policies or rules in this handbook are vested solely with County administration. The policies, procedures and practices contained in this handbook are subject to change at any time by the County and are reviewed and revised periodically. This employee handbook replaces all prior versions.

Communication is a joint responsibility shared by the County and its employees. Kenosha County welcomes questions about the information contained in this handbook or about any other aspect of the employee's job. Employee opinions and suggestions are important and employees are encouraged to talk to any member of management about issues at work that is a concern to them. The County will attempt to provide employees with honest, straightforward responses to their questions and comments.

EMPLOYMENT POLICIES

I. Equal Employment Opportunity

Kenosha County is committed to a policy of equal opportunity for all employees. It is the County's policy to seek and employ the best qualified personnel in all positions in a manner which will not discriminate against or give preference to any person because of race, color, political affiliation, religion, age, sex, national origin, disability, ancestry, sexual orientation, military service, marital status, arrest record or any other discriminatory basis prohibited by State or Federal Law. Kenosha County's Affirmative Action Policy is available at:

<http://www.kenoshacounty.org/index.aspx?nid=106> .

II. Harassment Prevention

Kenosha County is further committed to providing a work environment in which employees are treated with courtesy, respect and dignity. Kenosha County will not tolerate any form of harassment, verbal or physical. All employees are encouraged to bring any concerns to the attention of the Director of Human Resources as set forth in the County's harassment prevention policies, available at: <http://www.kenoshacounty.org/index.aspx?nid=106> .

III. Drug and Alcohol Free Workplace

Kenosha County recognizes that the use and/or abuse of illegal drugs and/or alcohol can have a significant impact on the workplace in terms of safety, work injuries, sick leave, undue medical expenses, absenteeism and productivity. Kenosha County recognizes its legal responsibilities to

protect its employees from employees who use or abuse drugs and/or use or is impaired by alcohol on the job. The County is also concerned about its employees who use or abuse drugs and/or alcohol. Therefore, Kenosha County has established a drug and alcohol abuse policy available at: <http://www.kenoshacounty.org/index.aspx?nid=106> .

IV. Violence in the Workplace

The safety and security of all employees is of primary importance to Kenosha County. Threats, stalking, threatening and abusive behavior, or acts of violence against employees, visitors, customers, clients and residents, and/or County facilities or property by anyone on County premises, on a County-controlled site, or in connection with County employment or County business will not be tolerated (even those made in jest). Violations of this policy will lead to corrective action up to and including discharge and/or referral to appropriate law enforcement agencies for arrest and prosecution. Kenosha County reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, stalks, exhibits threatening behavior, or engages in violent acts on County premises, on a County-controlled site, or in connection with County employment or County business shall be removed from the premises as quickly as safety permits and shall remain off County premises pending the outcome of an investigation. Following investigation, the County will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or discharge, and/or civil or criminal prosecution of the person or persons involved.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or that could endanger the health or safety of an employee when the behavior has been carried out on County premises, on a County-controlled site, or is connected to County employment or County business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.

The County will conduct an investigation in as confidential a manner as possible. Interviews, allegations, statements and identities will be kept confidential to the extent possible. However, the County will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including discharge, will be taken promptly against any employee engaging in violent behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior inappropriate behavior will be taken into consideration.

V. Respectful Workplace

Kenosha County strives to maintain a workplace that fosters mutual respect and promotes harmonious, productive working relationships. The County believes in going beyond what is

required by law and expects employees to treat each other in a manner in which they would like to be treated and to give to others the respect that is due to every individual whether it is a fellow employee, member of management, client, customer, vendor or visitor to our premises. Therefore, Kenosha County prohibits any behavior that is discourteous or demeaning to other employees. Disrespectful behavior may include, but is not limited to, the following:

- Jokes that demean another individual or group of individuals;
- Name calling or nicknames that may be offensive;
- Taking credit for another individual's work or ideas;
- Refusing to communicate or speak with another individual;
- Offensive verbal, visual, or physical conduct;
- Repeated negative comments about others, either verbally or in writing;
- Threatening another individual;
- Invading another's privacy;
- Knowingly blaming other individuals for a mistake they did not make;
- Purposely invading another's personal space;
- Gossiping about another individual; and
- Any type of "bullying" behavior.

The County expects that everyone will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels they have been subjected to any form of disrespectful behavior, the employee should report that conduct to his or her immediate supervisor, another member of management, or the Division of Human Resources within seven calendar days of the offense. Employees are not required to approach the person who was disrespectful to them and may bypass any offending member of management. All employees should notify a member of management regarding any disrespectful behavior that they witness or are told another person received.

The County will conduct an investigation in as confidential a manner as possible. Interviews, allegations, statements and identities will be kept confidential to the extent possible. However, the County will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including discharge, will be taken promptly against any employee engaging in disrespectful behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior disrespectful behavior will be taken into consideration.

VI. Weapons

Despite some laws that allow people to carry firearms in public, Kenosha County prohibits all non-sworn County employees from possessing or carrying weapons of any kind in County buildings, in County vehicles, or while on County time. This includes:

- Any form of weapon or explosive;
- All firearms; and
- All other objects capable of inflicting death, bodily injury or property damage.

Employees are responsible for making sure that any item they possess is not prohibited by this policy.

While the County has a policy prohibiting weapons, nothing in this policy shall be construed as creating any duty or obligation on the part of the County to take any actions beyond those required of an employer by existing law.

VII. Search

Employee access to Kenosha County premises is conditioned upon the County's right to inspect or search the person, or personal effects of any employee when reasonable suspicion of wrongdoing exists.

County owned offices, desks, file cabinets, closets, lockers, computer files, or similar places may be inspected with or without reasonable suspicion of wrongdoing with the authorization of the Director of Human Resources. Because even a routine inspection or search might result in the viewing of an employee's personal possessions, employees are encouraged not to bring any item of personal property into the workplace that they do not want revealed to the County.

Any prohibited materials (or materials that may be found to be prohibited) that are found in an employee's possession during an inspection or search will be collected by the County and placed in a sealed container or envelope. The employee's name, date, circumstances under which the materials were collected, and by whom they were collected will be recorded and attached to the container or written upon the envelope. If, after further investigation, the collected materials prove not to be prohibited, they will be returned to the employee and the employee will sign a receipt for the contents. If the prohibited materials prove to be illegal and/or dangerous, they will not be returned to the employee, but will be turned over to the appropriate law enforcement agency.

Employees who refuse to cooperate with the County in regard to such searches will be issued corrective action up to and including discharge.

VIII. Ethics

All who work for Kenosha County are expected to comply with the Kenosha County Code of Ethics. The Code of Ethics is available at:
<http://www.kenoshacounty.org/DocumentCenter/Home/View/578>

IX. Electronic Communication

Personal computers (PCs), data terminals, telephonic equipment, and all other electronic communications systems are tools provided to assist employees in performing their assigned job activities. The term electronic communications systems includes, but is not limited to, voice mail, e-mail, internet and intranet, cell phones, text messaging, smart phones, instant messaging or handheld computers. Improper use of the County's electronic information systems or its data files is a serious offense. Personal cell phones may be used for County business in accord with Department of Finance and Administrative Services Procedures. Kenosha County's policy

outlining proper use of County-provided electronic equipment can be found at: <http://www.kenoshacounty.org/index.aspx?nid=106>.

The County's Cellular Phone and Paging Device Policy for those employees who are required to carry such to conduct County business can be found at: <http://www.kenoshacounty.org/index.aspx?nid=106>

X. Social Media Use Policy

This policy outlines appropriate use of social media as it relates to Kenosha County, by employees and department for official and personal use. This policy is to be used in conjunction with other Kenosha County policies. The Social Media Policy is available at: <http://www.kenoshacounty.org/DocumentCenter/View/5235>. County employees will be expected to sign a form acknowledging receipt of such policy annually.

XI. Personnel Records

Kenosha County is required to keep accurate, up-to-date employment records on all employees to ensure compliance with State and Federal regulations, to keep fringe benefits information up to date and to make certain that important mailings reach all employees. All information contained in personnel files is the property of the County and is considered confidential. Access to the personnel file is limited to the employee, the employee's supervisor and the Division of Human Resources.

Employees must inform the Division of Human Resources of any necessary updates to their personnel files such as a change in address, telephone number, emergency contact, marital status, number of dependents, military status or any other change in status within 30 days of the effective date of the change.

Employees also should inform their supervisor and the Division of Human Resources of any outside training, professional certifications and education they have achieved.

In addition to a general personnel file, the County maintains a separate medical file which may contain worker's compensation forms, related correspondence and medical reports and other medical certificates or reports on each employee. Access to an employee's medical file is extremely limited and on a need-to-know basis only.

Employees will be permitted to review their personnel files at reasonable times with reasonable written notice. Requests for release of information will be honored when a written authorization request is submitted by the employee. This paragraph does not apply to information covered by open records laws, when required as part of an established statutory reporting requirement, in response to a court order, administrative summons, search warrant or subpoena, when requested as part of an appropriate governmental inquiry into the county's employment practices, or to protect the legal interests of the County when the actions of an individual appear to violate the conditions of employment or threaten physical injury to member of the general public, to other employees or to County property.

XII. Personal Appearance/Dress Code

An employee's appearance reflects Kenosha County's image to the public. All employees are expected to be clean, to be concerned with good personal hygiene, and wear clothing that is suitable for their job assignment and the office in which they work. Moderation and good taste in dress and grooming are expected of all employees. Unkempt appearance can offset many other fine qualities and can negatively reflect the County's image. As all employees reflect the County's image and are in contact with the public, the County asks that all employees refrain from wearing shorts, tennis shoes, short skirts, T-shirts, excessive jewelry, excessive perfume and tight or revealing apparel. Excessive or inappropriate tattoos and/or body piercings are prohibited. Conservative tattoos or body piercings may be allowed. Each County Department/Division will be expected to establish an employee dress code in accordance with the above standards.

HIRING and PROMOTION PROCEDURE and POLICIES

The purpose of the Kenosha County Hiring and Promotion Procedure is to establish a fair, open and uniform County personnel hiring and promotion procedure without use of any personal or political influence to further eligibility or appointment. In an effort to maintain an effective and responsive work force for the County, all hiring will be done through the Division of Human Resources except as provided below.

This procedure governs personnel administration for Kenosha County Exempt (formerly non-represented), Non-Exempt (formerly union members), and grant funded employees, except where the Deputy Sheriff Collective Bargaining Agreement and/or the Civil Service Ordinance supersedes.

Also excluded are:

- Members of the Kenosha County Board of Supervisors;
- Members of Boards, Commissions and Committees;
- Elected County officials;
- Court-appointed employees;
- Members of the County Executive's staff;
- Emergency appointments; and
- Department Heads and Division Heads and their designated assistants.

I. Recruitment

The Director of Human Resources will develop and conduct an active recruitment program designed to meet current and projected County staffing needs.

Notice of Job Openings

Notice of job openings which are to be filled will be given to the Director of Human Resources in the form of a Personnel Requisition Form.

Job Announcements and Publicity

- The Director of Human Resources will issue job announcements and publicize vacancies through appropriate media.
- Job announcements will include the job title, job duties, salary range, job qualifications, closing date for applications, and other pertinent information.
- Job vacancies will be formally announced at least five working days prior to the closing date for filing applications. The announcements will be posted at locations considered appropriate by the Director of Human Resources.

Application Process

All applicants for employment and promotion will file applications and any other appropriate forms provided and required by the Division of Human Resources.

Internal Applicants

County employees who have been employed for at least 12 months, have a satisfactory performance record, have not been issued any corrective disciplinary action in the previous 12 months and meet the education and experience level of the vacant position, may apply for job vacancies. In the event of extraordinary circumstances, any of the above may be waived with the approval of the Director of Human Resources.

- Employee transfers and promotions cannot create a direct or indirect supervisor/subordinate relationship with an immediate family member (including domestic relationships.) The Director of Human Resources may waive such requirement under exceptional circumstances.
- The order of consideration for County employees shall be the following: Exempt employees shall be given first consideration for Exempt positions prior to Non-Exempt and grant employees;
- Non-Exempt employees shall be given first consideration for vacancies in the same job title; and
- Grant, temporary, and seasonal employees shall be given consideration over outside applicants.

Employees defined under this section shall not include any elected Kenosha County officials. If an elected official applies for a position subject to this hiring and promotion procedure, said elected official shall be subject to the same application process as any other person applying for a position with Kenosha County who is not currently employed by Kenosha County.

Those employees transferring under this provision shall carry with them County-wide length of service for fringe benefits of retirement, paid time off (PTO), medical insurance, life insurance and other fringe benefits as set forth in other County policies.

Application Review

The Director of Human Resources and the Department/Division Head shall reject any application if the applicant:

- Does not meet minimum qualifications established for the position;
- Has not provided a completed application form for review;
- Deliberately falsifies the application;
- Has been convicted of a crime which renders the applicant unsuitable for the position;
- For new hires, has the following immediate family (including domestic partner relationships) as a supervisor in the same department/division: spouse, son, daughter, brother, sister, father, mother, father-in-law, mother-in-law, sister-in-law, brother-in-law, aunt, uncle, grandchild, step-child, step-parent, son-in-law and daughter-in-law. The Director of Human Resources may waive such requirement under exceptional circumstances;
- Is not within legal age limits required for the position;
- Has established an unsatisfactory employment record which demonstrates unsuitability for the position;
- Is a former county employee who was dismissed or quit for conduct and/or performance which directly conflicts with an employment position for which he or she may be considered; and
- Attempts to use personal or political pressure to further their eligibility or appointment.

Whenever an application is rejected, notification of such rejection will be sent to the applicant. The Director of Human Resources with the assistance of the Department/Division Head wherever possible, shall screen for only the best qualified applicants. Selection and screening will be based upon the results of selection devices and evaluation of such factors as education, training, capacity, knowledge, skills, ability, character, physical and overall fitness for the position.

II. Selection

Selection Process

The selection process will be reliable, objective, and valid by a practical and job-related assessment of each applicant's knowledge, skills and ability.

Selection Devices

The Director of Human Resources, with the Department/Division Head, will determine when formal selection devices are to be used to select applicants. Tests may be written, oral, physical (including pre-employment drug and alcohol screen), demonstration of skill, or an evaluation of training and experience; and such other tests as deemed appropriate by the Director of Human Resources in conjunction with the Department/Division Head. Examinations may consist of one or more tests in any combination. Applicants shall not be questioned in any manner regarding matters of race, color, political affiliation, religion, age, sex, national origin, disability, ancestry,

sexual orientation, military service, marital status, arrest record or any other topics prohibited by State or Federal Law.

In development of selection devices, the Director of Human Resources will confer with Department/Division Heads, consultants, or others familiar with the knowledge, skills, and abilities required in the position.

Formal selection materials will be known only to the Director of Human Resources. Every precaution will be exercised by all persons participating in the development and maintenance of test materials to ensure the highest level of test security.

Weighting and Scoring of Examination

The Director of Human Resources will establish minimum standards for each component of each examination, and may provide with respect to any such component that all applicants who fail to meet the minimum standards shall not be permitted to take any further component of the examination.

Examination Announcements

Announcements of an open, competitive examination will be made at least one week prior to the date the examination is to be conducted. Announcements will be made through the Job Opportunity flyer and posted on the bulletin board in the Division of Human Resources. Announcements may also be circulated through the Internet, press, radio, television, and other forms of public communication. Announcements will specify the date, place, and manner in which an application for examination shall be made.

Examinations will be conducted by the Director of Human Resources or by persons so designated, at such times and places deemed to be practical, convenient and in the best interests of Kenosha County.

Admission

Admission to competitive examinations shall be granted only to applicants whose qualifications satisfy the standards established by the Director of Human Resources and the Department/Division Head.

Applicant Background Investigation

The Director of Human Resources may make such investigation of the background of applicants, including social security trace, criminal conviction record, verifications of claimed experience and training, references, work habits, judgments, liens, general reputation, motor vehicle reports, consumer and credit reports as is determined necessary to establish the fitness, character and qualifications of applicants.

Access to this information is strictly limited to employees of the Division of Human Resources and others on a need to know basis to ensure that the privacy of the applicant is respected. All searches will be in compliance with all applicable federal and state laws regarding the collection, storage, use and disposal of information obtained as part of the credit check. This includes the consent and notice provisions of the Fair Credit Reporting Act and the Fair and Accurate Credit Transactions Act.

Oral Interview Panel

The Director of Human Resources will arrange an oral interview for those applicants whose qualifications best meet the qualifications of the position for which they applied. The interview panel will include a representative of the department/division, the Human Resources Division, and other professionals as determined appropriate by the Human Resources Director.

Cancellation or Postponement

The Director of Human Resources may cancel or postpone any selection device when there are an insufficient number of qualified candidates. Suitable notice will be given of such action. The Director of Human Resources may discontinue offering any examination in the County when there are a sufficient number of names on the eligibility list to meet the needs of the County.

Responsibilities of Applicants

All applicants are responsible for reporting to and participating in all tests or parts of an examination and furnishing all information or materials that are requested, in accordance with the examination announcement and such instructions as are furnished by the Division of Human Resources. Candidates who fail to follow such instructions shall be disqualified. Applicants must notify the Division of Human Resources immediately of any change in name, address, or phone number.

Notification of Candidates

Each person competing in the selection process shall be given notice of whether they were certified as eligible.

III. Eligibility Lists

The Director of Human Resources will be responsible for establishing and maintaining eligibility lists as may be necessary or desirable. All eligibility lists shall be posted as category grouped. All lists shall have a life of six months, with the ability to extend if agreed to by the Department/Division Head and Director of Human Resources.

Responsibility of Eligible Candidates

It will be the responsibility of all persons whose names appear on employment lists to inform the Division of Human Resources, in writing, of any changes in name, address, phone number, or availability of employment.

A reemployment list for Exempt and Non-Exempt employees will be determined in accordance with the Kenosha County Reduction in Force and Reemployment Policy.

IV. Certification and Appointments

Types of Appointments

- Full-Time Appointments: For persons from an employment list, a promotional list, or a reemployment list, who are normally scheduled to work 40 hours per week for 52 weeks per year.
- Part-Time Appointments: Employees who are normally scheduled to work less than 40 hours per calendar week for 52 weeks per year. Emergency Appointments: For persons selected by departments with approval of the Director of Human Resources to meet emergency situations. Such appointments will not exceed 60 working days, will not be renewed, and may be made without regard to an existing list. Temporary Employees: A short-term, temporary appointment of an individual who meets qualification requirements for a position not to exceed an agreed upon time between the Department/Division Head and Director of Human Resources based upon the work load and needs of the department/division.
- Temporary appointments will be made from appropriate eligibility lists. If no list is available for temporary work, Director of Human Resources shall appoint a qualified candidate.
- The acceptance or refusal by an eligible candidate of a temporary appointment will not affect the applicant's standing on the eligibility list for permanent appointment.
- Grant Appointments: For persons who work in some grant funded positions on either a full-time or part-time basis. The terms of the grant specify the pay and benefits of such positions. Grant funded positions will be eliminated when the grant expires or funding is exhausted.
- Seasonal Appointments:
 - Long Term: For persons who work seven to nine months in seasonal work assignments.
 - Short Term: For persons who work to meet seasonal program needs, not to exceed 180 calendar days in any 12 month period.
 - Seasonal employees are not eligible for fringe benefits except as mandated by the Wisconsin Retirement System (WRS).

Certification from Eligibility Lists

The Director of Human Resources will submit a certification for appointment to the Department/Division Head. The Department/Division Head will make an appointment from among the names appearing on the certification.

- When eligible candidates are ranked and listed numerically by final examination score, the five persons having the highest ranking will be certified.
- When eligible candidates are ranked and listed by category, all persons in the highest ranking category will be certified, with first consideration being given to Kenosha County employees within that category.

Expanded Certification

As a result of the analysis of the work force that has been completed by department and equal employment opportunity job category and where there is evidence of under-representation, an expanded certification of eligible candidates may be used.

Expanded certification will be used only in those instances when the operating department and the Division of Human Resources both agree. The class, equal employment opportunity job category, or department in general must have a hiring goal established for a minority, female, etc., and the hiring list used must be of an "open competitive" nature and will lead to an original appointment. Additionally, expanded certification will be used when, under normal certification, no minorities would be certified to the department for appointment.

Expanded certification will mean that the Division of Human Resources will add the names of the two highest scoring minority applicants and/or the two highest scoring female applicants to the certification list for position in an under-represented class.

All persons so certified must meet all minimum qualifications and must have successfully completed the examination for the position to be filled.

V. Hiring of Department/Division Heads and Administrative Staff to the County Executive

Department/ Division Heads and administrative staff who work for the County Executive are County employees appointed by the County Executive. The County Executive will submit to the County Board for review and approval the name of the individual to be hired as a Department/Division Head.

Department Heads and administrative staff to the County Executive are "at will" employees who work at the pleasure of the County Executive.

VI. Employment Protection for Exempt Employees

Exempt employees with the exception of Department Heads and administrative staff to the County Executive who have successfully completed either a probationary period, or evaluation period, are not subject to discharge except in the case of just cause.

VII. New Position Evaluation Period

All newly hired Non-Exempt and Exempt employees, with the exception of Department Heads and County Executive administrative staff, will serve a twelve (12) month evaluation period. County employees who receive a new position through job posting, promotion or transfer etc., will also serve a twelve (12) month evaluation period in the new position.

The evaluation period is intended to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County will use this period to evaluate employee capabilities, work habits, attendance and overall job performance. If the County determines that the designated evaluation period does not allow sufficient time to thoroughly evaluate the employee's performance, the evaluation period may be extended for a specific period with approval of the Director of Human Resources.

Either the employee or the County may end the employment relationship during the evaluation period at any time with or without cause or advance notice. Internal candidates who are selected but fail to demonstrate the ability to handle a new job during the evaluation period are not guaranteed a return to their former job. Employees who fail to have the ability to handle a job obtained through job posting during the evaluation period will have no recourse to the County's grievance procedure.

VIII. Residency

Sworn Sheriff's Department personnel are required to reside within fifteen (15) miles of the borders of Kenosha County.

Department/Division Heads shall be reimbursed for directly related moving expenses at a rate of seventy-five (75%) not to exceed a maximum of \$1,500.00. If a Department/Division Head voluntarily leaves the employment of Kenosha County within one year from the date of moving expense reimbursement, the individual will be required to pay any moving expenses reimbursement back to the County.

IX. Consolidation of Years of Service

Effective January 1, 2014 an employee who is re-employed by the County may request a bridge in service from the Director of Human Resources if that employee had a minimum of five years of previous service with the County and had resigned in good standing. Said request must be made after the employee has been reemployed for a period of 24 months. This bridge in service applies only to County length of service for the purpose of benefits.

X. Separation of Employment

Resignation/Retirement

It is recommended employees provide two weeks or more working notice of their intent to resign or retire from County employment. The employee is to give written notification to his or her Department/Division Head or supervisor with a copy to the Director of Human Resources. Retirements can't be effective on an actual or observed holiday.

A written resignation received and accepted by a management representative will be considered irrevocable. An employee may in writing and prior to the effective date of resignation make a request to rescind the resignation, but the employee has no right to demand that the request be approved.

Employees who fail to provide two weeks working notice will jeopardize a status of "resignation in good standing."

Job Abandonment

Employees who fail to report to work or contact their supervisor for two consecutive workdays shall be considered to have abandoned their job without notice as defined in this handbook. The supervisor shall notify the Division of Human Resources at the expiration of the second workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire and have no recourse to the County grievance procedure.

Termination

The County retains the right to terminate employees hired on an at-will basis at any time subject to the terms of the County grievance procedure.

Release

Release is the end of grant funded, temporary or seasonal employment.

Automatic Termination

If an employee does not return to work on the first workday following the expiration date of a leave of absence, employment will be automatically terminated.

XI. Reduction in Force/Hours and Re-employment

If a reduction in staff is deemed necessary because of changes in duties, organizational changes, lack of funds or lack of work, the Department/Division Head of the area to be affected will work with the Director of Human Resources to document the business reason for such and the process for the restructuring. This may include an analysis of business needs to determine the appropriate criteria to use, development of a communication plan, job re-evaluations, and salary administration.

Job-related criteria will be the primary factor in selecting which Non-Exempt and Exempt employees will remain with the County. The criteria used will be determined based on the reason for the reduction in force and the determination of the budgetary and departmental needs. Job-related criteria may include an employee's current performance (as noted by the most current performance review), competencies, skills, responsibilities, experience, leadership, education and training, personal commitment, absence record, and length of service with the County.

An employee who is laid off will be placed on a reemployment list for a period of one year for an available assignment to a position in the job title and department in which they were assigned prior to being placed on the re-employment list.

If more than one employee from the same job title and department is on the re-employment list, the best qualified employee based on job-related criteria will be appointed to the first available position in the job title and department in which the employee was assigned prior to being placed on a reemployment list. Length of service with the County will be taken into consideration if all other qualifications are equal, as determined by the Director of Human Resources.

An employee whose name appears on a re-employment list may be appointed to a position other than the position to which they are eligible for re-employment. If the position is in the same or lower job title, upon satisfactory completion of the evaluation period, the employee's name would be removed from the reemployment list. If the appointment is to a position in a higher job title, upon meeting all qualifications and completing the appropriate evaluation period, the employee's name would be removed from the re-employment list.

Names shall be removed from the re-employment list when:

- The employee is appointed from the re-employment list to any position;
- The employee declines an appointment to any position; or
- The employee's name has remained on the re-employment list for twelve months.

An employee on the re-employment list who is appointed to a position shall return to work as soon as possible following the date of notice but no later than two weeks from that date. An employee who fails to notify the County of his or her intent to report for work within the two-week recall period shall be considered to have voluntarily terminated his or her employment with the County. Exceptions to the return to work requirement may be made at the discretion of the Director of Human Resources.

It will be the responsibility of all persons whose names appear on re-employment lists to inform the Division of Human Resources, in writing, of any changes in address, phone number or availability of employment. Persons who fail to do so may be considered to have forfeited their reinstatement or other placement rights.

Under certain circumstances, workweek reductions may be imposed in lieu of layoff. Employees assigned to reduced workweeks in lieu of layoff shall have their pay and benefits eligibility administered on a prorated basis effective from the date of reduction.

HOURS of WORK and ATTENDANCE POLICIES

I. Hours of Work

The standard workweek is 40 hours. The standard workday is eight hours for Non-Exempt employees. Workday lengths for Exempt employees are determined primarily by their current workloads. General office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. The workweek commences on Sunday morning at 12:00 a.m. and ends the following Saturday evening at 11:59 p.m.

The Department of Public Works, Brookside Care Center, Division of Health, Sheriff's Department, District Attorney and Circuit Court will establish operating hours, meal and break periods that best serve the operational needs of their departments. Employees should consult the policies of these individual departments/divisions for clarification of work hours.

At times it may be necessary for a Department/Division to modify an employee's starting and quitting time as well as the number of hours worked to accommodate Kenosha County needs. Advance notice of such modifications will be provided when possible.

Meal Periods

An unpaid meal period is provided to any employee who works a minimum of six hours per day. The normal meal period should occur approximately halfway through the workday. However, certain departments may require alternate meal periods. The length of the meal period may vary from 30 minutes to one hour according to the needs of the department.

Employees who receive a paid break period in lieu of an unpaid meal period are not to leave the premises during this paid break period without authorization from the employee's supervisor.

The practice of extending meal periods with break periods is not permitted.

Break Time for Nursing Mothers

The County accommodates breastfeeding mothers who wish to express breast milk during the workday when separated from their children. The provisions of this section meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breast feeding her child will be provided reasonable break times to express breast milk for her child. The County has designated certain rooms in employee-occupied buildings for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Division of Human Resources. Additional

rules for use of the room and refrigerator storage will be provided. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

II. Overtime

When business or department conditions require, employees may be needed to work overtime. When this occurs, the employee's supervisor will make every effort to provide timely advance notice. Such a request for overtime is considered to be voluntary. Mandatory overtime is required only under the following circumstance:

- Employees of the Sheriff's Department;
- When the County Executive declares an emergency;
- For snow and ice removal for Department of Public Works employees;
- For Registered Nurses in the Division of Health when patient care concerns require an extension of the workday;
- For employees of the Circuit Court and District Attorney engaged in court room activities or processing court related orders; and
- For employees in the Department of Finance and Administrative Services during payroll processing periods and computer system maintenance/emergencies.

Employees who wish to voluntarily remain at work to complete work assignments must obtain supervisory approval prior to working overtime. All Non-Exempt employees will be paid one and one-half times their regular rate of pay for all hours worked in excess of 40 in one workweek, except for those employees covered by the law enforcement exemption in the Fair Labor Standards Act. Employees covered by the law enforcement exemption will work 171 hours over a 28 day period before earning overtime**. Paid benefit time will be included as time worked in the computation of overtime. Non-Exempt employees who work as professionals (social workers, registered nurses, juvenile court intake workers) may be compensated by salary at the discretion of county administration.

Non-Exempt employees must be compensated for working overtime either with wages or, if Department/Division policies permit, compensatory time. Exempt employees are not eligible to be paid overtime.

***For the current budget year, Kenosha County will implement a 40 hour/week overtime practice and a 5/2-4/2 work schedule as a means to generate the same level of budget savings as the 171 hour/28 day overtime policy. Fair Labor Standards Act overtime and overtime paid on a 171 hour/28 day basis remains the standard policy during the trial period and it becomes the responsibility of the Sheriff's Department to manage the 5/2-4/2 schedule in full compliance with FLSA.*

III. Compensatory Compensation (Comp Time)

Non-Exempt Employees

Non-Exempt employees may be eligible for compensatory time off at a rate of time and one-half for all hours worked in excess of 40 hours in one workweek, in lieu of overtime pay. The Department/ Division Head shall have the discretion to authorize either comp time or overtime pay. Employees may not be forced to take comp time in lieu of overtime pay. An employee shall not accumulate compensatory time off in excess of 240 hours at any time. Departments/Divisions with Non-Exempt employees exempt from overtime and compensatory time may establish adjustable or flexible hour schedules for such Non-Exempt employee group.

Compensatory time may be accumulated during the period December 1 to May 31 and June 1 to November 30 of any calendar year. Any accumulated unused compensatory time off which has not been used at the close of the above six month period shall be paid for as earned wages or salary by the last day of June and December.

Temporary employees shall not be granted compensatory time.

Exempt Employees

Exempt, employees are expected to structure their workday without hourly limits based on the nature and volume of their work and the time necessary to perform their assigned work, with the knowledge and approval of their supervisors.

IV. Time and Attendance

Kenosha County recognizes the need for employees to be absent from work due to illness or the need to take care of personal business during the normal workday. The County instituted paid time off (PTO) to provide for these needs as they arise. Employees also may qualify for a leave of absence for their own major illness, the major illness of a family member, the birth or adoption of a child, worker's compensation injury, personal circumstances, or military and/or reserve duty. Having provided for these situations, it is important to remember that excessive absenteeism, tardiness, and/or leaving early causes the burden of filling in for the absent employee to fall on other employees. It is a requirement of each job that an employee report to work punctually and work all scheduled work hours as well as any necessary overtime.

Situations when employees are not on an approved leave of absence and are absent from work without sufficient PTO to cover that absence, will be addressed through the normal corrective action process. Corrective action will be taken each time this occurs at a schedule determined by Department/Division policies.

Consecutive days of absence for the same reason may be deemed to be one incident for the purpose of the Brookside Attendance Policy. A Brookside Care Center employee who is absent for more than three consecutive days, must bring in medical documentation certifying the absence in order for the consecutive days of absence to be counted as one incident.

Unexcused absences from work for two consecutive scheduled workdays without calling or notifying the employee's supervisor will be considered a voluntary resignation. The employee is deemed to have quit without notice and his or her employment will be terminated immediately. An appeal may be made in writing to the Director of Human Resources. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee will be reinstated.

Periodically, special circumstances will occur that warrant an employee being excused from work without sufficient PTO to cover the absence. To ensure fairness throughout the County, these types of requests require the approval of the Director of Human Resources.

Occasionally, an employee will exhibit a pattern of absenteeism that requires corrective action despite having sufficient PTO to cover those absences (for example, consistently missing a specific day of the week, the day before or after a holiday, or the day before or after a scheduled vacation) unless they are approved to be absent.

An employee who is going to be absent, tardy, or leave early from work is responsible for notifying his or her supervisor as soon as possible, regardless of whether the employee has sufficient PTO to cover the absence. An employee who is absent and fails to notify his or her supervisor will be subject to corrective action for failure to notify. An employee who has been absent two consecutive days without calling the supervisor will be considered to have voluntarily resigned.

Occasionally, Non-Exempt employees may be permitted to make up missed time with the prior approval of their supervisor. The supervisor will determine the exact amount of time the employee will be allowed to make up in a workweek. Each supervisor must be consistent in allowing employees to make up time within the department. No employee will be permitted to work more than 40 hours during the workweek for the purpose of making up time. No swapping of workdays is permitted except as permitted by the Sheriff's Department in its departmental policies.

V. Inclement Weather

Because of the critical nature of County work, County offices need to be open and operating during all business hours. Inclement weather rarely warrants closing County offices during normal hours of operation and employees should be present during all required hours. However, each employee needs to make a personal judgment pertaining to personal safety when traveling to and from work in certain conditions, understanding that any absence puts a greater burden on those employees who come to work despite difficult weather conditions. Loss of work time due to inclement weather will be charged against the employee's paid time off (PTO) balance. For employees who have no PTO remaining, the time absent will be charged as leave without pay.

Employees who work in 24/7 operations will be expected to make every effort to report to work during inclement weather, including accepting a ride to work in a weather-worthy vehicle when offered. Those employed by 24/7 operations who do not report to work must provide evidence of an extraordinary circumstance to avoid discipline.

COMPENSATION and REVIEW POLICIES

I. Accurate Recording of Time

Non-Exempt Employees

All employees in a position designated as FLSA Non-Exempt are required to accurately record their time each workday. Each employee should record time using the appropriate procedure for the Department or Division in which the employee works. Non-Exempt employees have a limited number of minutes before their shift to mark their time unless overtime has been authorized. Similarly, employees have a limited number of minutes after the start of their shift before wages are deducted. Employees who have an unpaid meal period are also required to mark their time, if possible. Time recording shall be in accordance with Kenosha County Payroll procedures.

Exempt Employees

All employees in a position designated as FLSA Exempt are required to accurately record benefit time on their timecards when taken. Time recording shall be in accordance with the Kenosha County payroll procedures.

II. Pay Periods

With some exceptions, County employees are paid on the bi-weekly basis. All employees are paid by direct deposit to the bank account(s) they designate. Deposits are made on the second Friday following the last day of the two-week work period. In the event a holiday falls on a payday Friday, every effort will be made to deposit wages on the last workday prior to the holiday.

III. Wages

Wages are determined through analysis of the nature of the work performed by the employee and the occupational market within which the employee works. Wage schedules are reviewed and changed, if necessary, annually as part of the budget process. Job classifications and rate schedules for the current year are attached to this handbook and made a part hereof.

Newly hired employees are placed in the pay range for their position between the starting wage and the midpoint of the pay range. Starting wages beyond the midpoint of the pay range must include budget review and be approved by the County Executive.

All County employees who are not at the top of the wage range may be eligible for an annual wage increase equal to three percent (3%) of the midpoint of the wage range from which their job is paid. This annual wage increase is generally awarded on the anniversary date of the employee's current job, provided the employee has received a rating of "above average" or higher on his or her annual performance review for the most recent rating period.

In addition to regular hourly wages, some employees earn shift differential for working second shift, third shift and weekends. Employees who carry shift differential earn the difference as part

of their base wage. The base wage does not change when an employee works another shift which carries a higher or lower shift differential, except for certain employees of Brookside Care Center.

The County Executive has the authority to respond to market influences which affect hiring and retention by adjusting individual employees' wages within the limits of the job classification wage scale.

Reimbursable items such as uniforms, tools, safety shoes, child work permits, CDL renewals, boiler license and renewals, call in pay, clothing allowance, may be included in the wage package.

Supervisors of employees temporarily performing a higher-rated job may request a temporary increase in that employee's wages of five percent (5%) of the employee's current pay within the applicable wage range. Requests are made through the Division Director of Human Resources. The temporary assignment must have an anticipated duration of at least four weeks. This does not apply to Highway employees who operate under a divisional policy.

Brookside Care Center Registered Nurses will receive a \$1.50 more per hour when temporarily assigned to RN Shift Supervisor duties.

Brookside Care Center newly hired RNs and LPNs may be hired at any step on the wage scale commensurate with their years of nursing experience with the approval of the Director of Human Resources.

Wage Determination for Job Promotion, Demotion and Lateral Transfers

- An employee transferring to a higher rated job through a job promotion shall earn a wage not less than five percent (5%) wage increase or the minimum of the new pay range, whichever is greater.
- An employee who transfers to a new job in the same pay range, shall retain his or her rate of pay if at the maximum. If the employee is not at the maximum, they will advance on the previous schedule.
- An employee going to a lower rated job through a job posting shall receive the maximum of the new range if lower, or the wage the employee was earning at the time of his or her job change.

If an employee is promoted to a Department Head position, placement in the new pay range will be in accordance with the appointment confirmation by the County Board of Supervisors.

Wages for temporary, seasonal and grant employees, etc., are reviewed and adjusted annually, if necessary, based on current market availability of type and class of position required to fill the current need.

Wage Adjustments

The Kenosha County Budget authorizes expenditures of up to \$100,000 for wage adjustments and stipends deemed necessary for purposes including but not limited to employee retention, special

assignments, in-range market adjustments, etc. Proposals for adjustments must be made to the Director of Human Resources by the Department Director. The proposal includes operational justification for the recommended increase. Fiscal analysis and sign-off is required by the Department Director of Finance and Administration before presentation for approval to the County Executive.

IV. Safe Harbor Policy

Exempt employees must receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. However, exempt employees need not be paid for any work week in which they perform no work at all for Kenosha County.

There are certain circumstances where deductions from the salaries of exempt employees are permissible under the Fair Labor Standards Act (FLSA). Such circumstances include:

- Full day absences for personal reasons such as vacation or personal days or PTO.
- Full day absences for sickness or disability which may be reimbursed by the County's Accident and Sickness Leave benefit plan.
- Full day disciplinary suspensions for major safety violations or significant infractions of important written workplace conduct rules, *this permissible deduction has not been adopted by Wisconsin.*
- To offset amounts received as payment for witness or jury fees, or for military pay.
- Family and Medical Leave absences (full day absences).
- The first or last week of employment in the event you work less than a full week.
- Any other deductions allowed by state or federal law.

Exempt employees who believe that an improper deduction has been made to their salary, should immediately report this information to their direct supervisor, or to the Director of the Division of Human Resources.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

V. Annual Performance Evaluations

All employees must be evaluated by their supervisor at least once per year on the anniversary date of the employee's current job. Criteria upon which employees are evaluated include, but are not limited to, accuracy, quality of work, quantity of work, dependability, adaptability, job knowledge, organization, judgment, initiative, ability to get along with others, attitude and attendance. Evaluations become a permanent record in an employee's personnel file and are considered for wage increases, promotions, transfers, disciplinary action and workforce reductions. Employees will be eligible for wage increases of three percent (3%) of the midpoint of the range from which their job is paid.

An employee who receives an average evaluation, a less than satisfactory evaluation, or is deficient in a major area of job performance, will not be eligible for a wage increase.

Step increases are to be reported to the Finance/Administration Committee annually.

VI. Travel and Reimbursement Policy

Employees who are required to travel in the course of fulfilling their official duties will be reimbursed for reasonable expenses in accordance with the County's travel policy. The County's Travel and Reimbursement Policy can be found at: <http://www.kenoshacounty.org/DocumentCenter/Home/View/193>.

VII. New Position Placement/Reclassification

New Position Placement

New positions must be passed in the budget. New positions should be submitted per budget instructions provided by the Division of Financial Services. If a Department is planning on submitting a newly created position in the budget, the Division of Human Resources must be informed. The Division of Human Resources, with the approval of the County Executive, will proceed with the placement of the position.

The Division of Human Resources will study the position, develop a job description, and determine a preliminary point total and placement in the pay matrix or wage schedule.

The job description and additional information pertaining to the new position, along with the recommendations from the Division of Human Resources, will be presented to the County Executive for approval.

If approved, the County Executive shall authorize the Department Head to submit the position request in the budget or budget amendment for County Board approval.

Position Review

Reclassification requests for positions will be sent to the Director of the Division of Human Resources.

The Division of Human Resources will proceed to gather the facts surrounding the reclassification request, and will present to the County Executive a reclassification study and a recommendation. This will only be approved if there is a major change in the duties and responsibilities of the position in question. With the approval of the County Executive, the reclassification study and recommendation resulting in a higher rated job will be forwarded to the appropriate oversight committee, the Finance/Administration Committee and the County Board, if necessary.

With a recommendation from the Director of Human Resources, a request to have a position reclassified from a higher rated job to a lower rated job may be approved by the County Executive. Reclassifications of Exempt employees shall be a minimum of five (5%) percent salary increase or the minimum of the new pay range, whichever is greater.

The effective date of the reclassification becomes the employee's new anniversary date for purposes of performance evaluation and step increases.

BENEFIT POLICIES

In general, regular full-time Non-Exempt employees are eligible to receive benefits on their 81st day of employment with the County.

Part-time Brookside employees, Registered Nurses, School Nurses and clerical employees who work 16 hours or more per week may be eligible for fringe benefits, including the employee health benefit, based on the number of hours worked in a twelve (12) month period from approximately mid-October to mid-October.

For the purpose of the **employee health benefit**, the following schedule will apply:

- Employees who average less than 16 hours receive no health benefit
- Employees who average 16 hours but less than 24 hours receive 50% benefit
- Employees who average 24 hours but less than 30 hours receive 75% benefit
- Employees who work 30 hours or more per week earn 100% benefit

All other full time employee benefits are based on a 32 or more hour work week.

New hires will be eligible for benefits after working 81 calendar days, whichever is sooner. Benefit eligibility will be based on the numbers of hours worked in 81 calendar days.

Long term seasonal employees, short term seasonal employees and Deputy Medical Examiners average less than 30 hours/week and are not eligible for benefits, except as mandated by the Wisconsin Retirement System (WRS).

Exempt employees are eligible for benefits on the 31st calendar day of employment.

I. Paid Time Off

Employees will be granted a "bank" of time to use for vacation, sick, and personal reasons based on eligible years of service with Kenosha County. This bank is referred to as paid time off (PTO). PTO does not include designated paid holidays.

Employees increase the number of PTO days as their years of service increase, indicated in the chart below:

<u>Calendar Years of Service</u>	<u>PTO Days per Year</u>
Date of Hire through 12/31(first year)	Prorated *
2 nd through 6 th years	15 days
7 th through 14 th years	20 days

15th year and beyond

25 days

*One day for each two months worked. Full credit given if hire date is by 15th of month. In the above example, for calendar years two through six, after 15 days are used no more PTO time is available for the remainder of the calendar year. Any employee who does not have sufficient PTO to cover an absence will be subject to corrective action under the attendance policy.

The County makes the full balance of PTO available on January 1, of each year.

PTO is paid at an employee's regular straight-time hourly rate.

If employees resign, retire or otherwise terminate employment with the County with PTO days remaining in their PTO bank, they will not receive pay for those days.

To schedule PTO, employees must secure their supervisor's written approval in advance, except in the case of emergency. Each Department/Division has its own guidelines on scheduling and - advance notice requirements for requesting paid time off absences. All PTO is subject to the needs of the Department/Division.

PTO days can be scheduled individually, in blocks of days or in hourly increments only if such increments are not limited by the Department/Division.

PTO is reported on employees' Kronos ledger or time card. Employees are responsible for accurately tracking their paid time off benefit.

Employees can carry over up to five PTO days from year to year. This is to encourage employees to save PTO for emergencies that may occur at the end of the year. All other PTO not used in the calendar year is forfeited. Employees may not cash out unused PTO.

PTO will be prorated for part time & temporary employees who obtain full time positions with the County.

The PTO schedule for Corrections Officers and Direct Supervision Officers is as follows:

16 days for the second through sixth year; 21 days for the seventh through 14th year; and 26 days for the 15th year and beyond.

Sheriff's Department Sworn Exempt employees are not required to use PTO before earned vacation.

PTO Implementation for Existing Employees

Exempt and employees formerly represented by 990 Professional & 5061, who earned more than 25 paid days off (vacation and casual/personal) by December 31, 2011, will retain their number of paid days off, up to a maximum of 30 days, in their PTO bank for the balance of their employment with Kenosha County. Employees formerly in Locals 1392, 168 & 990 Clerical, who have earned more than 25 paid days off including casual days but excluding side letter vacation days, by December 31, 2012 will retain their number of paid days off up to a maximum of 30 days in their PTO bank for the balance of their employment with Kenosha County. Employees in Local 1090

Parks who have earned more than 25 paid days off including casual days but excluding side letter vacation days, by December 31, 2013 will retain their number of paid days off up to a maximum of 30 days in their PTO bank for the balance of their employment with Kenosha County.

II. Paid Holidays

Kenosha County normally observes the following holidays during the year: New Year's Day, the Friday before Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve Day, Christmas Day and New Year's Eve Day. Some departments/divisions substitute Veterans Day for the day after Thanksgiving. Martin Luther King Day may be observed as an unpaid day off with supervisory approval. Exempt employees will be required to authorize such deduction in pay by submitting a voluntary leave without pay form to the Division of Finance.

If one of the above holidays falls on a Saturday, it is generally observed on the preceding Friday. If the holiday falls on a Sunday, it is generally observed on the succeeding Monday.

Employees who work in 24/7 operations observe holidays with policies that meet the needs of the Department/Division. Those employees should consult their Department/Division policies. Employees are not paid overtime when scheduled or called to work on a holiday unless holiday hours cause the total number of hours in a work week to exceed 40.

Holidays are paid at an employee's regular straight-time hourly rate not to exceed 8 hours. Employees must work their scheduled workday before and after the holiday in order to be paid for the holiday, unless they are approved to be absent.

Exempt employees are eligible for holiday pay on the date of hire.

Employees who have been granted a personal leave of absence do not qualify for holiday pay.

III. Accident and Sickness (A&S) Pay Maintenance Plan

The following benefits will be paid in the case of a non-work related temporary medical disability as certified by a licensed medical provider:

Non-Exempt Employees:

Non-Exempt employees will receive 100% of their regular pay starting on the fourth working day absent and through the 30th calendar day absent due to a temporary medical disability. The first calendar day of the A&S benefit year is the first day of missed work. The waiting period is three full working days. From the 31st calendar day to the 365th calendar day, Non-Exempt employees will receive two-thirds (2/3rds) of their regular pay. Regular pay means an employee's regular straight-time hourly rate. No payments will be made under the Accident and Sickness Pay Maintenance Plan unless the employee submits the required form to the Division of Human Resources, which will make the necessary arrangements for the payment of benefits. If a Non-Exempt employee has received benefits hereunder and there should be a recurrence of the same condition or illness, no waiting period will apply if the recurrence is within two weeks of return to work.

Exempt Employees:

Exempt employees and Department Heads shall be eligible for a continuation of pay when unable to work due to a temporary medical disability. The first calendar day of the A&S benefit year is the first day of missed work. Benefits shall be paid based on the following schedule:

- First thirty (30) working days of absence – full regular pay.
- From the 31st working day to the 260th working day – two-thirds (2/3) of regular pay.
- Exempt employees who remain ill or injured beyond four working days must submit an A&S claim form. A return to work for less than two (2) weeks shall not qualify for a new benefit period in case of recurrence of the same condition or illness.

Employees receiving A&S benefits must stay in the immediate vicinity of their homes unless granted authority otherwise by the Director of Human Resources. Failure to comply with this requirement will automatically discontinue the A&S benefit and may lead to employee discipline up to and including termination.

Employees that work non-standard schedules may be moved to a regular schedule while on an A&S leave of absence.

Temporary medical disability resulting from pregnancy will be treated as any other temporary medical disability and will receive benefits as described in this section.

An A&S claim shall not exceed one full calendar year which begins on the first calendar day the employee is unable to work due to the temporary medical disability. Holidays, vacations, paid time off, temporary return to work of less than two weeks, and any new events of temporary medical disability that occur during an A&S leave of absence are included within the benefit year and will not temporarily suspend or extend the benefit.

Benefits under this plan are not limited to one temporary medical disability per year, but are available for each separate occurrence. A return to A&S within two weeks is deemed a continuation of the original claim and continues the leave from the first calendar day of missed work. If there is a recurrence after two weeks at work it will be considered a new claim, and for Non-Exempt employees another three working day waiting period will apply.

Benefits in this section are contingent upon the approval of the Division of Human Resources and are subject to verification of medical necessity. When deemed necessary by the Director of the Division of Human Resources, employee participation in independent medical, psychological, fitness for duty, return to work, and functional capacity evaluations and/or supervision of a nurse case manager may be mandated. Medical evidence of continuing disability must be provided at least every thirty (30) days or as requested by the County. Payment shall be at the employee's current hourly rate based on an eight (8) hour day or the normally scheduled workday for part time employees. If, while an employee is being paid under the Accident and Sickness Pay Maintenance Plan, a wage increase occurs during the absence, the employee will be paid benefits reflecting the increase.

State and Federal Family Medical Leave will run concurrently with Accident and Sickness Leave in accordance with the County's Family Medical Leave Policy. Employees will be charged accrued/earned vacation to cover the Accident and Sickness Leave waiting period whenever the leave does not qualify for State Family and Medical Leave.

No accident and sickness benefit shall be paid to an employee after a disability retirement is approved by the Wisconsin Retirement Fund.

IV. Fitness-For-Duty & Return to Work

If at any time management has reason to question whether an employee's medical condition may hinder them from performing their work, or create a danger to themselves, their fellow employees or the public, the department may send them home and require they provide medical certification of being physically, mentally and emotionally able to perform their duties before returning to work. If the department has concerns not addressed by a simple return to work slip, they may request an independent medical evaluation through the Director of the Division of Human Resources. The department or the Risk Manager may also request to restrict the premature return of an employee from a medical leave to verify the conclusion of temporary disability or medical restrictions. The director will determine if intervention is warranted.

When deemed necessary, the Director of the Division of Human Resources will authorize or make arrangements for an employee to submit to or participate in functional capacity, independent medical or psychological, fitness-for-duty, and/or return to work evaluations which may include supervision of nurse case management. Employee participation in this process is mandatory and noncompliance is subject to discipline, up to and including termination.

When returning to work from any type of medical disability, employees will be required to submit a medical release to their supervisor. The release must certify that the employee can perform the essential functions of his or her job or clarify under what restrictions the employee may return to work. Management and/or the Division of Human Resources must receive, review and approve the medical release before the employee will be permitted to resume work.

Independent medical opinions and records received pursuant to this section are maintained in the employee's confidential and secure medical file. Copies of these records are not automatically provided to the employee. The employee may submit in writing to the Division of Human Resources a request to review their file or copy such records. If the County believes that disclosure of an employee's medical record would have a detrimental effect on the employee, the Director of the Division of Human Resources may opt to release the medical record instead to the employee's physician or legal representative as designated by the employee.

It shall be the policy of Kenosha County to comply with all applicable state and federal laws which affect the working status of employees who have been injured or are ill.

V. Light Duty

Kenosha County desires that employees, unable to perform the functions of their regular job because of an injury or illness that prevents their return to regular assigned duty, where possible, be temporarily assigned light duty work subject to medical certification. The County seeks to obtain the benefits of light duty work; which maintains a level of activity, which is productive and serves a therapeutic purpose, and which quickens the employees return to their regular assignment. Light duty work is reserved for employees that are temporarily disabled because of an injury or illness.

THE WORK ASSIGNED UNDER THE LIGHT DUTY POLICY IS NOT PERMANENT IN NATURE AND THE COUNTY RETAINS THE ABSOLUTE DISCRETION TO MODIFY WORK ASSIGNED HEREUNDER AT ANY TIME. It is expressly understood that no obligation exists for the County to provide, convert a regular job, or create a temporary assignment of light duty work. A temporary assignment of light duty work does not create a regular employment opportunity, and is made as a temporary assignment only.

The temporary assignment of light duty work may be considered only when an employee is certified as unable to perform some or all of the functions of their regular job. Light duty may be assigned within or outside an employee's regular department, shift or hours. The County may also assign employees to work temporary light duty assignments at local non-profit agencies when authorized by the Director of the Division of Human Resources.

The accommodation of temporary light duty assignments are made under oversight of the Director of the Division of Human Resources.

An employee is entitled to remain on unpaid FMLA leave until the FMLA leave entitlement is exhausted. Nothing in this policy shall be construed as limiting an employee's state and federal FMLA rights.

Light Duty Procedure:

1. An employee injured or suffering an illness shall provide to the supervisor as soon as possible, written certification of any restrictions imposed upon the employee by a licensed medical provider. This will include the projected duration of the restriction(s).
2. The Department Head or designee will evaluate the restriction(s) against the needs of the department and will determine if light duty work is available. Due to numerous variables, this is done on a case-by-case basis.
3. The Department Head may confer with the Director of the Division of Human Resources prior to an assignment of light duty work.
4. If light duty work is available the Department Head or the Director of the Division of Human Resources will make the assignment.

5. If light duty work is not available within an employee's regular department, the County may assign work elsewhere.
6. All temporary assignments of light duty will be reviewed monthly by the respective Department Head and the Risk Manager.

VI. Employee Health Benefit

Kenosha County makes available to its employees a comprehensive employee health benefit. Single or family coverage is available to full-time County employees. Part-time employees may be eligible on a pro-rated basis.

Consistent with the Affordable Care Act (ACA), employees who average 30 hours of work per week are eligible for a full time health benefit. New employees who are classified as variable hour employees under the ACA will be placed under a twelve (12) month Initial Measurement Period to determine whether the employee is full time or part time. If the employee works more than 30 hours per week, or 130 hours per month on average for the entire twelve (12) month period, the employee is eligible for full-time benefits. Employees who average fewer than 30 hours per week may still be eligible for pro-rated benefits. However, after six (6) pay periods new hires will be offered full time benefits if they average 30 hours per week in those six weeks. Employees who average 16 to 29 hours will be offered benefits on a pro-rated basis. These benefits will be in effect until the Initial Measurement Period ends. At the conclusion of the initial measurement period and one year stability period, employees will participate in the Standard Measurement Period with other benefit-eligible employees. Temporary employees as defined under IV. Certification and Appointments and who average over 30 hours per week over 52 weeks are eligible for the employee health benefit at the full budgeted rate.

Employees who enroll in the health, dental and/or vision benefit are committed to a minimum of one year participation in the plan, unless they encounter a qualifying event as defined by the federal government.

All employees who are enrolled in the employee health benefit are also enrolled in the Vitality Wellness Program. Participation points earned during the calendar year can be applied for discounts in the health benefit premium contribution. The financial benefits of participation in the wellness program are forfeited by any employee caught cheating to earn points.

Employees who choose not to enroll in the employee health benefit do not receive additional wages in lieu of the benefit. Employees may enroll at a later date with a qualifying event or during open enrollment.

Current employees may amend their coverage during open enrollment which typically occurs in the autumn of each year.

Plan benefits, claim procedures, limitations and other details are available in the summary plan description at: <http://www.kenoshacounty.org/index.aspx?nid=106>.

Employees may be eligible to continue the Kenosha County health benefit by paying the monthly premium in accordance with State and Federal law (COBRA) concerning a qualifying event. This may occur as the result of resignation, layoff, reduction in hours, injury or illness and other leaves of absence.

Employees who are on an unpaid leave remain responsible for paying health benefit premium contributions. Employees who do not remit the contribution while on unpaid leave will compensate the county through payroll deduction upon their return to work.

VII. Section 125 Plans

Kenosha County offers a pre-tax contribution option for employees known as a Section 125 plan. The plan is a benefit that allows employees to make contributions toward costs related to medical, prescription, dental and vision out-of-pocket expenses before tax is taken from their wages. Employees must enroll in the Section 125 Plan annually during open enrollment.

VIII. Wisconsin Retirement System (WRS)

Most County employees are enrolled in the Wisconsin Retirement System pension benefit. All non-protective category employees and protective category employees hired on or after January 1, 2012 who are eligible for WRS enrollment pay the employee share of the contribution through wage deduction on a pre-tax basis. The employer share is paid by Kenosha County.

Under certain circumstances and in accordance with IRS rules, it may be necessary for the County to collect the employee's contribution to the WRS, medical insurance premiums, etc., on a post-tax basis.

IX. Life Insurance

Life insurance for County employees is secured through WRS. The County pays for the basic life insurance benefit which is in the amount of one year's salary. Employees have the opportunity to purchase additional life insurance at their own expense.

X. Worker's Compensation

Worker's compensation is a form of accident, disability and medical insurance to protect an employee in the event of a work-related injury or illness. Statutory benefits are provided to Non-Exempt employees as prescribed by the Wisconsin Worker's Compensation Act (WWCA).

Please note the statute includes a waiting period before lost time benefits are provided, typically three days. The three day waiting period does not include the day of injury or illness. The waiting period is waived if disability exceeds seven calendar days. Lost time wages (pay rate) are also calculated according to a formula as defined in the WWCA.

The waiting period may be taken unpaid or covered by any available paid leave time.

Please note: Some employee groups receive post-accident wage continuation per adopted collective bargaining agreement or policy.

In addition to WWCA statutory benefits, Exempt employees shall receive their regular wage for any worker's compensation related absences.

Neither the County nor the insurance carrier will be liable for the payment of worker's compensation benefits for injuries that occur during an employees' voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the employer.

Employees receiving WC temporary partial disability benefits must stay in the immediate vicinity of their homes unless granted authority otherwise by the Director of Human Resources. Failure to comply with this requirement will automatically discontinue the benefit and may lead to employee discipline up to and including termination.

When applicable, Family Medical Leave benefits will be charged concurrently with lost time under this section.

XI. Tuition Reimbursement

An employee may be eligible for reimbursement of education expenses. The policy which sets forth the guidelines for tuition reimbursement is available at: <http://www.kenoshacounty.org/index.aspx?nid=106>

XII. Leaves of Absence

Family Medical Leave (including Family Military Leave)

Kenosha County provides job protected, unpaid leave to eligible employees as required by the Wisconsin and Federal Family and Medical Leave Acts. The policy which sets forth the guidelines for eligibility and use of such leaves is available at: <http://www.kenoshacounty.org/index.aspx?nid=106> .

Leave of Absence following one year of A&S paid leave

Employees who continue on a medical disability beyond one year (365 calendar days) will be placed on an unpaid leave of absence. The length of an unpaid leave of absence is determined on a case-by-case basis in accordance with the American's with Disabilities Act. Employees on a leave of absence under this section are considered to have vacated their position and do not retain an automatic right to return to the same job or shift. For business efficiency purposes the employing department may recruit for and fill the position.

The County will work with employees to assist them in returning to available work within the County for which they qualify. Requests for reasonable accommodations will be considered by the Department Head and the Director of the Division of Human Resources. The County will engage in these efforts for a reasonable period of time.

The County Employee Health Benefit may be extended for up to six months following the expiration of the A&S benefit. Requests to extend the health benefit must be made to the Division Director of Human Resources.

Funeral Leave

In the event of a death of an employee's father, mother, husband, wife, brother, sister, son, daughter, father-in-law, mother-in-law, step-parent or step-child (a step-child is one living with or who was raised by the step-parent) and grandchild, such employee will be paid for straight time lost from scheduled work not to exceed three working days within a seven day period following the date of death, except in special circumstances.

In the event of a death of an employee's brother-in-law, sister-in-law, grandparent, great grandparent, great grandchild, son-in-law, daughter-in-law, aunt or uncle, such employee will be paid for straight time lost from scheduled work not to exceed one scheduled workday falling between the date of death and the date of the funeral, both inclusive, except in special circumstances.

Funeral leave is paid at the employee's straight-time hourly rate not to exceed 8 hours per day for the payroll period in which the date of death occurred. The employee may be required to furnish verification of the date of death, date of funeral and relationship to the deceased.

Jury Duty/Witness Service

Any employee called for jury duty shall immediately notify the employee supervisor and shall receive regular pay for such time, provided he or she deposits any compensation received for jury duty with the County Treasurer. Employees called for jury duty but not assigned to serve will return to their assigned jobs as soon as dismissed. Employees who routinely work second or third shift will coordinate absence due to jury duty with the Department/Division Head.

Employees called to testify as a voluntary witness at the request of the County, by subpoena or otherwise, will be paid for such time. If employees are subpoenaed to appear in court as witnesses for non-County related business, they will be excused from work in order to comply with subpoena. Employees will not be paid for the time off, but may use PTO to cover their absence from work.

Military Leave

Any employee who enters the Armed Forces of the United States while employed with Kenosha County shall have the period spent in the Armed Forces considered as time spent working for the purpose of computing paid time off.

Employees called to active duty or who enlist in the Armed Forces of the United States shall be granted leaves of absence. The employee's length of County service shall accumulate, providing he or she reports for work within 90 days of discharge. If unable to do so because of illness or injury, their leave shall be extended.

Upon return from military leave, the employee shall be returned to a position and pay in keeping with Federal regulations.

An employee who is a member of a military reserve and who may be called upon for reserve training or service shall receive regular pay for such training or service (not to exceed two weeks for any one call-up), provided they deposit his or her military base pay with the County Treasurer.

Personal Leave

Applications for unpaid leaves of absence for personal reasons shall be made in writing to the Department Head with a copy to the Division of Human Resources. A leave may not be granted for the purpose of taking other employment; however, the term "other employment" shall not include elective federal, state, county or municipal offices or union duties.

The granting of such leave and the length of the leave shall be contingent upon the reason for the request. The Department Head may grant a personal leave of absence without pay for 30 calendar days or less. Leaves of absence without pay for more than 30 calendar days but not exceeding six months may be granted by the Department Head with the approval of the County Board Committee responsible for the department. Personal leaves of absence requested for a period in excess of six months may be granted by the Department Head with the approval of the County Board of Supervisors.

Education Leave

A leave of absence not to exceed two years in length may be granted to those employees who desire to improve their ability and job knowledge through further education. The procedure for obtaining such leave shall be the same as that of personal leave.

Unpaid Time Off

Employees may be eligible to receive five unpaid voluntary leave days in any calendar year. Unpaid days must be scheduled in advance to accommodate department operational needs. Days may be taken in 4 or 8 hour blocks only. Such days must be approved by management in the same 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 Human Resources prior to being issued. A copy of the document must be sent to the Division of Human Resources 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 Human Resources 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 Human Resources. 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 Human Resources. 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 Human Resources.

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.

Due cause meeting:

- Department/Division Head and supervisor review results of investigation and recommend level of discipline to Director of Human Resources; and

- A maximum level of discipline is authorized by Director of Human Resources 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 Human Resources. 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 Human Resources. The Director of Human Resources will review and clarify the positions of the parties. The Director of Human Resources 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 Human Resources within seven calendar days of receiving the IHO's written response.

The Director of Human Resources 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:

- The County will make every effort to maintain open lines of communication between employees and management and expects the same from its employees;
- The supervisor-employee relationship is critical to successful work performance and will be important in the resolution of problems; and
- An employee's standing with the County will not be jeopardized in any way by the appropriate use of the conflict resolution procedure.

These conflict resolution processes cannot be used to challenge performance reviews, terminations resulting from reductions in force, or written policies, procedures, and handbooks.

There are two mechanisms for dealing with work-related problems: informal problem solving and formal problem review. The steps are as follows:

Informal Problem Solving

Whenever possible and appropriate, employees should discuss and attempt to resolve conflicts with their immediate and next-level supervisors. Most problems will be solved satisfactorily at this level. In cases where employees feel it is necessary to address a problem with someone not directly involved, they are encouraged to contact the Division of Human Resources for assistance.

Formal Problem Review

If an employee cannot reach a mutually satisfactory conclusion through informal means, they may initiate a formal problem review. The steps are as follows:

- Within seven calendar days of the date of the incident or problem, the employee must prepare a written summary of the problem and submit it to the next-level supervisor or a management representative. The management representative and employee will meet to discuss the concerns. In most cases, a response will be issued within seven calendar days of receipt of the written summary.
- If the employee remains dissatisfied with the results, they may, within seven calendar days of your receipt of the response, request a meeting with the Director of Human Resources, who will then review the case with management. The Director of Human Resources will make a final determination or recommendation to the Department/Division Head.

AUTHORITATIVE REFERENCE

Where reference is made to Department/Division Head, his or her designee may be substituted.

STATUTORY CONFLICTS

To the extent that any policy may conflict with federal, state, or local laws, the County will abide by the applicable federal, state or local law.

POLICY CHANGES

Kenosha County reserves the right to suspend, revise or revoke any of its policies, procedures, and/or practices at any time with or without notice.

MODIFICATION OF COUNTY BOARD POLICY

Minor revisions to County Board Policy will be administratively implemented with notice to Finance/Administration Committee of the Kenosha County Board of Supervisors. Substantial changes to County Board Policy will be presented and adopted by the County Board.

POLICY ACKNOWLEDGMENT

Every employee is required to read and acknowledge they received the Kenosha County employment handbook and policies by signing a Human Resources Policy Acknowledgment Form at the time of hire and periodically thereafter as they may be revised, and/or revoked.

Questions pertaining to any policy should be directed to the Division of Human Resources, 262-653-2800.

Kenosha County Policy Statement of Equal Employment Opportunity and Affirmative Action

Kenosha County is an Equal Opportunity/Affirmative Action employer operating under an Affirmative Action Program. The Office of the County Executive affirms its commitment and the County's legal, social and moral obligation to equal opportunity for all persons as a fundamental policy throughout the County.

The County is committed to providing a work environment free of discrimination or harassment toward any employee or applicant based on race, creed, ancestry, religion, color, gender, national origin, age, sexual orientation, physical disability, arrest record, marital status, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state, or any other protected status.

The County's Affirmative Action Plan requires that each department affirm its commitment to implement all federal and state laws governing equal employment opportunity and affirmative action. Requests for a copy of the Kenosha County Affirmative Action plan should be addressed to the Director of the Division of Personnel Services, 1010 56th Street, Kenosha, Wisconsin, 53140-3738. The County's Affirmative Action Plan can also be found on the Kenosha County website.

Kenosha County has always been an Equal Opportunity employer which is committed to the promotion of diversity among its staff. Therefore, the County encourages applications from women, racial/ethnic minorities, individuals with disabilities and individuals with any other protected status.

Kenosha County Sexual Harassment Policy Statement

Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 and the Wisconsin Fair Employment Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Kenosha County, through its commitment to affirmative action, will attempt to provide a work environment free of sexual harassment for all employees in accordance with the laws of the United States and the State of Wisconsin. Sexual harassment of Kenosha County employees is considered unacceptable and impermissible conduct which will not be tolerated. The County deplores such conduct as an abuse of position and authority. Whenever knowledge is received that a sexual harassment condition is being imposed, prompt and remedial action will be taken.

In accordance with the Sexual Harassment Policy, any person who believes sexual harassment has taken place may file a complaint with the Director of the Division of Personnel Services, their supervisor or any member of management. Allegations of sexual harassment will be investigated promptly and, if appropriate, disciplinary action will be taken, up to and including discharge.

Kenosha County Sexual Harassment Policy

Kenosha County promotes a productive work environment and will not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another employee's work performance or that creates an intimidating, offensive or hostile environment. Employees at all times should treat other employees respectfully and with dignity in a manner so as not to offend the sensibilities of a co-worker or a subordinate employee. Accordingly, the County is committed to vigorously enforcing its harassment policy at all levels of the organization, including management and supervisory positions. The County and its agents forbid retaliation against anyone for reporting harassment of any kind or otherwise assisting in the investigation of a harassment complaint, or filing a charge of discrimination with a government agency. The purpose of this policy is to encourage early reporting and early intervention before conduct rises to the level of harassment in violation of this policy. It is the policy of the County to investigate all complaints of harassment thoroughly and promptly.

In that regard, Kenosha County expressly prohibits any form of unlawful harassment based on race, color, religion, sex, sexual orientation, national origin, age, disability, status as a Vietnam-era or special disabled veteran or status in any group protected by federal, state or local law. Unlawful harassment that interferes with the ability of County employees to perform their expected job duties will not be tolerated and will be met with appropriate disciplinary action, up to and including termination.

Harassment on any basis (race, sex, age, disability, etc.) exists whenever

1. Submission to, or toleration of, such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual's welfare; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's welfare or work performance, or creates an intimidating, hostile or offensive work environment.

Definition of Sexual Harassment

Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature, submission to which is made a condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Repeated unwelcome sexual propositions, invitations, solicitations and flirtations.
2. Stated or implied threats that a person's employment, wages, opportunities for promotion, or other conditions of employment may be adversely affected by not submitting to sexual advances.
3. Repeated and pervasive unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene gestures.

4. Unwanted exposure to sexual graffiti, photographs, electronically transmitted images or suggestive objects that substantially interfere with an individual's welfare or work performance.
5. Unwelcome and inappropriate touching, patting, pinching or unnecessary brushes.

Recognizing Harassment

Harassment may be subtle or manipulative and is not always evident. It does not refer to an occasional compliment of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

1. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
2. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
3. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
4. Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
5. The harasser's conduct must be unwelcome.

Filing a Complaint

Any employee who believes he or she is being harassed, or any employee who becomes aware of harassment, should promptly notify his or her supervisor. If the employee believes that the supervisor is the harasser, the supervisor's supervisor should be notified. If an employee is uncomfortable discussing harassment with his or her supervisor, the employee should contact the Director of Personnel Services. The complaint procedure is attached to this policy.

Upon notification of a harassment complaint, a confidential and impartial investigation will be promptly commenced and will include direct interviews with involved parties and where necessary with employees who may be witnesses or have knowledge of matters relating to the complaint. The parties of the complaint will be notified of the findings and their options.

Kenosha County Sexual Harassment Complaint Procedure

1. The complainant should present the complaint as promptly as possible to his/her supervisor or the Director of Personnel Services after the alleged harassment occurs.
2. The initial discussion between the complainant and the supervisor or Director of Personnel Services should be kept confidential, with no written record. Only those persons responsible for investigating and enforcing civil rights matters will have access to confidential communications.
3. The supervisor or Director of Personnel Services has the authority to make a good faith effort to resolve the complaint through informal processes at this stage. There may be cases that can be resolved through efforts of mediation and for which the alleged offender apologizes for her/his actions, etc.
4. If the complainant, after the initial discussion with the supervisor or Director of Personnel Services, decides to proceed, the complainant should submit a signed and dated written statement of what occurred to the Director of Personnel Services.
5. The Director of Personnel Services will inform the alleged offender of the allegation and of the identity of the complainant in writing. A copy will also be sent to the complainant. Efforts should be made to protect the complainant from retaliatory action by the person(s) named in the complaint.
6. In the event that an employee within the Personnel Division is named in the complaint, the complaint should be filed with one of the alternate Equal Employment Opportunity Officers designated by the County Executive who are: the Director of the Division of Workforce Development and the Director of the Division of Children and Family Services.
7. The Director of Personnel Services or alternate will investigate the complaint and prepare findings within thirty working days after receipt of the written complaint.
8. All findings will be presented for approval to the County Executive before being released to the complainant.

Kenosha County Drug Free Workplace Act Policy Statement

Kenosha County recognizes that the use of illegal drugs and/or alcohol can have a significant impact on the workplace in terms of safety, worker's compensation claims, sick pay benefits, absenteeism and productivity. Kenosha County also recognizes its legal duty to protect the safety of its employees from those employees who use or are impaired by drugs and/or alcohol on the job. Moreover, Kenosha County is also concerned about the health and well being of those employees who use illegal drugs and/or abuse alcohol.

Therefore, it is Kenosha County's policy that employee use, possession or sale of illegal drugs at any time, and on the job use or impairment by alcohol, is prohibited. Kenosha County will subject its employees to drug and/or alcohol testing as set forth in the Drug and Alcohol Abuse Policy.

The County's substance abuse program includes several components to support its efforts to remain drug and alcohol free:

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the County's intent and obligation to provide a drug-free, healthful, safe, and secure work environment.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on County premises, or while conducting County business off County premises, is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Kenosha County recognizes drug dependency as an illness and a major health problem. Kenosha County also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to seek treatment as provided for under the health insurance benefit plan and under the terms of the Drug and Alcohol Abuse Policy. Conscientious efforts to seek such help will not jeopardize any employee's job.

Employees must, as a condition of employment, abide by the terms of the Drug and Alcohol Abuse Policy and report any conviction under a criminal drug statute for violations occurring on or off County premises while conducting County business. A report of a conviction must be disclosed to the County within five days after the conviction.

This is not a new policy, but a summary of that which is contained in the Kenosha County Unified Work Rules and the Drug and Alcohol Abuse Policy. The County intends to continue efforts to ensure a drug-free workplace for its employees.

(4/20/10)
CHAPTER 20
ETHICS CODE FOR OFFICIALS AND EMPLOYEES

20.01-1 TITLE

This code shall be known as, referred to, or cited as the Kenosha County Code of Ethics for Officials and Employees.

20.02-1 DECLARATION OF POLICY

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policies be made in proper channels of the government structure; that public office and employment not be used for improper personal gain; and that the public have confidence in the integrity of its government. The County Board believes that a code of ethics for the guidance of County officials and employees will help them avoid conflicts which are substantial and material between their personal interests and their public responsibilities. In recognition of these goals, there is hereby established a Code of Ethics for Kenosha County officials and employees. Except as hereinafter provided it is intended that this code shall apply to all persons whose functions require the exercise of discretion and judgment including all County government officials elected by ballot in Kenosha County and members of boards and commissions or committees which are considered part of Kenosha County government. Specifically exempt from the provisions of this ordinance are the Kenosha County Board of Supervisors and the following State employees who are governed by separate codes of ethics: Circuit Court Judges, the District Attorney and Assistant District Attorneys. Nothing herein contained is intended to deny to any individual, rights granted by the United States Constitution, the Constitution of the State of Wisconsin, the laws of the State of Wisconsin.

20.03-1 RESPONSIBILITY OF PUBLIC OFFICE

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and to carry out impartially the laws of the nation, state and county, and to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in their official actions is to be above reproach so as to foster respect for all government.

All current employees and job applicants and any individual applying for membership on a County board or commission shall be given notice of the fact that they will be subject to the provisions of this Code of Ethics, any financial disclosure requirements that they will be subject to and the need to reveal any potential or actual conflict of interests.

20.04-1 STANDARDS OF CONDUCT

- (1) **Public Trust.** The county board hereby reaffirms that a county public official or employee holds his or her position as a public trust, and any effort to realize an improper personal gain through official conduct is a violation of that trust. Except as may be provided for herein, this section does not prevent any county public employee or official from accepting other

employment or following any pursuit which in no way interferes with the faithful discharge of his or her duties to this county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as county public officials employees retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for county public officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that county public officials and employees may need to engage in employment, professional or business activities, other than official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this section.

- (2) **Use of Public Property.** No official or employee shall request or permit the use of county services or manpower or of county-owned vehicles, equipment, materials or property for non-official purposes or personal profit unless authorized or unless in accordance with County policy.
- (3) **Obligations to Citizens.** All persons shall be treated fairly and impartially and without discrimination in accordance with the federal and state constitution and laws. In exercising a ministerial duty, no official or employee shall grant any special consideration, treatment, or advantage for themselves or any citizen beyond that which is available to every other citizen. Nor shall any official or employee hinder or obstruct the efforts of any citizen to acquire or exercise rights duly afforded him or her.
- (4) **Special Conflicts and Standards of Conduct Enumerated.** Conflicts of interest prohibited under this section and expected standards of conduct by county employees and officials include:
 - (a) **Incompatible Employment.** No official or employee shall engage in or accept private employment or render services for compensation for a private interest when such employment or service is consistently incompatible with the proper discharge of official duties or would impair the independence or judgment or action in the performance of official duties or would lessen the time to perform such duties. Disclosure of all outside employment must be made to an immediate supervisor regarding the nature and extent of the outside employment prior to accepting such employment. Where employment is not consistently or inherently incompatible, the employee must avoid all county involvement in any matter where a conflict or appearance of a conflict or impropriety may arise.
 - (b) **Disclosure of Confidential Information.** No County Board Supervisor shall, without proper legal authorization from the County Board or pursuant to a Court order or Court-approved subpoena, disclose legally confidential information as defined in this ordinance gathered in the course of his or her duties concerning the affairs of the county or of a citizen, nor shall he or she use such information to advance the financial or personal interest of himself or others. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest as determined by a test balancing the right of the public to know versus the right of individual or

governmental privacy, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

- (c) **Representing Private Interests Before County Agencies or Courts.** No official or employee shall represent as an advocate any private interests, other than himself, his spouse or his children, before any county agency or department; nor shall, except as hereinafter provided, any official or employee who is admitted to practice law in the State of Wisconsin represent as an advocate any private interests other than himself, his spouse or children, in any proceeding adverse to the county in any county court without prior County authorization.
- (d) **Gifts, Favors, Raffles and Door Prizes.** No person or organization may offer or give to a county public official or employee, directly or indirectly, and no county public official or employee may solicit or accept from any person or organization, directly or indirectly, anything of value as herein defined if it could reasonably be expected to influence such county public official's or employee's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such county public official or employee. Non-monetary gratuities, such as but not limited to food or flowers given by members of the public at holidays or on special occasions may not exceed \$25 in total value annually [or as this amount may be amended from time to time by the Internal Revenue Service] and may be accepted only when made available to an entire department and not an individual official or employee. This provision does not apply to monetary donations to Kenosha County which are accepted by the County Board or donations to Brookside Care Center or its "Sunshine Fund" which are accepted by either the County Board or the Brookside Trustees. Officials and employees attending an event at the expense of the County must reimburse the County the value of any raffle or door prize obtained at that particular event unless its value is diminimus or unless it is donated to or used solely for County purposes.
- (e) **Insider Advantage.** No county public official or employee may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization, if the information has not been communicated to the public or is not public information.
- (f) **Reserved for Future Use**
- (g) **Contracting. (Personal Gain).** Except as otherwise provided by section 946.13 of the Wisconsin Statutes, no official or employee shall, in his private capacity, negotiate or bid for or enter into a contract in which he has a private pecuniary interest, direct or indirect, if at the time he is authorized or required by law to participate in his capacity as such officer or employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on his part, nor shall any official or employee, in his official capacity, participate in the making of a contract in which he has a private pecuniary interest, direct or indirect, or perform in regard to that contract some function requiring the exercise of discretion on his part. A violation of section 946.13 of the Wisconsin Statutes, shall also constitute a violation of this code.

A County official or employee or a member of the official's or employee's immediate family, as defined in this ordinance, may not contract with the County.

- (h) Consulting. Except as otherwise may be expected as part of an official's or employee's job description and in the normal course of employment by Kenosha County, no official or employee is to serve as a consultant to or, except as hereinafter provided, serve as a member of the Board of Directors of any entity or corporation doing business either as a contractor or subcontractor or otherwise with, or seeking to do business with, Kenosha County, subject to exemptions in the Wisconsin State Statutes. This provision shall not apply to officials or employees serving on a Board of Directors where such service has been required and approved by the County Executive or County Board or in cases where the Corporation Counsel's Office has reviewed such membership and found no conflict of interest.
- (i) Business Associates and Clientele. No county official or employee shall render service to or make any decision concerning or involving any former, present or known future business associate or client without first revealing in writing to his or her immediate superior the nature and the extent of the relationship. This provision, however, shall not be applied in the case of a legally recognized privilege, such as in the case of an attorney-client or doctor-patient relationship.
- (j) Issuance of Permits. No county official or employee empowered to issue a discretionary permit under either the state or local laws or regulations shall issue any such permit to himself or herself or to any member of that individual's immediate family without first revealing in writing the request for such permit to that individual's immediate superior who shall then assign another official or employee to process such permit.
- (k) Material Conflict of Interest. No county employee shall engage in any material conflict of interest as defined in section 20.06-1(3).
- (l) Personal Services. No employee shall be required to perform any private work or private or personal service for any other county employee or official or make a contribution to any other such employee or official of Kenosha County.
- (m) Falsifying Claims or Records. No county employee or official shall intentionally engage in submitting any falsified claim including time cards or in preparing or presenting any false information or record or misrepresentation, either oral or written, in the course of any work falling within the scope of their employment. Time cards for non-represented or exempt employees, however, shall be submitted in compliance with Federal FLSA guidelines.
- (n) Misuse or Misappropriation of County Property or Funds. No county official or employee shall misuse or misappropriate any county funds or property including, but not limited to, the use of County copiers, computers, or cell or land-based phones for personal use on County time. The County maintains the right to access, monitor and review the use of such equipment and recognizes no claim of confidentiality regarding the use of such County equipment. No

County property, facility or personnel on County time may be used to repair or maintain an official's or employee's personal property.

- (o) Notification of Conflicts. No county official or employee shall willfully fail to disclose to his or her immediate superior any conflict of interest involving another county employee or official.
- (p) Nepotism. No county official or employee shall be the direct supervisor of any relative or in-law relative or member of the official's or employee's immediate family as defined herein. Where a supervisory relationship is created while two such related officials or employees are employed in the same department or division, the County shall make every effort to transfer one of the officials or employees as soon as practical. In cases of a conflict with Kenosha's Fair Hiring Policy, this ordinance shall apply.
- (q) State Standards of Conduct for Municipal Employees. Those standards incorporated in Wisconsin Statutes § 19.59 for municipal officials and employees are incorporated herein by reference as if fully set forth. In case of a conflict between the State standards and this Code, the more restrictive standard shall apply.

20.05-1 COMPLIANCE WITH STATE STATUTES

- (1) The following sections of the Wisconsin Statutes as they may be amended or renumbered from time to time are hereby incorporated by reference and made a part of this Code of Ethics:
 - (a) Section 19.01---Oaths and Bonds.
 - (b) Section 19.21---Custody and Delivery of Official Property and Records.
 - (c) Section 19.31 through 19.39---Public Records.
 - (d) Section 19.59---Code of Ethics for Local Government Officials, Employees and Candidates
 - (e) Section 19.81 through 19.89---Open Meeting of Governmental Bodies.
 - (f) Section 946.12---Misconduct in Public Office.
 - (g) Section 946.13---Private Interest in Public Contract Prohibited.
 - (h) Any provision of Chapter 17 of the Wisconsin Statutes justifying removal of an official or employee for cause.
- (2) Officials and employees shall comply with the provisions of these enumerated sections of the Wisconsin Statutes and failure to so comply shall, in addition, constitute a breach of this Code of Ethics.
- (3) Attorneys employed by Kenosha County are required to comply with all aspects of the Wisconsin State Bar Code of Ethics and any breach of the State Bar Code of Ethics shall constitute a breach of this Ethics Code.

20.06-1 ACTION UPON CONFLICT

- (1) Any county public official or employee who, in the discharge of his or her official duties, is involved or about to be involved in any matter that could result in a violation or the reasonable perception of a violation of this code or a material conflict of interest or reasonable perception of such conflict on his or her part shall:**

 - (a) Prepare a written statement describing such matter and the nature of the possible conflict of interests; and**
 - (b) Deliver copies of the statement to his or her immediate supervisor or the county executive.**
 - (c) Take no further action in regard to such matter except as hereinafter set forth.**
- (2) If the county public official or employee is not a department or division head, such person's supervisor shall assign the matter to another employee, who does not have a possible conflict of interest, or contract with outside sources to complete the matter. If the official or employee is a department or division head, he or she shall be guided by written advice from the Corporation Counsel in regard to the matter. The Corporation Counsel shall review the written statement submitted by such official or employee who has no immediate superior, and on the basis thereof and such further investigation of the matter as he deems advisable, shall as promptly as practicable advise such person in writing as to the course of action he or she should follow in regard to the matter. The provisions of this code concerning advisory opinions of the Corporation Counsel apply to advice given under this paragraph.**
- (3) Notwithstanding any other provision to the contrary in the Municipal Code of Kenosha County, the Corporation Counsel's Office is authorized to issue an ethics / conflict of interests opinion to any County official or employee and at the request of such official or employee shall keep the matter confidential as it pertains to that individual and request. In situations where guidance is sought on prospective conduct and the official making the request supervises the Corporation Counsel or is authorized to vote on the annual budget of the Corporation Counsel's Office, the Corporation Counsel may issue an advisory opinion or refer the matter to either the Attorney General, the State Ethics Board, the Kenosha District Attorney or outside counsel. In situations where an opinion is sought pertaining to some act or omission that has occurred, the Corporation Counsel shall refer the request to outside counsel.**
- (4) No official or employee shall be disciplined for seeking an ethics or conflict of interest opinion or for reporting any violation of County ethics ordinances or policies. Failure to report such a violation as required by this ordinance may, however, be grounds for discipline.**
- (5) A material conflict of interest on the part of a County official or employee is deemed to exist within the meaning of this section in regard to a matter in which he or she is involved, or is about to be involved, in the discharge of his or her official duties, whenever the County Board Supervisor utilizes and exploits his or her official capacity in such a way as to obtain a personal financial benefit for himself or herself or his or her immediate family or an organization with which he or she is associated.**
- (6) In cases where an official or employee is aware that a violation has occurred, the matter shall be reported to and reviewed by the Corporation Counsel's Office and reported by that Office to the Kenosha County Executive, the immediate supervisor of an employee, and to the employee, and if the situation warrants to the, the Kenosha County Sheriff's Department and**

the Office of the Kenosha County District Attorney. When, in the opinion of the Corporation Counsel's Office there is a finding of probable cause that a violation of this ordinance has occurred, he may issue a warning or citation for violation of this ordinance and in cases involving a value of more than \$500, he shall refer the matter to the District Attorney.

20.07-1 EXCEPTIONS

(1) Fees and Honorariums.

- (a) In order to achieve the broadest possible public discussion and understanding of county government, the legislative process and the specific policy issues and proposals pending before the legislature, every county public official and employee is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret these topics.
- (b) Notwithstanding any provisions of this code, reasonable compensation for any such activity or for any published work or creation of any product or matter qualifying as intellectual property and reimbursement of actual and necessary expenses incurred in connection therewith may be accepted by a county public official or employee, but if such activity, product or published work or intellectual property that is created is accomplished by an official or employee with the use of the county time or of its facilities, services or supplies not generally available to all citizens of this county in the course of his or her official duties, the official or employee may not retain such compensation or reimbursement of expenses but shall deposit it with the county treasurer and the activity, product, published work or intellectual property created shall be deemed to be the property of Kenosha County and any copyright, trademark or patent obtained by such individual shall be transferred without compensation to Kenosha County.

- (2) Reimbursements. Nothing in this section prevents or limits reimbursement by the county of actual and reasonable expenses incurred by a county public official or employee in the performance of official duties.

- (3) Use of Certain Vehicles. Notwithstanding any provision of this code, it is recognized that it is in the public interest to make immediate transportation available to certain public officials for use in emergencies or other circumstances approved by the County Board. For this purpose, motor vehicles may be provided to those employees assigned a vehicle through the annual budget process or by Executive Order.

Employees assigned a county vehicle shall use that vehicle only in compliance with administrative use and reporting directives issued by the Finance Division [Appendix 2 as amended from time to time by the Finance Department].

Personal use of a vehicle is restricted to commuting as defined by Kenosha County Fiscal Procedures unless otherwise directed by the County Board.

(4) Reward Points and Frequent Flyer Miles

Nothing contained in this Ordinance shall preclude an official or employee from obtaining credit card reward points or frequent flyer miles where the initial payment, prior to County reimbursement, was paid for by the official or employee.

20.08-1 CAMPAIGN ACTIVITY

(1) Nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from voluntarily endorsing or contributing to a candidate or working on their behalf outside of County facilities or on their personal time. Furthermore, nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from making their support known by way of a displaying campaign button or vehicle signage.

(2) It is prohibited to require current employees of Kenosha County to campaign on behalf of elected officials as a condition of maintaining continued employment with Kenosha County.

(3) Campaign solicitation on County property or in violation of work rules is prohibited, provided, however, that photographs of or on County common areas are permitted.

(4) Use of County property for campaign purposes is prohibited

20.09-1 FINANCIAL/PERSONAL LEGISLATIVE INTEREST DISCLOSURE

With the exception of Judges and other State employees, the Financial / Interest Disclosure Form set forth in Appendix 1 shall be completed annually by all elected County officials and candidates for such office, members of all County Boards and Commissions and nominees for appointment to such Boards and Commissions, all Department and Division heads and first assistants or first deputies. Except as hereinafter provided, the Disclosure form shall be filed with the Kenosha County Clerk as a public record prior to January 7 of each year. In case of a person holding or seeking elective office, the form shall be so filed prior to the end of business on the last day for filing nomination papers for an election. In non-election years the form shall be filed with the County Clerk prior to January 7.

20.10-1 POST COUNTY EMPLOYMENT CONFLICTS

Officials or employees of Kenosha County who have voted on the awarding of a contract with a particular contractor, provider or vendor or who have had input into such award may not accept employment with such contractor, provider or vendor or their subcontractors for a period of one year after termination of their term of office or termination of employment with Kenosha County. Except as may be allowed by the County Board Administration Committee and the County Executive, no contractor, provider or vendor or their sub-contractor may make an offer of employment to such official or employee or any member of their immediate family within one year after the commencement of their contract with Kenosha County.

20.11-1 PENALTY

In addition to any disciplinary action that may be taken by Kenosha County, up to and including termination of employment, any employee or official found by a court of competent jurisdiction to have violated any provision of this code shall be subject to a fine of not less than \$ 100 nor more than \$1000 for each violation and may be required to reimburse the County for any costs, including attorney fees and for direct damages. Violations shall be prosecuted by the District Attorney's Office

Any action taken on behalf of Kenosha County and found to be in violation of this code may be reconsidered by the Kenosha County Board of Supervisors and deemed void. Any party found to have violated County ethics ordinances or policies may be debarred from doing business with Kenosha County for a period not to exceed five years.

In addition to any penalty imposed in this section, any official, or employee failing to file a disclosure form as required by this code shall forfeit any and all compensation to which the official or employee is entitled until such time as the required disclosure statement is received and filed by the County

Clerk. The County Clerk shall accept nomination papers in cases where the candidate has not filed a financial disclosure statement as required herein, however, any candidate who fails to timely file a disclosure statement as required herein shall not have his or her name placed on the ballot.

20.12-1 EFFECTIVE DATE

This code shall take effect upon publication.

20.13-1 SEVERABILITY

If any provision of this code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this code to any person or circumstances is found by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this code which can be given effect without the invalid or unconstitutional provision or application.

20.14-1 DEFINITIONS

In this code, and for purposes of this code only:

- (1) **"Anything of Value"** means any of the following items [either alone or in combination] whose value in a calendar year from any one person or entity is in excess of \$25 or as this amount may be amended from time to time by the Internal Revenue Service: money, gift card, credit card reward points, frequent flyer miles, or property, favor, service, gift, loan payment, subscription, advance forbearance, lodging, food or drink, travel, recreational or entertainment expense, thing or promise of future reward or employment that could reasonably be expected to influence such County Board Supervisor's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such county public official, BUT DOES NOT INCLUDE compensation and expenses paid by the county, speaking fees, honorariums [except as may be otherwise allowed by this Ordinance] and expenses, political contributions which are properly reported, tips for food service normally given to waiters and waitresses or for customary services provided at County golf facilities, unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal value or hospitality extended for a nonbusiness purpose or used for County purposes.
- (2) **"Associated"**, when used with reference to an organization, includes any organization in which a person or member of his or her immediate family is an employee, director, officer or trustee or owner or controls, directly or indirectly and severally or in the aggregate at least 10% of the outstanding equity.
- (3) **"Employee"** means all persons filling an allocated position of county employment or any volunteer with the exception, however, that "employee" does not include judges but does include court commissioners.
- (4) **"Financial Interest"** shall mean any interest that will yield directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the official or employees or any member of the immediate family of said official or employee, except as permitted by section 946.13 of the Wisconsin Statutes.

(5) **"Gift"** means the payment or receipt of anything of value without valuable and sufficient consideration.

(6) **"Personal Interest"** shall mean any interest arising from a blood or marriage relationship.

(7) **"Immediate Family"** means either a wife, husband, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.

(8) **"Income"** has the meaning given under the federal internal revenue code.

(9) **"Ministerial Action"** means an action that a person performs in a given set of facts in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of the persons own judgment as to the propriety of the action being taken.

(10) **"Non-official Purpose"** means unrelated to county business but does not include assistance to a non-profit entity.

(10) **"Official" or "County Public Official"** shall mean any person holding an elected or appointed county office, but not elected Judges.

(11) **"Person"** shall mean any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, trust or other legal entity recognized as such by the laws of the State of Wisconsin.

(12) **"Privileged Information" or "Confidential Information" or "Legally Confidential Information"** is information recognized by State or Federal law as being entitled to confidentiality or privilege or matters that may be legally considered in closed session pursuant to the Wisconsin Open Meetings law or written or oral material related to county government which has not become a part of the body of public information and which is designated by statute, court decision, lawful orders or custom as being either privileged or confidential. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

(13) **"Security"** has the meaning given in section 20.42(12) of the Wisconsin Statutes.

20.15-1 REFERENCE

This Ordinance may be referred to as the Kenosha County Ethics Code for Officials and Employees.

**APPENDIX 1 STATEMENT OF ECONOMIC INTEREST
AND FINANCIAL DISCLOSURE**

DUE DATE:

Disclosure form shall be filed with the Kenosha County Clerk as a public record prior to January 7 of each year. In case of a person holding or seeking elective office, the form shall be so filed prior to the end of business on the last day for filing nomination papers for an election. In non-election years the form shall be filed with the County Clerk prior to January 7.

RETURN TO: Kenosha County Clerk Kenosha County Administration Building, 1010 – 56th
Street, Kenosha WI 53140. Provide additional information and explanations as required. If the answer to
any question is "yes" please explain below with specificity.

**THESE QUESTIONS SHOULD BE ANSWERED
TO THE BEST OF YOUR KNOWLEDGE.**

Definitions are found in Section 20.14(1) of the Municipal Code of Kenosha County.

"Immediate Family" means either a wife, husband, or any other person, including a domestic
partner, who is a member of the immediate household or receives more than 50% of their support from
such employee or official.

1 Are you or your spouse related to any Kenosha County employee?

☐ YES ☐ NO

**If yes, please explain to whom, what the relationship is and where that employee
works.**

**2 To the best of your knowledge, does your or your spouse's employer or the employer of a member of
your immediate family do business with Kenosha County?**

☐ YES ☐ NO

**If yes, please explain who the employer is, the nature of the business, the dollar
amount of the business and whether the business is
continuous.**

3 To the best of your knowledge, is your or your spouse's employer or the employer of any member of your immediate family regulated by Kenosha County [for example, by zoning, health, cabaret etc regulations or licensing]?

☐ YES ☐ NO

If yes, please explain who the employer is and the nature of the regulation.

4 To the best of your knowledge, do you know of any debt incurred by you, your spouse or member of your immediate family that is owed to any entity doing business with Kenosha County or is regulated by Kenosha County?

☐ YES ☐ NO

If yes, please explain who the entity is.

5 To the best of your knowledge, are you, your spouse or any member of your immediate family on the Board of Directors of any entity [including a non-profit or not for profit corporation] that does business with Kenosha County?

☐ YES ☐ NO

If yes, please identify the entity, the business that is associated with Kenosha County, the dollar amount of the business, whether the entity is for profit, non-profit or not-forprofit.

6 To the best of your knowledge, do you, your spouse or any member of your immediate family own stock or have any equity in any *local* [ie., Kenosha County] entity doing business with Kenosha County? If yes, with who and what is the value?

☐ YES ☐ NO

If yes, please explain.

7 To the best of your knowledge, have you, your spouse or any member of your immediate family received anything of value as defined in this Code from any party doing business with Kenosha County or regulated by Kenosha County?

☐ YES ☐ NO

If yes, please explain._____

8 To the best of your knowledge, have you reported all campaign contributions as required by Federal and State law?

☐ YES ☐ NO

If not, please explain._____

9 To the best of your knowledge, do you or your spouse, member of your immediate family, business associates own any real property that is regulated by Kenosha County land use, health or cabaret etc regulations? Have you or your spouse been compensated or expect to be compensated for advocating on behalf of anyone, including clients, for the purpose of obtaining for them a permit or privilege or eligibility for anything of value from Kenosha County or a settlement of a claim or disposition of a criminal or municipal ordinance violation?

☐ YES ☐ NO

If yes, please explain who or what is regulated and how, and who you advocated for and how_____

10 To the best of your knowledge, do you or your spouse or any member of your immediate family have any claim against Kenosha County?

☐ YES ☐ NO

If yes, please explain. _____

_____.

11 Are any delinquent taxes owed by you, your spouse or member of your immediate family to any federal, state or local gov?

☐ YES ☐ NO

If yes, please explain to whom, how much and how long the taxes have been delinquent.

_____.

12 To the best of your knowledge, do you have any unpaid judgments?

☐ YES ☐ NO

If yes, please explain to whom and how much.

_____.

Executed this _____ day of _____, 20____

This document must be signed **AND SWORN TO** before a notary.

STATE OF WISCONSIN}

}ss

COUNTY OF KENOSHA}

The undersigned, a notary public in and for said COUNTY, in the State aforesaid, DO HEREBY CERTIFY that _____ personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he or she signed and delivered said instrument as his or her free and voluntary act, for the uses and purposes therein set forth AND FURTHER THAT SAID INDIVIDUAL HAS SWORN TO THE VERACITY OF THE STATEMENTS CONTAINED THEREIN..

GIVEN under my hand and official seal this _____ day of _____, 20_____.

(SEAL)

Notary Public. My Commission expires _____ [is permanent].

Kenosha County Electronic Communications Policy

Personal computers (PCs), data terminals, telephonic equipment, and all other electronic communications systems are tools provided to assist employees in performing their assigned job activities. The term electronic communications systems includes, but is not limited to, voice mail, e-mail, internet and intranet, cell phones, smart phones, text messaging, instant messaging, or handheld computers. Improper use of the County's electronic information systems or its data files (including, but not limited to, the items listed below) is a serious offense.

1. When the equipment, systems, or networks are used, all personnel must use their own sign-on and password security codes unless special approval is provided by the Director of Information Technology. System passwords and access codes should be secured and protected to ensure that County data is not compromised.
2. Those data/record and system functions that are accessible in the employee's day- to-day assigned activities shall not be used for purposes outside of one's specific and assigned job and/or related activity.
3. Data/records that may be considered "public information" can be used or released only by those designated to provide such information. When data/records are used or released by an employee, this action is subject to the same guidelines associated with all sanctioned releases. Furthermore, certain electronic communications, such as e-mail and computer files, may exist on backup tapes after they are deleted from a computer. Documents and communications created on, received, or communicated via County-owned systems are considered business records of the County and as such may be subject to review by third parties, particularly in relation to litigation pursuant to Wisconsin's Open Records Laws.
4. Entering or threatening to enter unauthorized information, computer programs, or files into the County's electronic information processing machines or those attached to its networks is forbidden. In addition, willfully injecting or threatening to inject programs or other data that alters or destroys the County's computer-based data (a "virus") via any means is a violation of state and/or federal law and subject to prosecution under those provisions of the law.
5. Copying or installing computer software from or to County systems is prohibited without the expressed and written approval of the Director of Information Technology. Use of illegal software is prohibited. Federal copyright laws and related software license agreements govern this issue.
6. All computers and electronic/telephonic communications equipment are the property of Kenosha County and are to be used for business purposes. Communications via the County's systems are not considered private. This includes communications received, created in, sent over, or stored in County systems. Any use of the County's equipment is considered consent by the user to have such use monitored by the County at its sole discretion with or without prior notice to user. This includes messages sent and received from personal e-mail accounts on workplace computers. The use of private passwords or access codes shall not be considered a user's withdrawal of consent to such monitoring. Passwords and access codes must be provided to the County when requested. The County reserves and intends to exercise the right to periodically review, audit, access, and disclose all electronic communications or files created, received, or sent over the electronic communications to ensure appropriate use in accordance with this and other related policies. Such audits of personal computers will be performed by Information Technology staff. Violations will be turned over to the department head and/or Director of Personnel Services.

7. The County's electronic systems may not be used to solicit or promote commercial ventures, religious or political causes, outside organizations, or any other non-job-related solicitations.
8. The electronic communications systems are not to be used to create any defamatory, obscene, profane, or otherwise offensive or disruptive messages or to access any information that is not required during the normal course of business. Electronic communications which are considered offensive include, but are not limited to, any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's age, sexual orientation, marital status, religious or political beliefs, national origin, or disability.
9. The County shall be the owner of all work product developed while working for Kenosha County. Such work product includes, but is not limited to, all property, programs, systems, devices, patents, applications, hardware, products, and all other things tangible or intangible which are created, made, enhanced, modified, or improved by employees during employment. Employees may not transfer, sell, lease, license, patent, use, franchise, or gift such work product and shall not permit any other party to obtain the beneficial use of such work product without the expressed and written permission of the County, signed by the County Executive.
10. Communications devices and/or software, including, but not limited to, phones, smart phones, PCs, or switches, must not be connected/loaded to County equipment or County network without approval of the Director of Information Technology.
11. All authorized equipment attached to the Kenosha County network must have anti-virus software and security patches loaded and maintained with the most current release.
12. Brief and occasional personal use of the internet is acceptable as long as it is not excessive or inappropriate, does not interfere with work, and does not violate any department/division policy or federal or state statute. The County reserves the exclusive right to determine whether any use is inappropriate, excessive, and /or violates this policy.

Any employee who has been found to be in violation of the Kenosha County Electronic Communications Policy will be subject to discipline up to and including termination. The Electronic Communications Policy will not be interpreted or applied to prohibit any employee communications that is otherwise protected by law.

Kenosha County Social Media Use Policy

This policy outlines appropriate use of social media as it relates to Kenosha County, by employees and department for official and personal use. This policy is to be used in conjunction with other Kenosha County policies.

I. Purpose

Kenosha County recognizes that online communication is fundamentally changing the way citizens, government entities and businesses interact with each other. The County has determined that online discussion through social computing may facilitate the efficient delivery of County services and information and foster a positive public perception and sense of community.

This policy is intended to provide a framework for use of social media when authorized by the County as part of an employee's job duties. This policy also provides general guidelines for the personal use of social media for all employees.

The forms of social media or technology referred to in this policy include, but are not limited to Facebook, LinkedIn, MySpace, Twitter, Yammer, YouTube, video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the County.

County-owned technology resources are the property of the County, as is all data created, entered, received, stored, or transmitted via County-owned equipment. All use of social media or similar technology is subject to all County policies, including but not limited to the Ethics Policy, the Electronics Communication Policy & the Harassment Prevention Policy and the Kenosha County Policies and Procedures Manual. Kenosha County employees are instructed to carefully read these policies and ensure all postings are consistent with these policies. Employees may be subject to discipline up to and including discharge for conduct that violates County policies or rules and regulations, whether such conduct occurs on duty or off-duty.

II. Definitions

The following definitions related to terms as used within the context of this policy:

Social Media - a means of interactions among people in which they may create, share, and exchange information and ideas in virtual communities and networks. Social media includes all communicating or posting information or content of any sort on the Internet, including your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Kenosha County, as well as any other form of electronic communication.

Blog - discussion or informational forum published on the Internet and consisting of discrete entries ("posts") typically displayed in reverse chronological order.

Facebook – social media network found at Facebook.com

Twitter – social media network found at Twitter.com

Spam - unsolicited bulk messages, especially advertising, indiscriminately sent to any number of recipients

Social Media Site – Any platform on which to build social networks or social relations for the sharing of information of common interest

Wiki – collaborative web site comprising the perpetual collective work of many authors.

III. Work Related Social Media Guidelines

The work related use of social media can range from passive review of social media profiles, for informational or investigative purposes, to the authoring of content through a department sponsored social media account. Any such work related use must be approved by an employee's supervisor. The following conditions also apply to such use:

1. Kenosha County employees are responsible for appropriate use of social media in accordance with this policy. Employees using social media platforms are expected to thoroughly review and abide by the Social Media policy in addition to signing the Social Media Acknowledgement Form.
2. Employees shall refer to the guidelines set forth in the Electronic Communications Policy¹ when utilizing County computers or other County supplied devices. Social media sites are to be used to further the goals of Kenosha County's department and provide a service to citizens. Appropriate time spent on updating social media sites should be discussed between the employee and the supervisor, and should not interfere with completion of other job duties.
3. Employees authorized to publish content to a department sponsored social media site shall be designated as social media representatives and such designation shall be made by the employee's Department director with notice to the Social Media Steering Committee.
4. Employees may only establish official sites, blogs, page, or accounts in their official capacity as County staff on a social media site with the authorization of their Department director and the Social Media Steering Committee. All County authorized social media sites are to be sponsored by a County agency or department and the content of such site will become the responsibility of the department and its management.
5. Permission to author content on County authorized social media sites will only be granted to those employees who are authorized to speak on behalf of the County via these electronic communications media.
6. Social media posts should be an extension of Kenosha County's official website. Whenever possible, links to more information should direct viewers back to Kenosha County's official website for more information, forms, documents or online services.
7. Employees are expected to recognize the confidentiality of certain County information, and the privacy rights of employees and residents, and are prohibited from disclosing confidential, personal employee and non-employee information and any other proprietary and/or nonpublic information to which employees have access. This includes, but is not limited to disclosing personally identifiable information such as social security numbers, phone numbers, addresses, email addresses, or other information protected under the Health Insurance Portability and Accountability Act ("HIPAA"). Questions regarding whether information has been released publicly or doubts regarding the propriety of any release, shall be directed to the employee's supervisor before releasing the information and/or the Division of Personnel Services.
8. If posting a picture or video of an adult, the individual must consent to the use of their image on the social media site, by signing Exhibit B, a Social Media Permission Form/Waiver, unless the picture or video was taken at a public event.

9. Pictures or videos of minors will not be posted unless the minor is unidentifiable, or a parent or legal guardian has signed a Social Media Permission Form/Waiver, Exhibit B, granting permission to photograph, audiotape, videotape, publish and copyright images of their minor child.
10. Kenosha County employees are expected to adhere to the highest ethical standards when conducting County business. When communicating electronically, employees are expected to speak respectfully about the County and County-related matters, and limited to items in which the employee is authorized to speak and to identify themselves and their role with the County.
11. Employees are expected to follow copyright, fair use and financial disclosure laws when using on-line communications. Note that the use of copyrighted materials, unfounded or derogatory statements, or misrepresentation can result in disciplinary action up to and including termination.
12. Employees are encouraged to publish content that is related to the subjects associated with their position with the County. When writing about County matters employees should try to add value and provide worthwhile information and perspective.
13. All official Kenosha County social media sites and blog posts made or cases where an employee is speaking as a representative of the County will include the following disclaimer: "The information on this site is provided as a courtesy for informational purposes only. Please contact the listed media contact for this (site, page, etc.) to confirm the accuracy of the information on this site. Content on this site is not to be construed as a legal notice."
14. Honor the privacy rights of our current employees by seeking their permission and the permission of their Department director before writing about or displaying internal happenings that involve the employee.
15. Employees should not cite or reference County contractors or suppliers without their approval. Care should be taken to not promote one contractor over another or provide preferential treatment of any kind.
16. Employees may not post employment recommendations or references for current or former employees of Kenosha County on any social media site. All requests for recommendations or references shall be directed to the Division of Personnel Services.
17. Authorized social media sites are not be used to express a political view point or endorse a political candidate.
18. Employees should be aware of their association with the County. Employees serve as an ambassador of the County. Employees should not post any comments or postings that violate section IV (8) below regarding inappropriate comments.
19. Employees should be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of Kenosha County. Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers or by using the County Conflict Resolution Policy than by posting complaints to a social media outlet. If employees decide to post complaints or criticisms, they should avoid using statements, photographs, video or audio that could be reasonably viewed as malicious, obscene, threatening or intimidating, or that disparages customers, members of the public, other employees or suppliers or that may constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work

environment on the basis of race, sex, disability, religion or any other status protected by law or County policy.

20. Employees shall strive to post honest and accurate information when posting information or news. If a mistake is made, the employee should correct it quickly but be open about previous posts that have been altered. The Internet archives items, therefore even deleted postings can be searched. Employees must never post any information or rumors known to be false about the County, fellow employees, suppliers or people working on behalf of the County.
21. Login information, including User ID's and passwords for information contained on the County's social media sites, must be provided to an employee's supervisor or a member of the Social Media Steering Committee upon request. Upon change of job responsibilities or separation of employment, employees must surrender all login information and passwords.

IV. General Social Media Site Guidelines for Authorized Sites

1. All County social media sites must be sponsored by a Kenosha County department. The department must include a link to this site from their departmental home page and the County's official social media directory, on the County's official website.
2. All social media platforms will clearly indicate they are owned and maintained by Kenosha County and will have Kenosha County contact information prominently displayed.
3. Kenosha County logos, marks and insignia may be used on County social media platforms owned and maintained exclusively for County business and County purposes.
4. It is the responsibility of the department to establish, publish and regularly update its pages on social media websites. It is the responsibility of the department to ensure that information is accurate and up to date.
5. Departments using social media sites must adhere to all applicable Federal, State and County laws, regulations and policies. This includes all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and all other laws that might apply to the County.
6. The sponsoring department will be responsible for all management of an authorized social media site and it is the Department director's responsibility to maintain compliance with this policy and all other applicable policies or laws in the management of their social media site(s).
The accuracy, quality and timeliness of all content on an authorized social media site is the responsibility of the sponsoring department. Likewise, the authorization of the appropriate staff to maintain such a site is also the responsibility of the sponsoring department.
7. When creating a County social media site, page, etc, all departments and employees should adhere to the following guidelines:
 - a. Appropriate use: All communications carried out on County equipment or County sponsored electronic media must adhere to the appropriate use guidelines set forth in the technology use policy.
 - b. Encourage one-way communication when possible. Use of two-way communication is permitted in cases where limiting the application to one way communication would reduce or negate the value of the social media application.

- c. Comment Policy: Any County authorized social media site which allows comments to be posted must display the following comment policy:

The purpose of this site is to present matters of public interest in Kenosha County, including information regarding its many residents, businesses and visitors. We encourage you to submit comments, but be advised this is not an open public forum. Once posted, the County reserves the right, but assumes no obligation to delete submissions that are illegal, obscene, defamatory, threatening, invade privacy, or which are considered to be offensive to anyone or may infringe upon the intellectual property or copy rights of others. The County does not necessarily review all posted comment on a regular basis. Furthermore, the County reserves the right to delete any comment for any reason and will immediately delete any comments that include: spam or links to other sites; are clearly off topic; advocate illegal or illicit activity; promote particular products, services or vendors; infringe on copyrights or trademarks; or advocate for a particular political organization, party, candidate or point of view; or contain threats, profane or discriminatory language or other confidential, obscene or repetitive information. Comments expressed on this site do not necessarily reflect the opinions of Kenosha County or its employees. The County takes no responsibility nor assumes any liability for any content posted on this site. Please contact the site administrator for assistance with a comment you believe violates the above policy.

8. Those in charge of publishing and updating within each department must monitor any comments made by the public and employees. Comments containing any of the following should be archived and removed immediately:
 - a. Spam;
 - b. Off topic posts or comments outside the forum established to discuss Kenosha County issues, operations and services;
 - c. Promotion of illegal activity;
 - d. Unauthorized use of copyrighted or licensed material;
 - e. Promotion or derogatory remarks relating to a political organization, a political candidate or party;
 - f. Solicitations of commerce or endorsements of products and/or services;
 - g. Personal attacks or threats to an individual's safety or other comments that compromise the safety and security of the public;
 - h. Profane language or content;
 - i. Comments containing personally identifiable medical or health information;
 - j. Content that is discriminatory, offensive, or provokes discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation;
 - k. Sexual content or links to sexual content; and
 - l. Repetitive posts.

9. Kenosha County reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
10. If the particular social media technology does not provide space for the above, a link from the social media application or user profile to the Social Media Policy page on the County website is to be provided.

V. Administrative Structure/Required Elements: Any County authorized social media site will require the following:

1. Assigned administrator: This person will be responsible to see that the use of the social media site adheres to this policy and all related County policies. The name of the site administrator must be filed with a request for an authorized social media site. A back-up administrator shall also be designated to prevent issues related to site administration during the absence of the assigned administrator. The site administrator and backup administrator must be a non-represented employee.
2. Approved content authors: Sponsoring departments must authorize all employee content authors for their departmental social media site.
3. Notification to Administration: The Social Media Steering Committee is to be made aware of any and all department sponsored social media sites, and the Committee must be given the following information:
 - a. Site Address
 - b. Purpose of site
 - c. Administrator of site and
 - d. Type of communication, one-way, two-way moderated, open two-way
4. Required elements of a County authorized social media page: Technology permitting, all County sanctioned social media sites should contain the following information in a prominent place on the site:
 - a. County department clearly identified
 - b. Comment policy
 - c. Stated purpose of page
 - d. Notification that violations of comment policy will result in blocking use
 - e. Disclaimer similar to the following “The information provided herein is provided as a courtesy and for information purposes only. Please contact the listed media contact for this (site, page, etc.) to confirm the accuracy of this information found herein. Content on this site is not to be construed as legal notice.
 - f. Official contact for page

VI. Public Records/Open Meetings and Retention

Wisconsin's Public Records and Open Meeting Law requirements are mandated by the State of Wisconsin. Any content maintained in a social media format that is related to County business, including a list of subscribers and posted communication, is a public record. Each department utilizing a social media presence is responsible to ensure compliance with all applicable public records laws. The following guidelines are intended to assist departments in maintaining such compliance:

1. It is recommended that County social media authors use only existing material from existing County web pages or previously published documents.
2. Content exclusive to a department's social media site should be captured and saved in an archival copy.
3. Copies of all content removed from the site are to be retained in archival copy.
4. Social media is not to be used as a medium for conducting government business.
5. Technology permitting, it is recommended that a backup of the entire site be captured and retained on a regular basis.
6. Questions regarding the applicability of the Public Records and Open Meetings Law to specific content, or a particular use case, should be referred to the department head and/or the Corporation Counsel before posting the information or using the social media.
7. Wisconsin State law and relevant Kenosha County records retention schedules apply to social media formats and their content.

VII. Personal Use of Social Media

Kenosha County respects the right of employees to use social media and does not discourage employees from self-publishing, self-expression and public conversation and does not discriminate against employees who use these mediums for personal interests and affiliations or other lawful purposes. Employees are expected to follow the guidelines and policies set forth to provide a clear line between you as the individual and you as the employee of Kenosha County.

1. If one should identify themselves as a County employee during their use of social media on a personal level, the profile and any related content should be consistent with how you wish to present yourself to your colleagues, supervisors and the public.
2. Employees should make it clear that he or she is speaking for themselves and not on behalf of Kenosha County. If any information posted is related in any way to the work an employee performs or any topics related to the County, a disclaimer must be used such as, "[t]he opinions expressed on this site are my own and do not reflect the opinions of Kenosha County."
3. Employees shall refer to the guidelines set forth in the Electronic Communications Policy when utilizing County computers or other County supplied devices. Do not use Kenosha County email addresses to register on social networks, profiles, blogs or other online tools utilized for personal use.

4. Employees shall refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor or manager and consistent with County policy.
5. Employees are personally responsible for their commentary on all social media sites and can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any party.
6. Employees can be disciplined for using social media in a manner that violates County policies. Information posted on social media sites can be used by the County as evidence in disciplinary actions.
7. When using social media, employees are encouraged to be fair and respectful to fellow employees, supervisors, customers, members, suppliers or people who work on behalf of Kenosha County. If employees decide to post complaints or criticisms, they should avoid using statements, photographs, video or audio that could be reasonably viewed as malicious, obscene, threatening or intimidating, or that disparages customers, members of the public, other employees or suppliers or that may constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or County policy.
8. Employees are encouraged to be careful in their use of social media to avoid the appearance of using that media in an official capacity.
9. Employees cannot post the name, trademark or logo of the County, company-privileged information, including copyrighted information or company-issued documents, or photographs of other employees, residents, vendors or suppliers taken in their capacity as County employees.
10. Employees should not link from a County internal or external web site to a personal social media site without the permission of their Department director and the assigned administrator.
11. Employees are advised that social media platforms may be subject to legal discovery including subpoenas in legal proceedings.
12. Employees shall recognize and maintain the confidentiality of certain County information and privacy rights of employees and Kenosha County residents and therefore shall not release information on personal social media sites.

VIII. Employer Monitoring

Employees have no expectation of privacy while using the County's technology resources for any purpose, including authorized social media. The County monitors all such use and may withdraw content deemed to be inappropriate, outside the scope of an employee's authority, or in violation of County policy as determined by the Department director or the Division Director of Personnel Services.

IX. Reporting Violations

The County requests and strongly urges employees to report any violations of possible or perceived violations of this policy to supervisors or the Division of Personnel Services. Kenosha County prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee will be subject to disciplinary action, up to and including termination.

X. Discipline for Violations

The County will investigate and respond to all reports of violations of this policy. Violations may result in disciplinary action up to and including termination.

XI. Changes to this Policy

Kenosha County may from time to time, modify this Social Media Policy to reflect legal, technological and other developments. A current copy of this document can be found at <http://www.kenoshacounty.org/DocumentCenter/View/4413>.

XII. Accessibility

Kenosha County and/or the applicable departments shall provide an alternate source for any information posted online for individuals who do not have access to a computer or other electronic devices. Similarly, to comply with Section 508 of the Rehabilitation Act, whenever possible and not prohibited by other rules and regulations, when posting photographs, Kenosha County employees shall add text to explain what is in the picture. For video postings, text should be added explaining what the video is about. For a PDF posted to the County website and linked to a social media site, employees should clearly identify what is in the PDF and an alternative way to obtain the PDF (such as a telephone number).

XIII. Acknowledgement

All Kenosha County employees using social media platforms are expected to thoroughly review and abide by the Social Media Policy in addition to signing a Social Media Acknowledgement Form.

XIV. Specific Social Media Guidelines by Medium for Authorized Sites

Twitter

Twitter is an online social networking site where members can post short updates and keep up with other members through online profiles or cell phone text messages. Effective and approved applications for County use of Twitter would be to re-broadcast the County's blog headlines, news releases, testimonies, statements, public service announcements, accomplishments, job announcements, and to alert citizens of emergency broadcasts, epidemics, recalls, hazardous materials incidents, national incidents, terrorists' threats and natural disasters.

Legal implications of Twitter relate primarily to the privacy of members that follow County Twitter accounts and the appearance of commercial endorsement. County Twitter accounts should not be used to follow personal, commercial, or political Twitter accounts.

In order to comply with the requirements of this policy, a link from the Twitter profile to the disclaimer and comment policy on the County web page should be included.

Retweeting should be limited to information from appropriate, credible sources such as government agencies, authorities/boards, commissions, and industry leaders.

Facebook

Effective applications for County use of Facebook include public outreach programs that target segmented audiences, public service announcements, departmental contact information, emergency broadcasts and other public affairs activities.

Legal implications of County use of social media relate primarily to:

1. Copyrights of video footage and photos uploaded by County representatives. Risks can be mitigated by following these standard operating procedures:
 - a. County source materials. Use only photos and videos produced by the County or contractors working directly on behalf of the County
 - b. Obtain written copyrights. If copyrighted materials are use, be sure to get and maintain physical records of copyright licenses and honor any branding or labeling requirements specified in the copyright license.
2. Privacy rights of individuals who become friends, fans or followers of County sites. Social media users will follow these guidelines:
 - a. Account. County representatives who set up accounts should use a general office e-mail account, department name and general office phone number if possible.
 - b. Restrict to Find People and Follow People. County representatives should not follow private citizen or commercial profiles from within their County social networking profile. While the County cannot necessarily stop all people from being Friends, Fans or following us, employees should not click onto the profiles of our Friends, Fans and Followers.
 - c. Comments and Discussions. Representatives must refrain from participating in dialogue and online discussions with social profile visitors unless to clarify services provided. While it is encouraged for visitors to submit questions, comments, criticisms and concerns, the social profile is a moderated online discussion site and not a public forum.
3. Accessibility rights are governed by Section 508 compliance and web accessibility for people with visual and hearing disabilities. Social media users will follow these guidelines
 - a. Video captions and transcriptions. Embed captions within videos as part of the postproduction process. Provide transcripts of videos and attempt to include these transcripts on the social networking site. Maintain Section 508 compliant videos, captions and transcripts on the County's website and attempt to link back to the County website from the social networking site.
 - b. Photo - alternative descriptions. Name the photo after the description before uploading it to the social networking site. Write text captions and descriptions when social networking site makes these form fields available.
 - c. PDFs. Work to make document compliant in source format before converting to a PDF. Use formatting such as headers when applicable. Embed hyperlinks within the anchor text rather than supplying the physical URL to the right of anchor text.
4. Brand management of County logos and color or style guides. Social media users will follow these guidelines:
 - a. Profile Picture. County profiles should upload the County or departmental seal or logo as their picture. It is important to use the County/departmental seal or logo to demonstrate authenticity.

- b. **Profile Design.** County profiles should use colors consistent with the County's brand, and should not use extraneous or distracting design. All design should be in keeping with Section 508 compliance (web accessibility) needs and maintain professionalism and consistency with County branding.
5. Open Records requirements are mandated by the State of Wisconsin. County social media authors will use existing material from existing County web pages or previously published documents.

Blogs:

Blogs are forums which allow the posting of information and allow comments to such posts.

Individuals who wish to use blogs to keep the public regularly informed of the activities of their departments are required to do so within the bounds of this policy. Kenosha County will allow the use of County related blogs under the following standards and conditions:

1. Whenever possible, blogs should be hosted on County servers or with County approved service provider, managed by the Division of Information Technology.
2. Employees are permitted to create, or use a blog only with the approval of their Department director.
3. Blogs must be reliable and dependable. Once a blog is started, it must be regularly updated and maintained.
4. Only County-related matters are to be addressed in blog entries.
5. All blogs, comments, and postings must be respectful to employees, divisions, departments, residents, and others.
6. Blogs and blog posts must be accurate, fair, unbiased, and reflect positively on Kenosha County.
7. Posts should not be edited after the fact. Those making changes to previous posts should indicate that they have done so.
8. All blog postings will be monitored. Employees have no expectation of privacy in their use of County technology resources. The County may remove any blog entry deemed to be inappropriate, outside the scope of their authority, or in violation of County policy as determined by the Department director and/or the Division Director of Personnel Services.

EXHIBIT A - SOCIAL MEDIA ACKNOWLEDGMENT FORM

All employees utilizing social media platforms must read and abide by Kenosha County's Social Media Policy. All Department directors or supervisors that utilize, or allow employees to utilize social media platforms are responsible for enforcing this policy.

Violating Kenosha County's Social Media Policy may be grounds for disciplinary action, up to and including termination of employment, pursuant to the Kenosha County Policies and Procedures Manual.

I acknowledge and confirm that I have read and understand this Policy and agree to the guidelines contained therein.

(Employee Printed Name)

(Employee Signature)

(Date)

Exhibit B – SOCIAL MEDIA PERMISSION FORM/WAIVER

I give Kenosha County permission to publish and copyright my image (including audio, video or photography) at the _____ event in any publication relating to Kenosha County including, but not limited to brochures and websites, including social media websites.

(Printed Name) (Signature) (Date)

I give Kenosha County permission to photograph, audiotape, and/or videotape my child(ren) during the _____ event.

(initial)

I give Kenosha County permission to publish and copyright those images (including audio, video, and/or photography) of my child(ren) in any publication relating to Kenosha County including, but not limited to, brochures and websites, including social media websites.

(Printed Name of Minor) (Printed Name of Parent/Legal Guardian)

(Printed Name of Minor) (Signature of Parent/Legal Guardian)

(Printed Name of Minor) (Date)

Kenosha County Family and Medical Leave Policy

Kenosha County provides job protected unpaid leave to eligible employees as required by the Wisconsin and Federal Family and Medical Leave Acts (FMLA). This policy sets forth the guidelines for eligibility and use of such leaves. It also sets forth the consequences of failure to meet required obligations associated with Family and Medical Leave.

ELIGIBILITY

Eligibility requirements and entitlements are different under state and federal law. Where an employee is entitled to leave under both laws, the leave shall be applied concurrently. State and Federal Family and Medical Leave will also run concurrently with Accident & Sickness benefit and Workers Compensation.

STATE

To be eligible for the leave provisions of this law, employees must have been employed by Kenosha County for at least 52 consecutive weeks and have worked at least 1000 hours during the 12 months immediately preceding the beginning of a requested leave (hours worked includes hours paid pursuant to vacation, Accident and Sickness (A&S) benefit time, Workers Compensation or other paid time off).

FEDERAL

To be eligible for the leave provisions of this law, employees must have been employed by Kenosha County for at least 12 months and have worked at least 1250 hours during the 12 months immediately preceding the beginning of a requested leave (hours worked is actual hours at work; hours paid pursuant to vacation, A&S benefit time, or other paid time off will not be counted toward hours worked).

REASONS FOR LEAVE

The Acts provide six situations in which an eligible employee is entitled to Family or Medical Leave:

1. The birth of a child and to care for the employee's newborn child;
 2. To care for the employee's child who has been placed with the employee for adoption (State & Federal) or foster care (Federal only);
 3. To care for the employee's spouse, child, parent, and same or opposite sex domestic partner* (state only), parent-in-law (state only) or domestic partner's parent (state only), who has a *serious health condition*;
 4. For a *serious health condition* that makes the employee unable to perform his/her job duties and responsibilities;
 5. A qualifying military exigency (Federal only); or
 6. Military Caregiver Leave (also known as the Covered Service Member Leave) (Federal only).
- *Kenosha County follows the State of Wisconsin's definition of Domestic Partner as outlined in Section 770.01(1), and Section 40.02(21c)(21d). Employees are required to complete an Affidavit of Domestic Partnership to qualify for a leave of absence under the State's Family and Medical Leave Act.*

LEAVES AVAILABLE

STATE

An employee is entitled to up to six weeks of unpaid Family and Medical Leave in a calendar year for:

1. Birth of employee's child or placement of child for adoption or as a precondition to adoption. Leave must be taken within 16 weeks of birth, adoption, or placement.

An employee is entitled to a maximum of two weeks of unpaid Family Leave and two weeks unpaid Medical Leave in a calendar year to:

1. Care for the employee's spouse, domestic partner, child, parent, parent-in-law, or domestic partner's parent who has a *serious health condition*.
2. For a *serious health condition* that makes the employee unable to perform his/her job duties and responsibilities.

FEDERAL

An employee is entitled to up to 12 weeks of unpaid Family and Medical Leave in a calendar year for any of the following events listed below:

1. Birth of employee's child or placement of child for adoption or as a precondition to adoption or placement of a child in foster care. Leave must be taken within 12 months of birth, adoption, or placement.
2. To care for employee's child, spouse or parent who has a *serious health condition*.
3. For an employee's *serious health condition* that renders that employee unable to perform his/her job duties and responsibilities.
4. For an employee who experiences a qualifying exigency that arises out of the fact that a spouse, child or parent is on active duty (or has been notified of an impending call or order to active duty) associated with any deployment to a foreign country, for family members of active duty service members as well as family members in the National Guard or Reserves.
5. Military Family Leave - Eligible employees are entitled to 26 weeks during a single 12-month period (reduced by each week used for the other types of leave above) for military caregiver leave to care for a covered servicemember who suffers a service-related serious injury or illness associated with any deployment to a foreign country. This includes veterans who are undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment. Military caregiver leave also permits leaves associated with pre-existing injuries or illnesses that are aggravated during active duty.

PROCEDURE TO REQUEST LEAVE

When requesting leave, an employee must:

- Submit a completed Family and Medical Leave Request Employee form and a Family and Medical Leave Physician or Practitioner Certification form, that contains a Genetic Information Nondiscrimination Act (GINA) Disclosure statement to the Division of Personnel Services within a reasonable period of time prior to the start of the leave or, in cases of medical emergency or unforeseen circumstances, as soon as practicable under the circumstances. (Intermittent leave guidelines are further clarified in a separate section of this policy); or
- Submit a completed Family and Medical Leave Request Employee form, a Certification of Qualifying Exigency for Military Family Leave form, or a Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave that contains a Genetic Information Nondiscrimination Act (GINA) Disclosure statement to the Division of Personnel Services within a reasonable period of time prior to the start of the leave
- Notify his/her supervisor that FMLA request and certification forms have been submitted to the Division of Personnel Services. Identify the leave start date and anticipated duration of leave.
- Cooperate with all requests for information regarding whether absences are FMLA qualifying.

- You may be required to complete Federal Family and Medical Leave forms in addition to the Kenosha County Family and Medical Leave Request forms if your leave is anticipated to last longer, or extends more, than the State's two weeks for your own or family member's serious health condition.

Certification is necessary to justify an employee's absence from work for leave. If an employee fails to provide the County with a timely certification, the leave request, or continuation of leave, will be delayed or denied.

LEAVE AUTHORIZATION NOTIFICATION

The Division of Personnel Services will confirm the need for family, medical, exigency or caregiver leave based upon the information submitted by the employee and medical provider. **If the County has sufficient information that the employee qualifies for any of the above leaves, the absence will be so classified unless notice is provided otherwise.** The County may, at its expense, require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. For Federal Leave only, in lieu of a second opinion, the County may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for Military Caregiver Leave. Second opinions will not be required for Military Caregiver Leave. Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

The employee will be notified if the leave is being denied.

INTENT TO RETURN TO WORK

An employee must provide the County with advance notice of the employee's intent to return to work. An employee who decides not to return to work at the end of FMLA leave must advise the County immediately. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned employment with the County, unless the employee is entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

FITNESS FOR DUTY CERTIFICATE

An employee on Federal Medical Leave due to the employee's own serious health condition must provide the County with a fitness for duty certificate before the employee is allowed to return to work. Failure to provide a complete and sufficient fitness for duty certificate from a health care provider will result in the delay, and potential denial, of return to work.

INTERMITTENT

When medically necessary and with the required notice to management, employees may take FMLA leave intermittently or on a reduced schedule basis in increments equal to the shortest increment permitted for any other non-emergency leave. If possible, the employee must attempt to schedule this leave so as not to disrupt the County's operations. There may be circumstances where the County will assign the employee to an alternative position which better accommodates the intermittent leave schedule.

Qualifying exigency leave may be taken intermittently without regard to medical necessity or disruption of County operations.

SUBSTITUTION

An employee may choose to be paid any available accrued paid leave or PTO during the time of a Wisconsin FMLA absence. An employee will be required to use available accrued paid leave while on Federal FMLA leave. An employee receiving A&S pay will be charged Family Medical Leave. An employee receiving Worker's Compensation pay and whose injury or illness qualifies as Family Medical Leave will be charged Family Medical Leave. An employee will not be able to be paid available employer-provided paid leave during the time of a Worker's Compensation leave because the employee will be receiving Worker's Compensation benefits.

When paid leave is being used along with FMLA leave, this paid leave will not be available to the employee later. If the employee does not meet the requirements for the use of accrued paid leave under applicable County policies, the employee may still be entitled to take

unpaid FMLA leave. Under no circumstances will an employee be entitled to additional Family and/or Medical Leave as a result of the substitution of paid leave.

MAINTENANCE OF BENEFITS AND EMPLOYMENT PROTECTIONS

During any period of State and Federal FMLA leave, the County will maintain health coverage under its group health plan at the same level and under the same conditions as provided to all other employees in the employee's class. Employee contributions and premiums toward the cost of coverage are required to be paid by the employee during the leave. If required payment is not timely made, health insurance may be cancelled, provided the County notifies the employee in writing at least 15 days before the date that the health coverage will lapse; or at the County's option, the County may pay the employee's share of the premiums during a FMLA absence, and recover these payments from the employee upon return to work.

Upon return from FMLA leave, the County will restore an employee to the original or equivalent position with equivalent pay, benefits, and other employment terms in accordance with the Acts.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of FMLA leave.

If an employee does not return to work following a FMLA-qualifying leave for a reason other than: a) the continuation, recurrence, or onset of a serious health condition which would entitle the employee to FMLA leave; b) the continuation, recurrence, or offset of a covered service member's serious injury or illness which would entitle the employee to FMLA leave; or c) other circumstances beyond the employee's control, the employee may be required to reimburse the County for its share of health insurance premium payments made on the employee's behalf during FMLA leave.

MARRIED COUPLES

If an employee and his/her spouse both work for the County, they are both eligible for leave. The employee and the employee spouse may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period if the leave is taken for: a) the birth, adoption, or foster placement of a child; b) to care for and bond with such child who does not suffer from a serious health condition; c) to care for a parent with a serious health condition; or d) a combination of the above.

For Military Caregiver Leave, the employee and employee spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

RECERTIFICATION

An employee may be required to provide the County with recertification no more than every six (6) months if the serious health condition still prevents the employee from performing his/her job functions or that the employee is still needed to care for a family member with a serious health condition.

The County may request recertification in less than six (6) months if:

- Circumstances described by the previous certification have changed significantly (e.g. the duration and/or frequency of the absence, the nature or severity of the illness, complications). For example, if an employee has a pattern of using unscheduled FMLA leave for migraines in conjunction with his or her schedule days off, then the timing of the absences also might constitute a significant change in circumstances sufficient for an employer to request a recertification more frequently than every six (6) months; or
- The County receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification. For example, an employee is on FMLA leave for four weeks due to an employee's knee surgery, including recuperation, and the employee plays in softball league games during the employee's third week of FMLA leave, such information might be sufficient to cast doubt upon the

continuing validity of the certification allowing the County to request a recertification in less than six (6 months).

The employee must provide the requested recertification to the County within the timeframe requested by the County (which must allow at least 15 calendar days after the County's request.) Any recertification requested by the County shall be at the employee's expense.

Should the provisions of the FMLA(s) be changed at any time, this policy will be considered modified to the extent that it complies with the new FMLA(s). This policy is NOT intended to be all inclusive; the County may refer to the Family Medical Leave Acts for further clarification. Revised 7/2013; 11/2015

KENOSHA COUNTY UNIFORM WORK RULES APPLICABLE TO ALL DEPARTMENTS

Whenever people live together or work together, whether at home or in business, their safety, efficiency, and happiness require adherence to certain rules of conduct. It is Kenosha County's intent to keep such rules to a minimum and to formulate these rules with the good of all always in mind.

While rules are necessary to provide employees with a good place to work and to permit the County to function effectively, it is the basic responsibility of every County employee to live and work in the spirit of self-discipline. However, in a government organization, as in a community, the enforcement of rules is necessary to take care of those who violate the principles of self-discipline.

It is the County's policy that each department/division head, manager and supervisor administer these rules in a consistent and fair manner, with an overriding commitment toward a constructive and corrective discipline action rather than a punitive system.

However, any employee who fails to maintain proper standards of conduct at all times or who violates any of the following rules shall be subject to progressive disciplinary action up to and including discharge, in accordance with the County's disciplinary policy.

Employees must comply with their respective department/division rules in addition to the Kenosha County Uniform Work Rules. In the case of a conflict between these rules and the department/division rules, the department/division rules shall govern. It is the responsibility of an employee who is uncertain about a conflicting rule to obtain clarification from the department/division head or supervisor. To the extent that any policy may conflict with federal, state or local laws, the County will abide by the applicable federal, state or local law.

ATTENDANCE/AVAILABILITY FOR WORK

1. Regular attendance is expected of every employee. Employment assumes the availability for work.
2. Employees must be at work, able to work, and ready to work at the scheduled starting time and shall continue to work, except for authorized break and lunch periods, until the scheduled quitting time. However, employees shall not leave work at the scheduled quitting time if they are engaged in work-related activities whose ending time is beyond the control of management, such as court hearings, meetings and conferences, or emergency situations.
3. Employees shall not be tardy in reporting to work.
4. Employees shall not be absent from work or leave work at any time during the scheduled work day without supervisory approval.
5. Employees who are unable to report to work due to illness or other justifiable cause must personally report their absence to a supervisor at least one-half hour prior to the start of their shift. In cases where supervisors are not available one-half hour prior to starting time, employees must personally report their absence to a supervisor no later than the starting time of their shift.

6. Employees claiming Worker's Compensation must immediately notify their supervisor or management of the occurrence of the injury to ensure that the claim is filed in accordance with the Wisconsin Worker's Compensation Act.
7. Employees who are off work for more than four consecutive work days for a medical reason must submit a return-to-work slip or proof of continuing disability from their physician.
8. Employees requesting benefits under the accident and sickness pay maintenance benefit plan or Family and Medical Leave Policy must complete the required form and submit it to the Personnel Office for approval. Except in extenuating circumstances, the form must be submitted before the time off is taken. Failure to complete notification procedures as directed may result in the delay or loss of the benefit, or in the employee forfeiting any rights to pay for the time period which elapsed prior to notification.
9. Employees who will be absent from work due to Family and Medical Leave, Worker's Compensation, or under the accident and sickness pay maintenance benefit plan must immediately notify both their supervisor or management and the Personnel Office, of the absence and the duration of the absence.
10. Employees who are absent from work and receiving benefits under Worker's Compensation or the County's accident and sickness pay maintenance plan must notify their supervisor or management of their work status after every appointment with a physician, not to include routine therapy appointments. Employees must also submit to the Personnel Office a written status report including applicable medical restrictions after every appointment with a physician, not to include routine therapy appointments. For those cases where physician appointments are infrequent, proof of continuing disability from a physician is required at least every thirty days in order to continue to receive benefits.
11. Employees shall not take excessive time off, with or without pay. Excessive time off includes, but is not limited to, habitual, repetitious, or patterns of absenteeism.
12. Employees shall not work another job while on paid or unpaid leave unless authorized by the County.
13. Employees shall not engage in conduct or activities which serve to lengthen the healing period of an injury or illness or that prevents them from returning to work. Employees shall not exceed their medical restrictions at or outside of work.
14. Employees are solely responsible for keeping and maintaining accurate records of their benefit time or leave balances. Benefit time granted in error will be corrected and considered time off without pay.
15. Absence of two consecutive work days without notifying the appropriate department head or supervisor shall constitute a voluntary resignation.

WORK HABITS

1. Employees shall be courteous and polite at all times while on duty or while engaged in work-related situations.
2. Employees must be in a physical and psychological condition satisfactory to perform their assigned work. Employees must advise their supervisor and the Director of Personnel Services of any prescription medication they are taking which could impair their ability to do their job.

3. Employees shall not demonstrate incompetence or inefficiency in the performance of job duties.
4. Employees must complete assigned work within a reasonable period of time.
5. Employees shall be considered insubordinate if they refuse assigned work or refuse to follow a legitimate order of supervision or management.
6. Employees shall not restrict the amount of work they can perform, interfere with others in the performance of their jobs, or participate in any interruption of work.
7. Employees shall not extend authorized breaks or lunch periods.
8. Employees must obtain supervisory authorization before working overtime.
9. Employees shall not use electronic communications or recording devices, including, but not limited to, voice or visual imaging devices, whether personal or County property, in the work environment without prior written supervisory authorization. This rule specifically excludes open public meetings.
10. Employees shall not abuse, misuse, or destroy any County property or the property of other employees, clients, vendors, or the public.
11. Employees must accurately record their time worked each day in accordance with the procedure for the department/division in which they work. Employees shall not record the work time of any other employee.
12. Employees shall not give any incomplete, misleading or false information of any kind. This includes, but is not limited to, records, time cards, absences, time off, incident, accident, injury or illness records. Also, employees shall not falsely state or make a claim of illness or injury.
13. Employees shall not remove from the premises, without proper supervisory authorization, County records, materials, tools, equipment, or other property. Employees found to have done so may, as part of the disciplinary action, be required to repair or replace any item damaged or lost by their actions.
14. Employees must work safely at all times and immediately report any injury or accident to their supervisor or management.
15. Employees must immediately report defective equipment or safety hazards to their supervisor or management.
16. Employees must obey all safety rules and wear protective equipment provided, and shall not engage in any conduct which creates a safety hazard.
17. Employees must report all property and equipment damage to their supervisor or management.
18. Employees shall not litter or contribute to unsanitary conditions.
19. Employees and union officers shall not conduct personal or union business, solicit funds, or distribute literature during work hours without prior supervisory approval.

20. Employees who are required to be licensed or certified to perform their jobs must maintain such license or certification in good standing at all times.
21. Employees must comply with all federal or state codes, local ordinances, and regulations that govern their respective departments.
22. Employees shall not release or cause to be released, including to the news media, any records or confidential information without prior supervisory authorization.
23. County telephones, electronic e-mail and other types of electronic communication devices are to be used for conducting County business and are to be used in a professional manner. Employees shall not use such equipment for personal business without supervisory permission. Long distance calls even in emergency situations must be paid for by the employee.
24. Employees have a duty to immediately notify supervisors and accurately report incidents of inefficiency, neglect, illegal activity, misconduct, and disregard for the public's interest. Failure to report such issues or failure to provide all meaningful and relevant facts regarding the issue will be considered an act of dishonesty.
25. The use of tobacco products including but not limited to cigarettes, cigars, pipes, and smokeless tobacco and the use of electronic cigarettes is prohibited on any county property with the exception of golf courses and parks. This includes county-owned and operated property, parking lots, cars parked on county property and sidewalks surrounding county property.
26. Kenosha County recognizes an employee's right to participate in online social media networks as a communication tool during their personal time. Use of these media during working hours or on County equipment is prohibited. County-related content posted on such media networks will be subject to all County policies, rules, regulations, guidelines and in accordance with applicable federal and state laws.

DEPARTMENT

Employees shall not engage in the following conduct:

1. Unauthorized or excessive absence, tardiness, or leaving early.
2. Discourteous or disrespectful treatment of others or the use of profanity or threatening language.
3. Physical or verbal abuse or intimidation of any individual, including those under the County's care, control, or custody.
4. Harassment, including, but not limited to, sexual harassment.
5. Discrimination, including, but not limited to, race, age, sex, national origin, religion, sexual preference, disability, or political beliefs/opinions.
6. Violent acts or threats of violent acts, fighting, pranks, horseplay or bullying.
7. Sleeping while on duty.

8. Insubordination, including disrespectful treatment of supervision or management.
9. Performing non-work related activities of any kind during working hours without supervisory authorization.
10. Retrieving, accessing, or reading any correspondence including e-mail, documents, or work product of other employees without their expressed permission.
11. Unauthorized solicitations or distributions.
12. Sabotage, including deliberate abuse or destruction of County property.
13. Immoral conduct or indecency.
14. Gambling, handling bets, selling or buying lottery tickets, or participating in any other game of chance on County premises or with County equipment.
15. Theft, damage, or misappropriation of property of another employee, the County, the public or any person under the County's care, control or custody. Employees found to have done so may, as part of the disciplinary action, be required to replace the property involved.
16. Possessing or carrying weapons, firearms, explosives or other dangerous weapons in County owned, leased or controlled buildings.
17. Possessing or consuming alcoholic beverages during working hours on County premises.
18. Having any measurable amount of alcohol in the blood during working hours (any measurable blood alcohol content). Any employee who tests positive for alcohol, whether as the result of a random test or a test based on reasonable suspicion, shall be subject to discipline, in accordance with the County's Drug and Alcohol Abuse Policy.
19. Having any traceable measure of a narcotic(s) or other non-prescription controlled substances in the blood while on or off duty. Any employee who tests positive for drugs (other than normal limits for prescription medication), whether as the result of a random test or a test based on reasonable suspicion, shall be subject to discipline, in accordance with the County's Drug and Alcohol Abuse Policy.
20. Possessing or selling narcotics or other controlled substances while on or off duty or selling any legitimately prescribed narcotic or controlled substance to another employee or person.
21. Acts of dishonesty.
22. Unlawful or improper conduct during non-working hours which affects the employee's relationship to his job, his fellow employees, management, or the County's reputation in the community.
23. Any conduct by an employee that may have the effect of unnecessarily disrupting the workplace.

GENERAL

1. All employees must comply with the provisions of the County Ethics Code and policies as adopted by the County Board of Supervisors and, in the case of any conflict between these rules, department/division rules, and the County Ethics Code and policies, the County Ethics Code and policies shall govern.
2. Additional Rules – Departments/divisions shall have the right and responsibility to develop specific operating rules particular to their work programs. Such rules shall have the same force and effect as the Kenosha County Uniform Work Rules.
3. Keys - The County has in its possession master keys to all County-owned property including desks, lockers, and offices assigned to County employees. The County may exercise its right to search County property without advance notice to employees based upon reasonable suspicion of wrongdoing.
4. Building Security - Employees who have keys to County buildings shall not allow them to be used by any other employee or individual.
5. Security Identification Badges – Employees must wear County-issued identification badges in a conspicuous manner at all times during work hours while on County premises and shall not allow them to be used by any other employee or individual.
6. Parking - Employees must display a County parking permit in their vehicles and shall not park in unauthorized areas.
7. Personal Appearance - Employees must report to work neat, clean, and wearing clothing that is suitable for their job assignment. Body art including jewelry and tattoos may be worn only with supervisory permission.
8. Bulletin Boards – Bulletin boards are provided as a means of communication between employees. Items displayed must be professional and in good taste. Items not meeting this standard will be removed immediately.
9. Outside employment is permitted unless it is found to interfere with the employee's job performance or availability at the County. The County must be notified of an employee's decision to work another job. Work assignments and schedules will not be changed for an employee to perform duties of another job. In addition, if the quality of job performance at the County begins to suffer, the employee will be asked to choose between jobs. Working a second job is prohibited while on any kind of leave of absence unless specifically approved by the Director of Personnel Services, and could result in revocation of the leave and disciplinary action.
10. Insurance Forms – Employees must complete and return health, dental, and all other required insurance forms or documents to the Personnel Office within the specified period of time. Failure to submit these forms by the due date may result in suspension or termination of the benefit.
11. All information contained in an employee's personnel record is strictly confidential. Access to employment records is limited to the employee, supervisor, and appropriate members of the Personnel Office. Wisconsin law allows employees to examine their personnel files upon giving adequate notice to the Personnel Office. These files may not be removed from the Personnel Office.

12. Employees must immediately report all changes in personal status including, but not limited to, addresses, telephone numbers, marital status and health insurance dependent status to their department/division heads in order to keep personnel files current.
13. New or Changed Rules – The foregoing rules are not intended to be all-inclusive. The County reserves the right to change, modify, suspend, revoke, revise or establish additional rules, policies, procedures, and/or practices under appropriate circumstances at any time with or without notice.

To obtain more information on the Uniform Work Rules or other County policies please contact the Personnel Office. Additional information on County policies including: equal opportunity and affirmative action, sexual harassment, electronic communications, drug free workplace, family and medical leave, HIPAA compliance and drug and alcohol abuse can also be located on the Kenosha County website. Furthermore, all state and federal required posters can be found outside the Personnel Office or in the break rooms of larger departments.

Revised: 12/2016

Kenosha County Drug and Alcohol Abuse Policy

Kenosha County is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a Drug and Alcohol Abuse Policy that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

Covered Workers

The policy includes, but is not limited to, department and division directors, administrators, managers, supervisors, full-time employees, part-time employees, on-call employees, off-site employees, grant-funded employees, seasonal employees, contractors, volunteers, interns and applicants.

Applicability

The Drug and Alcohol Abuse Policy is intended to apply whenever a covered worker is representing or conducting business for the County. Therefore, this policy applies during all working hours, whenever conducting business or representing the County, while on call, on paid standby, on County property and at County-sponsored events.

Prohibited Behavior

It is a violation of the Drug and Alcohol Abuse Policy to use, possess, trade, and/or offer for sale illegal drugs or intoxicants and abuse, sell, trade, and/or offer for sale prescription medications except for official Sheriff's Department operations. It is also a violation of the Drug and Alcohol Abuse Policy to divert or steal the prescription medications under the control of the County or those belonging to others. If it is suspected that an employee has engaged in prohibited behavior under this policy, the employee will be subject to reasonable suspicion testing.

Prescription Medications

Nothing in this policy prohibits the appropriate use of prescription medications legally prescribed by a licensed physician. However, it is the employee's duty to discuss with his/her physician any adverse effects which that medication may have on the ability to safely perform his/her job functions and to inform his/her supervisor and the Director of Human Resources of those adverse effects. Employees are not required to divulge the identification of their prescription drug to a supervisor but are expected to share possible adverse side-effect information with them.

If a prescribing physician advises an employee to refrain from making business decisions or driving, or restricts some other major life functions due to the effects of the prescription, then the employee must obtain that restriction in writing and provide it to his/her supervisor and the Director of Human Resources.

The Director of Human Resources, by means of contacting the physician or medical practitioner or by whatever means deemed advisable, will investigate whether it is necessary to impose any restriction on employment as a result of the employee's use of the prescription. If it is determined that the legally prescribed medication may affect or interfere with the safety and effectiveness of job performance, then the County may remove the employee from his/her position until such time the prescription medication is discontinued or dosage reduced. Upon notification of a reduction in dosage, the Director of Human Resources will re-evaluate the restriction and render a new determination.

Notification of Convictions

The Drug Free Workplace Act requires that an employee who is convicted of a criminal drug violation in the workplace must notify the employer in writing within five calendar days of the conviction. The employer then is to take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

Searches

Covered workers entering the County's property constitutes consent to searches and inspections. If an individual is suspected of violating the Drug and Alcohol Abuse Policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases, lunchboxes, desks, work stations, vehicles and equipment.

Drug Testing

To ensure the accuracy and fairness of the County's testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in the following types of testing as required by the Director of Human Resources: pre-employment, reasonable suspicion (including diversion or unexplained disappearance of drugs), post-accident, return-to-duty and follow-up testing. Random and related testing will also be conducted in accordance with federal and state Department of Transportation regulations and guidelines.

The substances that will be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and other suspected drugs to include prescription drugs or those being diverted.

Testing for the presence of alcohol will be conducted by analysis of breath, saliva and/or blood.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine, blood, hair, saliva and/or sweat.

Any employee who is suspected of reasonable suspicion or who tests positive will be immediately removed from duty and suspended in accordance with the County's disciplinary policy pending the results of an investigation. An employee who tests positive and who is allowed to continue employment with the County may be referred by the Director of Human Resources to a substance abuse professional for assessment and recommendations, require the successful completion of recommended rehabilitation including continuing care, require the successful passing of a return-to-duty test, and/or require a signed return-to-work agreement. The employee may be subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the return-to-work agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Consequences

One of the goals of the Drug and Alcohol Abuse Policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. However, if an individual violates the policy, the consequences are serious.

If an applicant violates the Drug and Alcohol Abuse Policy, the offer of employment will be withdrawn. The applicant may reapply after one year and must successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action up to and including termination. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements

Following a violation of the Drug and Alcohol Abuse Policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a return-to-work agreement as a condition of continued employment.

An employee permitted to enter rehabilitation and who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment.

Assistance

Kenosha County recognizes that alcohol and drug abuse and addiction are treatable illnesses, and realizes that early intervention and support improve the success of rehabilitation. To support all employees, the Drug and Alcohol Abuse Policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.
- Offers covered employees and their family members assistance with alcohol and drug problems through the County health insurance plan.
- Allows the use of available leave benefits while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by the County through the Drug and Alcohol Abuse Policy is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and County policies.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on-duty or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to a supervisor.

It is the supervisor's responsibility to:

- Inform employees of the Drug and Alcohol Abuse Policy.
- Provide annual refresher meetings to include any updates to the policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

Communications

Communicating the Drug and Alcohol Abuse Policy to both supervisors and employees is critical to its success. To ensure that all employees are aware of their role in supporting the Drug and Alcohol Abuse Policy:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy may be reviewed at safety meetings.
- Supervisors will keep apprised of current methodologies and techniques in recognizing and managing employees with alcohol and other drug problems.



COUNTY OF KENOSHA

Human Resources Policy Acknowledgment Form

EMPLOYEE NAME (please print): _____

DEPARTMENT/DIVISION: _____

I have received a copy of the **2018 Kenosha County Policies and Procedures Handbook**. I have also received a copy of the policies listed below. I acknowledge that it is my responsibility to review and ask questions about provisions in the documents that I do not understand.

Kenosha County Policy Statement of Equal Employment Opportunity

Kenosha County Sexual Harassment Policy Statement and Sexual Harassment Policy

Kenosha County Drug and Alcohol Abuse Policy

Kenosha County Drug Free Work Place Policy

Kenosha County Ethics Code

Kenosha County Social Media Policy

Kenosha County Electronic Communications Policy

Kenosha County Family Medical Leave Policy

Kenosha County Uniform Work Rules

I understand that the contents of these documents may be changed by the County at any time, with or without notice.

I further understand and acknowledge that these documents provide guidelines and information, but do not, nor is intended to constitute an employment contract of any kind.

Finally, I understand that in addition to the above policies, it is my responsibility to abide by all departmental policies, rules and regulations, in which I work.

EMPLOYEE SIGNATURE: _____

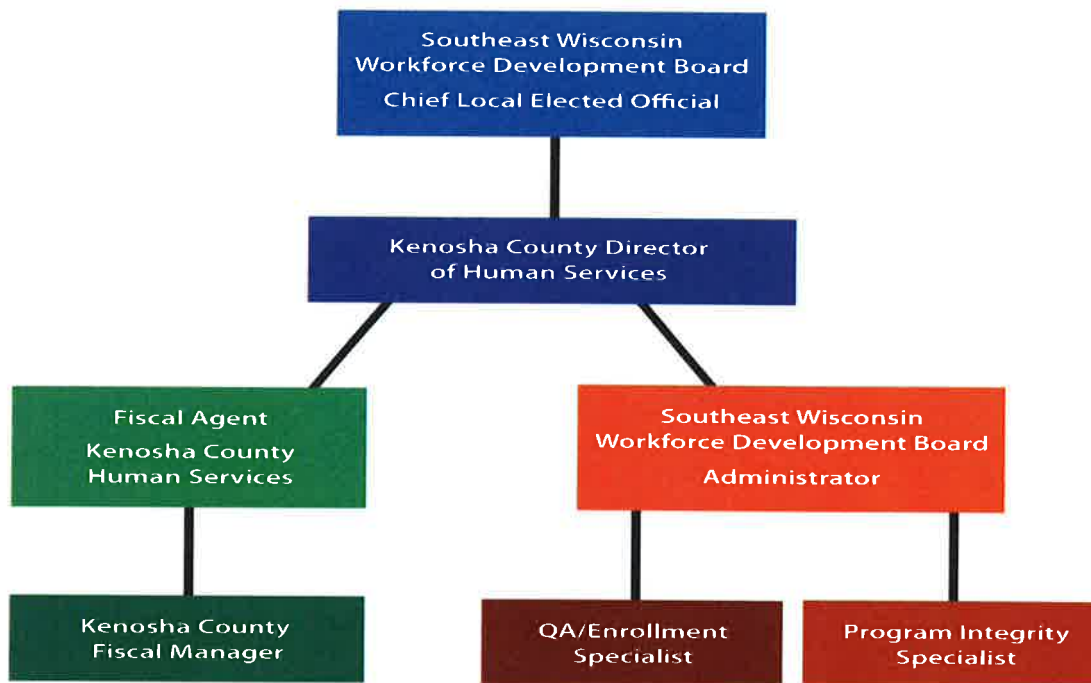
DATE SIGNED: _____

Revised: 1/2017; 03/2017; 4/2018



Administrative Entity/Fiscal Agent Organizational Chart

Effective date July 1, 2018





Cost Allocation Plan – (most recently approved plan)

WIOA Cost Allocation Plan – (SE WI WDA fiscal agent)

1.	Time reporting and case enrollment is used for Contracted employees to allocate between WIOA and other employment programs.
2.	Case enrollments used to allocate services between the different program categories within WIOA.
3.	Allocation of Administrative charges is based on time reporting and FTE counts by program.
4.	Indirect cost allocation plan is done annually. The costs are allocated by Division within Human Services and then by Direct Service amounts or FTE counts.

Southeastern Wisconsin Workforce Development Area

One-Stop Operator Agreement

June 28, 2018

THIS AGREEMENT, made and entered into by and between the Southeastern Wisconsin WIOA Consortium/Southeastern Wisconsin Workforce Development Area's (WDA #1) Administrative entity, Kenosha County Department of Human Services Department (KCDHS) and Kenosha County Department of Human Services Division of Workforce Development (KCDWD).

Background

KCDHS is the body designated by the Chief Locally Elected Official and Southeast Wisconsin Workforce Development Board (SE WI WDB) to function as the administrative entity, sub-grant recipient and fiscal agent for WDA #1.

Purpose

KCDWD is the body named by the Administrative entity to serve as the One-Stop Operator (OSO) to support the WDA #1 system of Comprehensive American Job Centers and affiliate site.

In consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the Consortium, the SE WI WDB, KCDHS and KCDWD do agree to the provisions set forth below as follows:

I. Selection of One-Stop Operator

- A. KCDHS names KCDWD as the One-Stop Operator to carry out the responsibilities set forth in the Act, the Comprehensive Strategic Plan, this Agreement and related regulations.
- B. KCDHS/KCDWD shall maintain the following to insure the integrity of the funds granted to it:
 1. KCDHS shall maintain status as a Department of Kenosha County Government.
 2. Subject to and without waiving any and all statutory defenses, immunities, and limitations of liability available to the parties, each party hereto agrees during the term of this agreement to indemnify and hold harmless the other, their successors and assigns, from and against any and every claim, demand, suit, payment, damage, loss; costs and expense that the other party, its successors and assigns, may hereafter suffer, incur, be put to, pay or lay out by reason of the said party performing its obligations, under this agreement.

II. Terms of the Agreement

- A. This agreement is effective July 1, 2018 through June 30, 2019.
- B. Funding for One-Stop Operator activities is \$25,000.

C. This agreement may be terminated or modified:

- 1. If the Consortium votes to change the Administrative or Fiscal Agent;
- 2. The Administrative and/or Fiscal Agent gives ninety (90) day notice of termination of services

III. Oversight

The SE WI WDB and Consortium are required to provide oversight, including review, monitoring and evaluation of the programs conducted under the local Workforce Plan in accordance with procedures established by the Board. Oversight of the OSO is provided directly by the SE WI WDB Administrator.

IV. Scope of Work

The OSO is responsible for coordinating the WIOA American Job Center service delivery, with oversight and monitoring by the SE WI WDB. Services shall be provided for the SE WI WDB network of American Job Centers.

The operator is charged with coordinating the service delivery among partner agencies in the SE WI WDB American Job Centers and satellite location. The following list delineates the role of the OSO:

- Coordinate with WIOA fiscal agent regarding daily operations for the lease, utilities and other activities to support the center
- Coordinate partner responsibilities defined in the Memorandum of Understanding (MOU) among partners
- Coordinate hours of operation for related service provisions
- Coordinate one-stop services for individuals and businesses
- Ensure that basic services such as orientations, labor market information, and resource rooms are available
- Implement SE WI WDB policy
- Adhere to all federal and state regulations and policies
- Report to SE WI WDB on operations, performance, and continuous improvement recommendations

The OSO will be responsible for ensuring a seamless delivery of services from all partners. Certain workforce services are integrated into the framework of the one-stop service delivery system and are provided through partner agencies under various funding sources. It is the mission of the SE WI WDB that the needs of business and workers drive workforce solutions; the centers provide excellent customer service to job seekers and employers and focus on continuous improvement; and the workforce system supports strong regional economies and plays an active role in community and workforce development.

The OSO's responsibilities have been defined as:

- Coordinate service delivery among partners and service providers;
- Act as a liaison with the SE WI WDB staff;
- Market the SE WI WDB and its services;
- Ensure each Center partner abides by the American Job Centers MOU;
- Recruit additional partners as needed;
- Facilitate the sharing and maintenance of data;
- Create continuous improvement methods reflective of the SE WI WDB network of American Job Centers;
- Serve as a liaison to the community, partner agencies and employers for the SE WI WDB;
- Assure compliance with state and SE WI WDB certification criteria which is essential for receipt of infrastructure funding;
- Work to enhance SE WI WDB initiatives.

V. General Administrative Provisions:

- A. The Consortium, KCDHS and the SE WI WDB shall have complete access to the records of the OSO relating to WIOA.
- B. Nondiscrimination: During the term of this agreement, the SE WI WDB, the Consortium, KCDHS and KCDWD agree not to discriminate against any person, whether a recipient or services (actual or potential), an employee, or an applicant for employment on the basis of factors prohibited by federal or state law, the Act and Wisconsin Statutes. The aforementioned agree to post in conspicuous places, available to all employees and applicants for employment and all recipients of services, actual or potential, notices setting forth the provisions of this agreement as they relate to nondiscrimination. The aforementioned shall, in all solicitations for employment placed on their behalf, state that the aforementioned are "Equal Opportunity Employers."
- C. Assignment or Transfer: Neither the SE WI WDB, KCDHS, KCDWD nor the Consortium shall assign or transfer any interest or obligation in this Agreement without prior written consent, except that the Consortium does hereby consent to the assignment of this Agreement to the SE WI WDB's, KCDHS's or KCDWD's successors which shall be bound in all respects as is the SE WI WDB, KCDHS, KCDWD unless specifically relieved by the Consortium.
- D. Wisconsin Law Controlling: It is expressly understood and agreed to by the parties hereto that, in the event of any disagreement or controversy between the parties, Wisconsin Law shall be controlling to the extent that there is no superseding federal law applicable.
- E. Construction: Should any part, clause, paragraph, or sentence of this agreement be construed by a court of competent jurisdiction to be in violation of any federal or state law, rule or regulation, the remainder of the agreement shall remain in full force and effect unless terminated in accord with the provisions of Section II C.
- F. Entirety of Agreement: The entire agreement of the parties, including attachments incorporated by reference, is constituted herein. This agreement supersedes any and all prior written or oral agreements and negotiations between the parties relating to the subject matter thereof. Previous

agreements, are hereby rescinded.

- G. Modification of Agreement: Any modifications of the agreement, other than those specifically indicated by Section II C, shall be only by written agreement of the signators or their successors as described in Section V C.

Signators:

- A. Each signatory certifies that he/she has the legal authority of the governing body of the parties thereto to enter into this agreement, and the parties jointly and separately accept the responsibility for the operation of the program under the Act.

IN WITNESS WHEREOF, the duly authorized signatories for the Kenosha County Department of Human Services, the Southeast Wisconsin Workforce Development Board and Kenosha County Department of Human Services Division of Workforce Development have executed this agreement and its schedules as of July 1, 2018.

For Kenosha County Department of Human Services



John Jansen, Director
Kenosha County Department of Human Services
WDB Administrative and Fiscal Agent

6/29/2018
Date

For Southeast Wisconsin Workforce Development Board



Doug Bartz, Administrator
Southeastern Wisconsin Workforce Development Board

6/29/18
Date

For Kenosha County Division of Workforce Development



Nina Taylor, Director
Kenosha County Division Of Workforce Development

6/29/18
Date



Veterans Priority of Service Policy

WDB's policy of serving eligible Veterans and spouses first to meet the Jobs for Veterans Act
[Administrator's Memo 10-02]

Revised: 02/2016

All persons interested in Workforce Innovation and Opportunity Act (WIOA) services must go through an application process. WIOA services are not entitlement services and policies govern who receives priority of services.

The priority of service for people interested in WIOA training services is:

1. Current trainees continuing in training as in their service plan.
2. Potential trainees, who are Veterans and eligible spouses, receiving public assistance or who are low-income.
3. Potential trainees receiving public assistance, who are low-income or individuals who are basic skills deficient.
4. Any other person who meets the definition of a Veteran and eligible spouse.
5. Any other person.

Veterans and eligible spouses, including widows and widowers as defined in the statute and regulations, will receive priority of service under all WIOA funded programs. The term "Veteran" means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions that were not dishonorable. The definition of active service includes full-time Federal service in the National Guard or Reserve component, but does not include full-time duty performed strictly for training purposes nor does it include full-time active duty performed by personnel mobilized by State rather than Federal authorities. "Eligible spouse" means the spouse of any of the following:

- a. Any Veteran who died of a service-connected disability;
- b. Any member of the Armed Forces serving on active duty who, at the time of the application for the priority, is listed in one or more of the following categories and has been listed for a total of more than 90 days:
 - i. Missing in action;
 - ii. Captured in the line of duty by a hostile force; or
 - iii. Forcibly detained or interned in the line of duty by a foreign government or power;
- c. Any Veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- d. Any Veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living Veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility (e.g. if a Veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living Veteran or service member, that eligibility would be lost upon divorce from the Veteran or service member.

Priority of service means that Veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training, and placement services provided under all WIOA funded programs. WIOA

programs shall include programs for adults, older youth, dislocated workers, and any other programs or services funded by the Department of Labor.

Priority means that Veterans and eligible spouses are entitled to precedence over non-covered persons for services. This means that a Veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the Veteran or eligible spouse receives access to the service instead of or before the non-covered person. Veterans and eligible spouses must first meet any applicable WIOA eligibility requirements.

Priority of service applies up to the point at which an individual is both: a) approved for funding; and, b) accepted or enrolled in a service. Priority of service is not intended to allow a covered person to "bump" a non-covered person. Therefore, once a non-covered person has been both approved for funding and accepted/enrolled in a service or program, a covered person will not be given preference of that service.

Written copies of Veterans and eligible spouses priority of service policy will be posted publicly at local Job Centers, on Job Center websites, and will be available at local service delivery points. Local program operators will implement processes to identify Veterans and eligible spouses who physically access service delivery points or who access service delivery programs through the Internet.

Initial and ongoing training will be provided to WIOA staff and Career Planners and program operators to ensure knowledge of priority of service policy. WIOA applications for registered, enrolled and not enrolled participants will be monitored using standard monitoring selection processes during the annual monitoring of program operators to ensure the priority of service policy for program enrollment and activities is being followed. Waiting lists for training, if they occur, will be monitored by the WDB staff at least quarterly to ensure that Veterans and eligible spouses are in priority status on the waiting lists. If any deviances to the application of the policy are found during monitoring, the staff or program operators will be given immediate training on how to apply the policy and the number of monitoring sessions will be increased to ensure compliance.



Attachment U

Policy on Incumbent Worker Training Programs

The SE WI WDB does not plan to use the local dislocated worker and adult formula funds for the Federal share of the cost of providing training through a training program for incumbent workers at this time.



Interim Policy on Transitional Jobs

Reference(s):

Workforce Innovation & Opportunity Act (WIOA) – sections 108; 122; 134; 181; 188; 194

Requirements of the Transitional Jobs Program:

- Southeast Wisconsin Workforce Development Board may not use more than 10 percent of the funds allocated to the local area.
- Provide transitional jobs that are time-limited (3 months with ability to extend to 6 months – to be determined by the One-Stop Operator) work experiences that are subsidized and are in the public, private, or non-profit sectors at Federal or State minimum wage (whichever is greater).
- For individuals who are chronically unemployed or have an inconsistent or have no work history.
- Are services that are combined with comprehensive employment and supportive services and are designed to assist the individuals to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.



Training Services/Individual Training Account (ITA) Policy –
Revised: June 2018

Background:

Participants who have not secured in demand, gainful and/or stable employment through Career services and/or who have obsolete or limited skills as identified by the customer, Career Planner and/or labor market may be eligible for training. Under the Workforce Investment and Opportunity Act (WIOA), Individual Training Accounts (ITAs) are the mechanism by which enrollees in the WIOA Adult, Dislocated Worker and Out-of-School Youth Programs receive funding for training services. WIOA allows participants of WIOA Title I-B Adult, Dislocated Worker and Out-of-School Youth Programs who seek training services to select an eligible provider of training services from the state list of eligible providers and programs (ETPL). Payment for such training services is arranged through an Individual Training Account (ITA). Participants of a WIOA In-School Youth Program may seek such training services only when co-enrolled in a WIOA Adult Program and only when funded through that WIOA Adult Program (WIOA Section 134 (d)). The policy provided below covers all training services administered by SE WDB.

Summary:

Individual Training Accounts (ITAs) are the method to provide WIOA funds to pay for training costs at an approved institution. The SE WDB offers training for “in demand” occupations in the region. Prior to ITA authorization, the Career Planner assures the State of Wisconsin approved list of Eligible Training Programs and Providers (ETPL) is utilized to choose an approved ETPL for the instruction. The selection of an ETPL (from the State approved list) is jointly discussed and decided upon by both the participant and Career Planner. It is expected that, whenever possible, training activities will be intensive and full time.

Policy Guidelines

1. In order to be considered for an ITA, a current participant must:
 - be enrolled in WIOA;
 - must follow the state WIOA Title I-A & I-B Policy & Procedure Manual Ch. 8 Adult and Dislocated Worker Programs Economic Self-Sufficiency policy 8.3.4. has been determined to be unable to obtain or retain employment.
 - be determined in need of the training services based on an interview, evaluation, or assessment, and by case management;
 - an individual must receive an assessment and have an Individualized Employment Plan (IEP) or Individualized Service Strategy (ISS) developed with their WIOA Career Planner. The Career Planner must document a determination of need for training services as determined through the assessment and career planning informed by local Labor Market Information and training provider performance information
 - the training services must align with the assessment results and be included in the IEP or ISS.
 - meet the pre-required skills and qualifications of the training provider to successfully complete the selected program; and
are unable to obtain grant assistance from other sources to pay the costs of such training and related support services, including but not limited to such sources from state-funded training funds, Trade Adjustment Assistance, and federal Pell Grants or require WIOA assistance in addition to other sources of grant assistance, including federal Pell Grants.
2. An ITA may cover the following expenses as required by the training program:

- tuition;
 - books;
 - fees;
 - supplies; and
 - other allowable costs.
3. Participants are required to apply for all available Financial Aid for programs leading to a diploma or degree. This requires completion of the *Free Application for Federal Student Aid (FAFSA)*.
 4. If financial aid is awarded, WIOA funding will be coordinated with financial aid and other funding.
 5. Funding priority will be given to training that aligns with high demand occupations. Occupational demand can be determined by using the State of Wisconsin's Occupational Projections list, JobCenterofWisconsin.com listing, other reputable data sources and Career Planner knowledge of the local labor market.
 6. An ITA will fund one semester or component of training at a time.
 7. Subsequent funding may be available based upon adequate academic progress, compliance with program expectations and the availability of funding. Based on availability, priority of subsequent funding will be provided to assure training program completion.
 8. On a case by case basis, WIOA training funds may be available to a participant who is in default of student loans, but may not be used to pay an outstanding debt to the training provider.
 9. Completion of an undergraduate degree or diploma may be paid if the participant demonstrates that program completion provides access to an "in-demand" occupation in the region. No more than the equivalent of two (2) academic years of full-time enrollment will be paid towards this academic completion.
 10. Payment for post-Baccalaureate credits, industry recognized credentials, certificate or CEUs will be considered on a case-by-case basis.
 11. Under certain circumstances less than full time training may be allowable and determined by the Provider Manager on an individual basis. Such part-time training should be consistent with the participant's Employment Plan and occupational objectives. Examples of allowable part-time training are:
 - an inability to schedule training courses due to lack of course availability; and
 - the need to work while participating in training activities.
 12. Program participants must maintain a GPA of 2.0 in the prior semester to receive a future WIOA ITA for the following semester. WIOA funds will not be used to re-take failed courses, if WIOA funds were used to cover the expenses for the failed course. Exceptions may be made by the Provider Manager on an individual basis.
 13. When participants who are approved for and enroll in training are unable to start training or drop out before the deadline for dropping classes by the institution, participants are allowed to enroll in courses at a later date in accordance with employability plan.
 14. Program participants not beginning or dropping out of training that have been issued tangible items in accordance with training requirements are required to return the item(s).
 15. While in training, the participant must agree to provide, or authorize the provision of, attendance, ongoing grades/progress reports and completion documentation.
 16. Upon completion of training, the participant is required to provide documentation of completion to Career Planner.
 17. Payment of training expenses will be made directly to the vendor providing the services. Direct reimbursement to individuals will be provided when no appropriate alternative is available.
 18. Expenses already incurred and/or paid before WIOA enrollment or authorization of training expenses are not eligible for reimbursement and will be considered "expenses without prior authorization" and are the responsibility of the participant.

References:

- *DOL/ETA Workforce Innovation and Opportunity Act (WIOA) Section 134 (d)*
- *DWD/DWS WIOA Program Year 2016 Program Guidance - Title I-B Programs*
- *DWD/DET Administrator's Memo – Workforce Innovation and Opportunity Act (WIOA) Memo Number:*

ADM 16-08 35% Expenditure Goal for Training

- *DOL/ETA – Federal Regulations 20 CFR § 680.230 outlines the requirements for coordination of WIOA training funds and other grant assistance. Also 20 CFR § 680.200*



Southeast Wisconsin Workforce Development Board
On the Job Training (OJT) Policy

PURPOSE: To provide information and direction for the implementation of WIOA funded On-the-Job Training (OJT) opportunities for eligible Adult, Dislocated Worker and Youth program participants. Specific criteria are included to increase the amount of employer reimbursement for an OJT participant wage rate to more than 50%.

BACKGROUND: On-the-Job Training (OJT) is a training option that provides Employers the opportunity to train new employees (Trainees) on the specific knowledge or skills essential to the full and adequate performance of the job. OJT opportunities are formed through a contractual agreement between the Employer and the OJT Service Provider. The OJT Service Provider provides the Employer with a partial wage reimbursement, typically up to 50 percent of the wage rate of the participant for the extraordinary costs of providing the training and supervision related to the training. However, Section 134(c) of WIOA authorizes local boards to reimburse employers up to a maximum of 75 percent of the wage rate of an OJT participant after considering factors listed in proposed rule at 20 CFR 680.730 and this policy.

OJT is a hire-first program. The Trainee begins their OJT as a full-time employee of the company that has agreed to provide the on-site training and long-term employment upon completion of the OJT. The rate of pay fringe benefits, periodic pay increases, and working conditions offered to the Trainee are the same as similarly situated employees in similar positions by the same Employer and are in accordance with Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(a)) or the applicable state or local minimum wage laws.

POLICY: On-the-Job Training must be provided through a contract that provides a structured training opportunity for the OJT Trainee to gain the knowledge and skills to be competent in the job for which they are hired. The contract must be completed and signed by all parties before the OJT Trainee may begin the OJT training. OJT may be sequenced with other WIOA program services such as work experience, classroom training or basic skills training.

Participant Eligibility: OJT Trainees must meet program eligibility requirements for each funding source, i.e. WIOA Adult, Dislocated Worker or Youth formula funded programs. Trainees must have received a documented assessment that results in the development of an Individual Employment Plan (IEP) that documents the participant has the interest, aptitude and skills to meet the specific Employer OJT requirements.

OJTs for Employed Workers: OJTs may be written for eligible employed workers when:

- The employee is not earning a self-sufficient wage;
- All other requirements of this policy are met; and
- The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, or workplace literacy, (proposed rule at 20 CFR. 680.710)

Employer Eligibility: The OJT Employer:

- Must be registered with the Internal Revenue Service (IRS) and have an account with the Wisconsin Department of Workforce Development – Unemployment Insurance Worker's Compensation Insurance (proposed rule at 20 CFR 683.280).
- Must have operated in Wisconsin for a minimum of 120 days and be current in unemployment insurance and workers' compensation taxes, penalties, and /or interest or related payment plan.
- Must have adequate payroll record keeping systems that track hours worked, gross pay, deductions and net pay.
- Must not have relocated within the last 120 days, where relocation resulted in the loss of employment at the prior location. (proposed rule at 20 CFR 683.260)
- Shall not displace any currently employed worker or alter current workers' promotional opportunities. Nor have terminated any regular employee or otherwise reduced the workforce in order to hire OJT Trainees. (proposed rule 20 CFR 683.270)
- Must not be currently involved in a labor dispute or have workers currently in a layoff status or laid off workers over the past 120 days from the same or any substantially equivalent job. The period of 120 days may be waived if there are mitigating circumstances reviewed and approved by a WIOA Program Manager.
- Must not impair existing contracts for services or collective bargaining agreements. Must gain written concurrence with the appropriate labor organization before the OJT can begin if the OJT agreement would be inconsistent with a collective bargaining agreement. (WIOA Sec.181 (a)(2)(B). Additionally, the Employer must attest that the OJT agreement would not assist, promote or deter union organizing (20 CFR 680.850).
- Must not allow OJT Trainees to work on the construction, maintenance or operation of any facility that is used for sectarian activities or as a place of worship (WIOA Section 188 (a)(3)).
- Must not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, disability, political beliefs or affiliations, or age (WIOA Sec. 188(a)(4)).

OJTs must not be written with an employer who has previously exhibited a pattern of failing to provide OJT Trainees with continued long-term employment. (proposed rule at 20 CFR 680.700(b)).

Employer Reimbursement Rates: The employer reimbursement rates of the regular wages earned for OJTs range from a minimum of 50 percent to a maximum of 75 percent. The reimbursement rate is based on the size of the employer as follows:

- A maximum of 50 percent for large employers defined as having a 100 or more employees
- A maximum of 65 percent for medium size employers defined as having 20-99 employees and
- A maximum of 75 percent for small employers with a workforce of 1-19 employees.

Regardless of the reimbursement rate, the following factors must be considered prior to approving an OJT:

1. The characteristics of the participant(s) with an emphasis on barriers to employment as defined in WIOA Section 3(24);
2. The quality of employer-provided training (e.g., an industry recognized credential, advancement opportunity);
3. The number of participants the employer agrees to sponsor; or
4. The wage and benefit level of the participant (both during and after completion of the OJT).

Each of the above factors leading to the approval of an OJT must be documented and placed in the contract file.

Registered Apprenticeship Programs: OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the on-the-job training portion of the registered apprenticeship program.

The OJT Contract: Every OJT opportunity will include a contract (agreement) with the Employer and a Training Plan for the Trainee. The contract must include the requirements of WIOA rules and regulations; the occupation, skills and competencies to be learned; and the length of time the training will be provided. Contract modifications

must be in writing, signed and dated by all parties prior to the effective date of the modification. Verbal modifications are not valid.

Cost per Participant: Subject to funding availability and the OJT Trainee's needs, Southeast limits the training costs not to exceed the amount prescribed by DOL or DWD by wage caps. Regardless of the hourly wage, training duration is limited to not less than six (6) weeks and not more than 26 weeks. Training duration must be in line with Specific Vocational Preparation (SVP) estimates. WIOA participants who have utilized the maximum allowed under the Southeast's most current ITA Policy may also qualify for an OJT with training cost and duration limits described above.

Overtime Hours for OJT: OJT payments may only be paid for regular wages paid by the employer. Payment may not be based on overtime, shift differential, premium pay and other non-regular wages. This does not preclude a participant from working overtime; however, the reimbursement to the employer must be based on the regular wage rate.

Determining Training Duration-Specific Vocational Preparation (SVP): Training will be limited to the period of time required for a Trainee to become proficient in the position related to the training plan. SE WI WDB limits the training duration to not less than six (6) weeks and not more than 26 weeks. Training duration is negotiated with the Employer on the basis of the skills that need to be learned to perform the job at a level comparable to an employee who would be hired without the need for OJT. An upper limit for training duration is established using the Specific Vocational Preparation (SVP) estimates for occupations in the U.S. Department of Labor at http://www.occupationalinfo.org/appendxc_1.html#II.

PROCEDURES:

Participant Case File: All documentation relative to the selection of a candidate for an OJT opportunity and the development and maintenance of the participant's OJT Training Plan should be included in the participant hard or electronic case file. Participant files must be available to federal, state and local monitors for compliance review.

Employer Files: OJT Service Providers are required to keep an individual file for each OJT Employer which includes the Employer Pre-Screening Checklist verifying employer eligibility. Employer files must be available to federal, state and local monitors for compliance review.

Monitoring:

- Monitoring at the local, state and federal level will include the OJT Service Provider's oversight of the participant training and corresponding employer payroll records.
- On-site monitoring visits should be conducted by SE WDB staff shortly after the OJT Trainee begins work, with additional visits scheduled at appropriate intervals (determined by length of OJT Training Plan).
- Effective monitoring also includes desk review of correspondence from the employer, including OJT reimbursement invoices and required documentation to support those invoices.
- Contract managers must regularly review each Trainee's progress in meeting program and service strategy objectives, including the Trainee's acquisition of basic/occupational skills and the adequacy of supportive services provided as related to OJT.
- Any deviations from the OJT Contract should be dealt with and documented promptly.

Exceptions: Any exceptions to this policy must be approved by the SE WI WDB or the authorized representative of the WIOA Service Provider and documented in both the Trainee and Employer files. Exceptions may be allowed for: Employers new to WDA 1; Employers with workers in lay-off status less than 120 days; Training plans exceeding the cost or time limits or other policy statements not contained in the WIOA or WIOA regulations.

DEFINITIONS:

OJT Agreement/Contract: The OJT Agreement or Contract includes all of the basic requirements including applicable laws, regulations and policies; outlines the appropriate steps for OJT implementation; and is specific to the individual training plan. At a minimum, the Agreement must include an extensive set of general provisions (Terms and Conditions) ensuring WIOA rules and regulatory compliance; the occupation, skills and competencies to be learned; and the length of time the training will be provided. All parties including the Employer, OJT Service Provider and Trainee must sign the Agreement prior to the commencement of the OJT.

Trainee: The OJT Trainee is an eligible WIOA participant who has demonstrated the skills, abilities and interests to successfully participate in an OJT with a specific Employer. The Trainee must have received a documented assessment that resulted in an Individual Employment Plan (IEP) that documents the appropriateness for the OJT.

The OJT Training Plan: The OJT Training Plan must be signed by the Employer, OJT Service Provider and Trainee prior to the commencement of the OJT. The Training Plan is unique and customized for each OJT Trainee. The Training Plan includes the skills to be learned, training hours and evaluation of skills gained.



Attachment Y

Customized Training policy

The SE WI WDB does not plan to use the local dislocated worker and adult formula funds for the Federal share of the cost of providing training through a training program for customized training at this time.



Attachment Z

Needs Related Payment Policy

SE WI WDA ***does not*** issue Needs Related Payments.



SE WI WDB Supportive Services Policy – June 2018

WDB policy on Supportive Services that includes what supportive services may be provided; when they may be provided; and, limits on the amount and duration.

Background:

The Workforce Innovation and Opportunity Act (WIOA) provides supportive service program guidelines for WIOA eligible adult and dislocated workers in Section 3 (59) and 134(d c)(2) and (3) and for WIOA eligible youth in Section 129 (c) (2) (G).

WIOA defines supportive services as those services necessary to enable an individual to participate in activities authorized under WIOA Title I. Supportive services may include transportation, child care, dependent care, needs-related payments, emergency assistance, referrals to medical services and assistance with work attire and work-related tool costs. Assistive technology/equipment may be included in this definition if staff document that the participant needs this technology/equipment in order to participate in the WIOA activity and is unable to obtain it from other resources. In addition, OMB Circular A-122, Attachment A states, "that costs must be adequately documented, and that costs charged to federal grants must be reasonable and necessary." The extent of supportive services provided will vary based on the participant's needs and the area's availability of funds and resources. The underlying guidance is that Support Services resources are limited and not an entitlement. The needs of each individual and availability of funding will be considered.

General Provisions:

1. This policy applies to:
 - a. WIOA Adult and Dislocated Worker programs (including Needs Additional Assistance and any other DOL funded grant) but excluding those who can receive services through another source.
 - b. WIOA Youth program.
2. Supportive services are only to be provided to participants who:
 - a. Are participating in career or training services;
 - b. Are unable to obtain supportive services themselves or via their support network;
 - c. Are unable to obtain supportive services through other programs including community agencies that provide these services or that by doing so would delay the provision of service and create an undue hardship for the participant; and
 - d. Demonstrate a need for assistance to enable him/her to participate in Title I activities.
3. Supportive services will only be provided when expenses are necessary to enable the participant to take part in WIOA Title I activities at the career and training service level.
4. Payment of support services will normally be made directly to the vendor providing the service(s) and only be paid with prior authorization. Direct reimbursement to individuals, to compensate the person for expenses already incurred and/or paid, will not be approved without the authorization of the Program Manager.
5. Examples of supportive services include, but are not limited to:
 - a. Assistance with uniforms or other appropriate work attire;
 - b. Assistance with work-related tools, including such items as eyeglasses and protective eye gear;
 - c. Testing fees;
 - d. Assistance with transportation;

- e. Assistance with child care and dependent care;
 - f. Linkages to community services; and,
 - g. Referrals to medical services.
6. Each county may provide an up-to-date Community Resource Directory for possible supportive service referrals. Examples of possible community resources include: faith-based organizations, non-profit organizations, women's shelters, clothing closets, food pantries, *Pro bono* medical, dental, and legal services, Government assistance (such as: local health departments; the Women, Infants and Children (WIC) program), assistive technology reimbursement programs; Badgercare, local transportation programs (such as the Wisconsin Employment Transportation Assistance Program (WETAP) and others), and organizations such as United Way, Goodwill, Salvation Army, and others.
 7. The need for Supportive Services must be documented via the assessment process, development of the Employment Plan and the Statement of Need form (Attachment BB (1)). The participant must complete the Statement of Need form and verify by signing. The form is also signed by the Career Planners. All of these materials are documented in the Case Notes, included in the case file and documented as a Service.

Definitions and Limitations:

1. Childcare Costs are based on assessed need and available funding. Childcare will be authorized on a first come, first serve basis. Each WIOA eligible and enrolled program participant may apply for childcare assistance, Wisconsin Shares, when the participant is attending an approved training program on a full or part-time basis or approved program activities. Childcare will be paid based on the prevailing childcare rate approved by the County Department of Human Services. The Career Planners must verify the childcare rate (and document this) with the county's Human Services agencies. Maximum hours payable cannot exceed 40 hours per week. Hours payable can include hours in class, reasonable travel time and study time. Study time must be approved and structured and a signature from the Instructor is required. The childcare provider may be certified or not and may be a family or friend. If a spouse/parent/adult/sibling residing in the household is not working or attending training, that person shall be considered available to provide childcare without reimbursement (Consideration can be given to unique situations and must involve Manager's review and approval). Childcare payments are made directly to providers. Childcare costs are only to be paid for the time the participant is involved in training or approved program activities and are documented through biweekly attendance reports which are signed by the Instructor or other authorized party as approved by the Career Planners. Receipts or an invoice from the childcare provider must be provided and will be included in the case file and indicated in the case note to document childcare costs.
2. Transportation Costs are paid to ensure mobility between home and location of employment, training, and other supportive services. Transportation support can be provided in various forms such as: mileage reimbursement, bus and other transportation fares, gas cards, vehicle registration fees, driver's license fees and parking assistance. Documentation to prove the driving expense to training or work must include, at the time of receiving transportation assistance, one of the following: internet map showing trip mileage, driving log, or other documentation as defined by Career Planners.
3. Emergency Assistance costs will only be considered in situations with extenuating conditions and if all other options are sought first. These expenses are paid to allow a customer to begin or to continue participating in WIOA activities such as school, work experience, On-the-Job Training (OJT), etc. If the customer is having extreme financial difficulty, staff will assist him/her with needed financial information (development of a budget, credit counseling, debt management, etc.). The need for emergency assistance must be verified with documentation related to the emergency such as an eviction notice, disconnection notice, etc. Emergency assistance payment must be well documented in the case file. If there is confidential information to be included in the case note, ASSET case note is marked as "confidential". Emergency assistance costs may include payment of utility bills and rent payment.
4. Work-related Supplies include provision of payment for occupation-specific tools, uniforms or protective clothing, occupational testing for certification purposes, and commercial driver's license (CDL) related fees, safety equipment, etc. required as a condition of employment.

- a. Clothing/Uniforms - any clothing or uniform support should be limited to what is required for the individual for training, interviewing or employment.
- b. Medical Exams/glasses payments are provided and may include: medical exams needed for training or employment; drug testing; fingerprinting; vision exam; eyeglasses or protective eyewear. All authorized medical expenses must have proper documentation (i.e. receipts, invoices, etc.).
- c. Tools- the request must come from a bona fide offer of employment with start date and a statement from an employer specifying the exact tools or equipment needed for employment must be provided. The type, quality and amount will be within usual, customary and reasonable standards. Tools for entrepreneurial efforts will not be covered.
- d. Education-related Application Fees are paid to determine a participant's eligibility and acceptance at the educational institution and which will allow the participant to obtain information on financial aid awards. All authorized education related fees expenses must have proper documentation (i.e. receipts, invoices, etc.) prior to payment.

All work-related expenses must have proper documentation (i.e. verification of need from the employer, receipts, invoices, etc.) when submitted for reimbursement. Payment is made to the educational institution, vendor, or the participant for the expense.

5. Relocation Assistance may be provided to a participant moving from one community to another beyond normal commuting distance (100 miles or more), to start/continue a job that will lead to self-sufficiency. This employment must be verified, must be full-time and at a high wage level in order to qualify for relocation assistance. Allowable expenses could include rent, moving vehicle rental and/or towing, trolley and gas reimbursement but cannot exceed a total of \$2,500. All authorized relocation assistance expenses must have proper documentation (i.e. receipts, invoices, etc.) prior to payment.
6. Vehicle Repair assistance is provided as long as the following conditions are met and documented:
 - The need for the vehicle for training or work-related participation and the repair is necessary for safe operation of the vehicle only;
 - The participant owns the vehicle;
 - The vehicle has current registration;
 - The vehicle is insured; and
 - The participant has a valid driver's license.

Prior to authorizing expenditure for a repair, at least two (2) estimates from certified ASE mechanics must be submitted. The work can only be repair work and cannot include any maintenance work (oil change, etc.) unless it is a necessary part of a larger repair.

The program participant's lifetime maximum for this vehicle repair assistance is \$1,000. All authorized vehicle repair expenses must have proper documentation (i.e. receipts, invoices, etc.) prior to payment.

The items eligible for Supportive Services described above are not fully inclusive. Other services may be considered on a case by case basis. All these special cases require the same request process and completion of the Statement of Need form. Participants showing a need for other work-related expenses will be considered on an individual basis. The request (and documentation) is submitted to the Career Planners who may submit to the authorized supervisor for consideration.

Southeast Wisconsin Workforce Development Board and partner counties (Kenosha, Racine & Walworth) assume no civil or criminal liability for the use of transportation funds for purpose contrary to law.

Prohibitions: WIOA Funds cannot be provided for:

- a. Reimbursing the participant for expenses incurred without prior approval.
- b. Business Capitalization – providing funds for a business such as the purchasing of tools as a post-employment/follow-up service for a participant who is or will become self-employed.
- c. Deposits – paying or reimbursing for any type of deposits, e.g. rental, lease, etc.

- d. Mortgage and Car Payments e.g. cannot pay mortgage or car payments for participants.
- e. Fines and penalties such as traffic violations, finance charges or interest payments.
- f. Entertainment including tips.
- g. Contributions or donations.
- h. Alcohol or tobacco products.
- i. Care of a pet.
- j. Items for family members or friends.
- k. Medical procedures, treatment, medication, or other medical services other than what is listed above in 4b.
- l. During follow up after exit.

Expectations of Program Operators:

Program operators have a responsibility to properly account for and control the use of all program funds allocated. This includes developing, maintaining and managing systems, consistent with federal, state and county regulations and policies, for the proper disbursement and accounting of funds allocated to program participants. Program operators are expected to:

- 1. Determine participant eligibility for WIOA services and prepare and file all necessary paperwork as specified by contractual agreement between the program operator and WDA 1.
- 2. Explain supportive service payment limitations to participants.
- 3. Assist the participant in exploring other program options for the payment of supportive services.
- 4. Obtain and place in the participant's file documentation verifying that the person was unable to obtain services through other programs. Acquire and place in the participant's file the completed Participant's Statement of Need form which documents the need and inability of the participant to gain this service through other means. It also substantiates that the payment of training and supportive service costs was necessary to enable an individual to participate in program activities.
- 5. Approve supportive services according to the participant's individual employability plan.
- 6. Authorize supportive service obligations and payments using the local area's fiscal tracking system for payables.
- 7. Ensure that Supportive Services funded by WIOA are reported in ASSET and dates are relative to the supportive service provided.
- 8. For every approved supportive service, there needs to be a completed Statement of Need signed by participant and Career Planner. Update ASSET with service.



Attachment AA (1)

**Workforce Innovation and Opportunity Act (WIOA)
STATEMENT OF NEED**

Name: _____

Address: _____

City/State/Zip: _____

Phone #: (_____) _____ ASSET Pin #: _____

Without the following support, I would experience financial hardship while participating in Workforce Innovation and Opportunity Act (WIOA) program services.

TYPE OF SUPPORT:

____ Bus Tokens

____ Bus Pass

____ Childcare

____ Emergency Assistance (documented with
eviction notice, disconnection notice, etc...)

____ Mileage Reimbursement

____ One Gas Card every week (25 miles or more
round trip) **proof required

____ Other: _____

____ One Gas Card every other week (under 25
miles round trip)

____ Training-related Support (books, medical
exams, etc...)

____ Work-related Supplies (clothing/uniforms,
medical exams/glasses, tools, etc...)

This service is being requested because: _____

I further understand that transportation / childcare reimbursement will not be made until required documentation (such as parking receipts, driving log) and attendance records have been submitted weekly.

The Southeast Wisconsin Workforce Development Board and partnering counties (Kenosha, Racine & Walworth), assume no civil and/or criminal liability for use of transportation funds for purpose contrary to law.

The determination of need is at the sole discretion of the WIOA Career Planner. All supportive services through WIOA are subject to funding availability. This document does not constitute a contract or obligation to provide WIOA funding. I understand if I receive the funding in the category I have applied for, I will provide the necessary documentation required such as receipts, invoices, attendance logs, mileage and other documents defined by the Supportive Service need and itemized by the Career Planner.

Name: (PLEASE PRINT)

Authorized Representative: (PLEASE PRINT)

Signature

Date

Signature

Date



Follow-Up Services Policy
REV: June 2018

Purpose:

This policy provides guidance of the follow-up services available to WIOA Adult, Dislocated Workers, Older and Younger Youth who have completed their service plans and have obtained unsubsidized employment, or in the case of the youth, are participating in a recognized educational activity.

Policy Guidelines:

SE WDA 1 follows the Follow-up Services requirements as defined by the Workforce Innovation and Opportunity Act.

All follow-up services are documented via case notes and documentation within the case file if needed. Staff shall make attempt to contact the exited participant on a quarterly basis minimum contact is required. Follow-up contact can include email, in person meetings, letters, and phone conversations. During follow-up, training services will be offered to participants if leading to an increase in wages of \$0.50 per hour or more upon completion of the training program.

Exception to Performing Follow-up Services:

No follow-up required for individuals exited with a Global Exclusion (Institutionalized, Health/Medical, Deceased, Reservists Called to Active Duty, Relocated to Mandated Residential Program).

Action Required by Career Planners:

WIOA participants must be made aware of follow-up activities that will occur for twelve (12) months after exit.

At Program Start:

When developing the participant's individual employment plan, the WIOA Career Planner must integrate follow-up activities as part of the overall WIOA service plan. Participants must have a full understanding that in order to access these services, they must keep in touch with WIOA Career Planners after employment.

Types of follow-up services (may include but not limited to):

- Referrals to supportive services available in the community;
- Regular contact with participant, including assistance in addressing work-related problems;
- If a job change is needed, assistance in revising resumes;
- Career development information;
- Facilitating access to Job Center of Wisconsin;
- One-Stop Center Resource Center;
- Specialized workshops targeted to provide information on effective job retention strategies or other appropriate topics.

At Program Exit:

ASSET entry is required in the ASSET Follow-up Status Screen. Follow-up must be clearly documented in the participant's case file and ASSET database. All required fields should be completed.

The quarterly employment and wage information must be recorded in ASSET Follow-up Status Screen.

Employment and wage information must be entered under the appropriate quarter's tab (first quarter, second quarter, third quarter, and fourth quarter after exit).



**Workforce Innovation and Opportunity Act (WIOA)
WIOA Youth Incentive Policy
Revised – June 2018**

The Workforce Innovation and Opportunity Act (WIOA) Final Rule 20 CFR 681.640 provides for the awarding of incentive payments to youth participants for recognition and achievement directly tied to training activities and work experiences. These awards are intended to encourage and motivate WIOA youth to achieve specific goals and obtain positive outcomes. Reasonable incentives are allowable only if the local workforce board has written policies and procedures governing incentive payments, the provision of an incentive is included in the participant's individual service strategy, and are in accordance with the requirements contained in 2 CFR part 200. This document provides the policy of Southeast Workforce Development Board (WDB) for granting incentive award payments to participants enrolled in the Title I Workforce Innovation and Opportunity Act (WIOA) youth program.

Policy

Southeast WDB shall offer reasonable incentives to youth participants in recognition for achievement in their WIOA Title I training activities and work experiences. The justification for awarding incentives must be clearly defined in the youth's individual service strategy (ISS). Incentive award payments shall be made in a uniform and consistent manner that ensures all participants receive equal rewards for equal achievement.

For the purposes of this policy, the term "incentive award payment" shall mean a reward intended to recognize the achievement of a training activity or work experience, which can help motivate a youth to set and then achieve a training activity or work experience goal. The incentive award payment must be directly linked to attainment of a specific and measurable program outcome. All incentive award payments are subject to the availability of WIOA funds and are not an entitlement. Southeast WDB may suspend or withdraw authorization for incentive award payments at any time and at its sole discretion.

Goals and/or training outcomes eligible for an incentive must be linked to an achievement related to training, employment, education, work readiness skills, occupational skills, and/or basic skills attainment goals as stated in the clients' ISS and documented in accordance with applicable WIOA regulations. Participants cannot receive multiple incentive payments for the exact same activity. Achievements eligible for an incentive awards include:

Attainment of High School Diploma, GED, or HSED	\$100.00
Completion of a GED practice test with a 'Likely to Pass Score'	\$25.00
Complete a GED Test (incentive can be offered for each subject area test passed)	\$25.00
Complete Work Readiness Training Skill Attainment	\$25.00
Complete an Educational Skill Attainment Goal	\$25.00
Completion of TABE retesting with an EFL increase in each area found deficient on the pre-test. (can earn an award in each area found deficient in the pre-test)	\$25.00
Completion of 1 year of Mentorship (Incentive will be given upon recommendation of the mentor indicating successful completion)	\$100.00
Obtain and Report completion of 30 days Unsubsidized Employment to the Career Planner	\$25.00
Report retained Employment during 2 nd quarter after exit to the Career Planner	\$25.00
Report retained Employment during 4 th quarter after exit to the Career Planner	\$25.00
Attain a Post-Secondary Credential (Occupational Certificate, Diploma, or Degree)	\$50.00

Incentive payments may be awarded as cash equivalent incentives through gift cards only and will have a calendar year annual cap of \$575.00 per participant. A participant may be eligible for an incentive award when involved in an unpaid work experience.

Incentives are available to each WIOA eligible youth participant based on participation and activities documented in the participant's ISS. WIOA Title I service providers shall maintain required documentation detailing the distribution and management of awards. All incentives are taxable at the full amount of the award and subject to withholding in accordance with Internal Revenue Service (IRS) regulations. Southeast WDB shall require all WIOA service providers and grantees receiving funds from a grant or contract administered by Southeast WDB to comply with this policy and applicable procedures. At a minimum, service providers shall:

- Document the need for the incentive and justify issuance of the award in the participant's ISS and in the ASSET system (customer notes).
- Record the provision of incentives payments in ASSET.
- Maintain records verifying the client received the award through an original signature on a receipt form.

It is the responsibility of each service provider to become aware of all applicable regulations and to monitor personnel and client activities to ensure compliance. Southeast WDB shall review service provider compliance with this policy during the monitoring process.

References: Workforce Innovation and Opportunity Act of 2014; Final Rule, 20 CFR 681.640. Uniform Guidance, 2 CFR Parts 200 and 2900.

WIOA TEGL March 2017 – 21-16

WI DWD Division of Employment and Training WIOA Policy Update 16001: Youth

Incentive Awards Pa DOL included the reference to the Uniform Guidance at 2 CFR part 200 to emphasize that while incentive payments are allowable under WIOA, the incentives must be in compliance with the Cost Principles in 2 CFR part 200. For example, Federal funds must not be spent on entertainment costs. Therefore, incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment. Additionally, there are requirements related to internal controls to safeguard cash, which also apply to safeguarding of gift cards, which are essentially cash.

While DOL recognizes that incentives could be used as motivators for various activities such as recruitment, submitting eligibility documentation, and participation in the program, incentives paid for with WIOA funds must be connected to recognition of achievement of milestones in the program tied to work experience, education, or training. Such incentives for achievement could include improvements marked by acquisition of a credential or other successful outcomes. Local areas may leverage private funds for incentives that WIOA cannot fund. Incentive payments may be provided to both ISY and OSY as long as they comply with the requirements of 20 CFR § 681.640. yment Policy dated August 8, 2016.

<https://www.doleta.gov/wioa/Docs/wioa-regs-labor-final-rule.pdf> Department Response: While the Department recognizes the importance of incentives as motivators for various activities such as recruitment, submitting eligibility documentation, and participation in the program, the Department concluded that incentives must be connected to recognition of achievement of milestones in the program tied to work experience or training. Such incentives for achievement could include improvements marked by testing or other successful outcomes. While WIOA funds cannot be used for incentives for recruitment and eligibility documentation, local areas may leverage private funds for such incentives.



Attachment DD

List of youth service providers

- Kaiser Group / dba: Dynamic Workforce Solutions
- Kenosha Boys & Girls Club
- Racine Area Manufacturer's and Commerce (RAMAC)
- Racine County Economic Development Corporation (RCEDC)

One-Stop partners, roles and resources

PARTNER	ROLE	RESOURCES
Racine County	Career Services	Local tax base, WIOA
Kenosha County Department of Human Services	WDA Fiscal Agent, Admin. Agent, Management, Subcontracting & Supervision of Services	WIOA, Local tax base
Goodwill Industries	Career Planners for Adult & Dislocated Worker Services	Regional connections, WIOA services
Gateway Technical College	Basic skills, English Language Learners, GED/HS and job skills training	Tax base, multiple fund resources, Title II
Wisconsin Job Service	Job matching & job listing services, Employment Counseling	WIOA Wagner-Peyser
Wisconsin Department of Vocational Rehabilitation	Career planning, training and job placement services for disabled populations	WIOA-Vocational Rehabilitation
Professional Services Group	Business Solutions Team services & Assessment	WIOA
Kenosha Boys & Girls Club	Youth remediation and activity programming	Youth and WIOA services, local fund raising
Minact, Inc./Job Corps	Job skills training, Residential youth training services	WIOA-Job Corps
SER/Jobs for Progress	Senior Aides work experience and employment services	Title V
Wisconsin OVS	Employment related services for Veterans	Veterans funding
Kenosha County Veterans Officer	Benefits access and coordination services for Veterans	Veterans funding
Racine County Veterans Officer	Benefits access and coordination services for Veterans	Veterans funding
Walworth County Veterans Officer	Benefits access and coordination services for Veterans	Veterans funding
Kaiser Group dba: Dynamic Workforce Solutions	Career Planners and Workforce services for WIOA	WIOA
Racine Area Manufacturers & Commerce	Business Solutions Team services, Adult, Youth and Dislocated Worker services	WIOA, business membership services, and local tax base
Walworth County Economic Development Alliance	Business Solutions Team services	WIOA, business membership services, and local tax base
Walworth County Literacy Council	Literacy skill training for Adults	English language learner training
ResCare	W2 and FSET	TANF

Kenosha Literacy Council	Literacy skill training for Adults	Title II & foundation support
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Youth partnering organizations

Type of Youth Partner	Partnering Organization
Subject to the juvenile or adult justice system	Goodwill, Racine County Human Services Department, Kenosha County Human Services, Local Schools, Professional Services Group (PSG)
Homeless	Goodwill, Safe Haven of Racine, Inc., HALO, Kenosha Human Development Services (KHDS)
Runaway	Walworth HHS, Safe Haven of Racine, Inc., KHDS
Pregnant or parenting	DVR, RUSD PEPs, Safe Haven of Racine Inc., Professional Women's Network of Service, KHDS
Individuals with a disability	Walworth HHS, DVR, Local Schools, RAAD, Catholic Charities, Kenosha Achievement Center (KAC)
Foster children	Walworth HHS, Racine County HSD, PSG, Kenosha County Human Services
Aging out of foster care	Walworth County Literacy council, Racine County HSD, PSG, Kenosha County Human Services
English language learners	Walworth County Literacy council and school districts, Gateway Technical College, Racine Literacy Council, Kenosha Literacy Council
School dropouts	Walworth County Literacy council and school districts, Gateway Technical College, Local Schools, City of Racine Community Center, Boys & Girls Club
Within the age of compulsory school attendance, but have not attended school for at least the most recent complete school year quarter	Goodwill, Racine County DHS, Racine County Delinquency Court, Local Schools, Kenosha County Department of Human Services



Youth Program Service Partners

Youth Program Service Partner	How WDB Partners
YouthBuild	One-Stop youth referral
AmeriCorps	One-Stop youth referral
Job Corps	One-Stop on-site and referral
Youth Apprenticeship	One-Stop youth referral
Registered Apprenticeship	One-Stop youth referral



Rapid Response Plan – June 2018

The following process is based on the DWD-DET Process Map-June 2015 also in consultation with Job Service.

Local Practitioners

Current Designated Agency's

- ☐ **Racine County**
RCEDC
RAMAC
- ☐ **Walworth County**
DWFS
- ☐ **Kenosha County**
Goodwill Industries
- ☐ **State of WI WDA Job Service**
Terry Schuerman
Rene O'Conner - WDA Job Service Back Up

Notification

Any one of the designated representatives of the agencies listed above can receive notice of any layoff which will set the RR process in place. Notification can be received in various manners, including (but not limited to) WARN notice from State, news reports in the newspaper or other media, or by word of mouth.

The representative that receives the information will bring it to the attention all other agencies. If the State receives a WARN notice, it is understood that the state will contact the designated representative of the county in which the layoff is taking place. The agency, once contacted, will alert the other designated agencies of the WDA as needed. Notification, if not received from the State, will be investigated.

Initial Contact

After verification or notification from the state, the designated agency from the impacted county will take the lead. Staff will be assigned to make contact with the company to gather information and to set up an initial meeting with the HR/Administration, union leadership (if involved), or other involved persons. The agency will then start data entry process into the Rapid Response Event Tracking System(RRETS)

Initial Meeting

Team members from the affected county will conduct the initial interview. Information will be given about services available and the best solutions to help both the transition of workers and the employer will be identified. TAA information will be given as needed.

Dates will be set for Rapid Response meetings with the employees.

Sharing Information

After the initial interview, all information will be shared with the collaborative team. Team members will discuss the appropriate level of services and application for funds for enhanced services will be made if

deemed appropriate. Depending on the size of the layoff, contact with UI will be made Communication with Business Solutions team members to enter data into JCW Business for documentation of Layoff/closure.

Transition Plan

A transition plan will be developed by the collaborative team that best reflects the needs of employees and employer. Resources will be identified. Translation services for the employees will be conducted in a timely manner by the collaborative team. Appropriate partners will be engaged as needed. All events and services will be entered into RRETS.

At the time, all planned transition services are completed the event will be closed in the RRETS.



Attachment II

SE WI WDA One-Stops non-required partners

- ResCare Workforce Services in all centers
- Racine County
- Kenosha County
- Gateway Technical College



Southeast Wisconsin Workforce Development Board Grievance and Complaint Procedures

Local Equal Opportunity Complaint Coordinators and SE WI WDB Equal Opportunity Officer (EOO)

The complaint coordinator of each area can assist anyone in contacting the appropriate person to work with in filing a grievance or addressing a complaint.

Kenosha County Local Complaint Coordinator
Doug Bartz
Doug.Bartz@kenoshacounty.org
262-697-4586

Other information about employment law and employee rights can be found at the website of the Wisconsin Department of Workforce Development, Equal Rights Division:

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

Also at the United States Equal Opportunity Commission:

<http://www.eeoc.gov/>

Types of Grievances

Sometimes individuals who are applying for or participating in public programs are unhappy with the treatment they receive or the decisions that are made by program staff. There are different kinds of problems that can come up and each might be handled differently.

One kind of problem might be about the **rules and regulations** of a particular program and whether the program staff have followed those rules and regulations.

A second kind of problem might be related to a **decision** about program eligibility or benefits. Problems related to a particular program (W-2, FoodShare, Veterans, and others), whether about regulations or decisions, should be sent to the Supervisor of the specific program. That information may be obtained from the people at the Reception Desk in the job center or from the EOO. Most programs have a written Grievance Policy that describes how grievances and complaints are handled.

The SE Workforce Development Board administers the Workforce Innovation and Opportunity Act (WIOA) programs and through each County's respective Complaint Coordinators will address any grievances or complaints about WIOA services and programs. In addition to program applicants and participants, **contracting agencies and proposers** may also file a grievance or complaint if they believe that a procurement process has not been conducted fairly or that a contract provision has been violated.

A special kind of problem involves potential **discrimination**. Discrimination means that an individual did not receive program services because of age, ancestry, national origin, skin color, religion, creed, gender, gender preference,

disability, health condition, marital status, genetic testing, arrest and conviction record, or other protected status under the Civil Rights Act of 1964 and other civil rights laws.

Discrimination complaints are taken very seriously. Such complaints must be filed within 180 days of when an incident happens. Discrimination complaints may be filed with each Counties Complaint Coordinator (listed above); or at the state or federal level:

David Duran, Equal Opportunity Officer
Wisconsin Department of Workforce Development
Equal Rights Division
201 East Washington Avenue, Rm G100
PO Box 7972
Madison WI 54307-7972
Phone: (608) 266-6889 / TTY (866) 275-1165
Fax: (608) 261-8506
david.duran@dwd.wisconsin.gov

OR

Director, Civil Rights Center (CRC)
ATTENTION: Office of External Enforcement
United States Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington DC 20210
Fax: (202) 693-6505
CRCEXternalComplaints@dol.gov

Sometimes there are problems or grievances against an **employer**. These might involve discrimination, but also may include concerns about wages, hours worked, and things related to employment laws.

Complaints about an employer for things such as wages, work hours, being fired, and workplace injuries should also be directed to the state Equal Rights Division:

Wisconsin Department of Workforce Development
Equal Rights Division
201 East Washington Avenue, Room A100
PO Box 8928
Madison WI 54308
Phone: (609) 266-6860 / TTY (608) 264-8752
www.dwd.wisconsin.gov/er

OR

U.S. Equal Employment Opportunity Commission
Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Phone: 1 (800) 669-4000
Fax: (414) 297-4133
TTY: 1 (800) 669-6820
ASL Video: 844-234-5122
Info@eeoc.gov

Lastly, although it is rare, there are times when someone has reason to believe that program staff and administrators are doing something illegal. This is usually called **fraud and malfeasance**. Such cases may be brought to the attention of the County Complaint Coordinators. Complainants who fear that their positions will be compromised by submitting information at the local level may file at the state or federal level:

Wisconsin Department of Workforce Development
Administrator, Division of Employment and Training
PO Box 7972
Madison WI 53707-7972
<https://dwd.wisconsin.gov>

OR

Office of Inspector General
7171 4th Street NW, 5th Floor
Washington DC 20005
Phone: 1 (800) 521-1629
Hotline.oig@dc.gov (email)
<http://oig.dc.gov>

Grievance Process

If the grievance or complaint involves the WIOA program or any other program administered by SE Workforce Development Board, the Local Complaint Coordinator will usually attempt to reach a mutually satisfactory resolution to the complaint through investigation, negotiation, problem-solving, and other available resources. If the complaint cannot be resolved through such means, a formal hearing may be scheduled **if requested in writing by the complainant** with the SE WDB EOO serving as Hearing Officer. If a conflict of interest exists for the EOO, he/she has the responsibility to select an independent Hearing Officer from the counties not involved in the original complaint for the case. If the grievance or complaint is directed toward another workforce program, the EOO can assist in contacting the appropriate person or agency.

If the EOO is unable to negotiate a satisfactory resolution to a grievance or complaint regarding WIOA or another program administered by the SE WI Workforce Development Board, the complainant may request a formal or "fair" hearing in writing to resolve the matter. A fair hearing involves the following things:

- **Notice** to all parties of the specific allegations of the complaint, and the responses of those involved;
- **Timely resolution** of the complaint;
- An **impartial decision maker**;
- The right of the parties to **representation**;
- The right of each party to present **evidence**, both in writing and through witnesses;
- The right of each party to **question evidence and witnesses**;
- A **decision** made solely on the recorded evidence.

Preparing a Grievance/Complaint

1. Complaints and grievances may be initiated with the Local Complaint Coordinator by telephone, personal contact, or written correspondence. Complaints and grievances not involving a discrimination claim should be made within one year of the alleged violation. Discrimination claims must be made within 180 days of the date of the alleged violation. After initial contact, the Local Complaint Coordinator may require a written statement. Generally, grievances beyond the local level will require written statements.
2. Complaints should be addressed to the appropriate level of authority.

3. A complaint/grievance must be factual and sufficiently accurate to be evaluated on its own merits by an objective reviewer.
4. The "Filing Date" of a complaint/grievance is established when a complainant submits the following information:
 - The full name, address, and phone number of the complainant;
 - The name and address of the respondent against whom the complaint is being made;
 - A clear, concise statement of the facts of the case, including pertinent dates regarding the alleged violation;
 - The provisions of a particular program, its regulations, processes, or administrative rules that have allegedly been violated;
 - A statement disclosing whether the complaint/grievance has been cross-filed with any other jurisdiction, and whether such proceedings have commenced or been concluded, including dates, authorities, and other pertinent information.
5. Once a Filing Date is established, the Complaint Coordinator will acknowledge receipt of the complaint within five working days unless there is a specific reason for a delay. After accepting the complaint/grievance, the Complaint Coordinator will conduct a hearing within 30 calendar days of the Filing Date and issue a written decision to the complainant within 60 days of the Filing Date. Complainant receiving an adverse decision or no decision on a complaint/grievance within 60 calendar days may file an appeal requesting a state level independent review. The appeal must be filed within 10 calendar days after the complainant received the decision or within 15 calendar days after the decision was due, to the Wisconsin Department of Workforce Development:

David Duran, Equal Opportunity Officer
Wisconsin Department of Workforce Development
Equal Rights Division
201 East Washington Avenue, Room G100
PO Box 7972
Madison WI 54307-7972
Phone: (608) 266-6889
Fax: (608) 261-8506 (fax)
TTY: (866) 275-1165
david.duran@dwd.wisconsin.gov

6. The Local Complaint Coordinator will provide all necessary information to assist an individual in filing a grievance, complaint or appeal with the appropriate authority.

Grievance Authorities

There are several levels at which complaints and grievance may be heard. It is important to submit the grievance to the appropriate individual or agency in order to insure a prompt response. In most cases, a higher level authority will not hear a grievance until it has been handled by a lower level process. The following are individuals and agencies that deal with complaints and grievances:

Local Complaint Coordinator

This is the person that most grievances and complaints should be addressed to in SE Workforce Development Area the Local Complaint Coordinator will assist anyone in developing a grievance or complaint and in directing that grievance or complaint to the appropriate authority.

DWD Division of Employment and Training

The state office is the second level for submitting a grievance or complaint and will usually hear appeals of decisions. Such appeals must be filed within ten days of a decision being made or 15 calendar days if no decision was received with 60 days of the filing date. The state office will not take the place of the local process and usually will not set up a new hearing, but only review the documentation submitted in the local hearing after it is complete.

Grievances and complaints involving **employment discrimination** and **employer issues** are best directed to the DWD Equal Rights Division as stated above or to the federal Equal Opportunity Commission as indicated above as those offices are best trained to deal with issues of employment law.

United States Department of Labor Employment and Training Administration

The ultimate authority for many federal employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) programs, is the U.S. Department of Labor Employment and Training Administration (DOLETA). It is possible for a complainant to contact the U.S. Department of Labor as a matter of last resort. Information is available at <https://www.doleta.gov/>. Complaints alleging **discrimination** may also be filed with the U.S. Department of Labor Civil Rights Center at <http://www.dol.gov/oasam/programs/crc/index.htm>.

Incidents of alleged fraud, malfeasance, misapplication of funds, gross mismanagement, or other possibly illegal use of public funds may be reported to the U.S. Department of Labor Office of the Inspector General at 1-800-347-3756 with additional information available at: <http://www.oig.dol.gov/hotlinecontact.htm>.

Any questions about this guide or request for additional information about filing a grievance can be addressed to the Local Complaint Coordinator as listed above.



Attachment KK

Policy on use of Nondiscrimination and Accessibility Statements

Southeast Wisconsin Workforce Development Board requires the following Equal Opportunity and Accessibility Statements to be included on internal and external communications from the Board, Board staff, Administrative and Fiscal Entity and sub-recipients (contracted agencies). This requirement will be included in all contracts for services.

For publications, brochures, public meeting announcements and websites use the following statement:

"(Name of WDB/Sub-recipient) is an equal opportunity employer/program. If you need this information or printed material in an alternate format, or different language, please contact us at (____)-____-____. Deaf, hard of hearing or speech impaired callers can reach us through the Wisconsin Relay Service 7-1-1."

For internal communications such as meeting announcements, meeting agendas, meeting minutes, program flyers, communication sent to applicants/registrants and newspaper announcements use the following statement:

"(Name of WDB/Sub-recipient) is an Equal Opportunity Employer and Service Provider."