



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

Original Post Date: 06/02/2021

Amended* Post Date:

The following documents are included in the packet for the Personnel Committee on June 10, 2021:

- 1) Amended Agenda
- 2) Minutes from May 13, 2021
- 3) Ordinance Amending the Personnel Policies and Procedure Manual to add an additional Paid Holiday at Thanksgiving
- 4) Ordinance Amending the Personnel Policies and Procedure Manual to comply with Fair Labor Standards Act Safe Harbor Language Requirement



**GREEN LAKE COUNTY
OFFICE OF THE COUNTY CLERK**

*Elizabeth Otto
County Clerk*

*Office: 920-294-4005
FAX: 920-294-4009*

Personnel Committee Meeting Notice

***Date: Thursday, June 10, 2021 Time: 3:30 PM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI***

Amended* AGENDA

**Committee
Members**

*Robert
Schweder,
Chair
Sue Wendt,
Vice-Chair
Charlie
Wielgosh
Ken Bates
Curt Talma*

*Elizabeth Otto,
Secretary*

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Minutes: 05/13/21
5. Ordinances
 - Amending the Personnel Policies and Procedures Manual to add an additional Paid Holiday at Thanksgiving
 - *Amending the Personnel Policies and Procedures Manual to comply with Fair Labor Standards Act Safe Harbor Language Requirement
6. Committee Discussion
 - Future Meeting Dates: July 8, 2021 @ 3:30 PM
 - Future Agenda items for action & discussion
7. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required for individuals who are **not** vaccinated) or audio/visual communication. Remote access can be obtained through the following link:

Topic: Personnel Committee
Time: Jun 10, 2021 03:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/98971967096?pwd=MjAxdytkUWFrVW82U2xUSjVnaUx3dz09>

Meeting ID: 989 7196 7096

Passcode: 668849

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

Kindly arrange to be present, if unable to do so, please notify our office. Sincerely, Elizabeth Otto

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or Audio assistance, should contact the County Clerk's Office, 294-4005, not later than 3 days before date of the meeting.

PERSONNEL COMMITTEE MEETING
May 13, 2021

The meeting of the Personnel Committee was called to order by Chair Bob Schweder at 3:30 PM on Thursday, May 13, 2021 in the County Board Room, Green Lake County Government Center, Green Lake, WI. The meeting was held both in person and via Zoom. The requirements of the open meeting law were certified as being met. The Pledge of Allegiance was recited.

Present: Ken Bates
Bob Schweder
Curt Talma (Zoom)
Sue Wendt
Charlie Wielgosh

Other County Employees Present: Liz Otto, County Clerk; Cathy Schmit, County Administrator (Zoom); Dawn Klockow, Corporation Counsel (Zoom); Harley Reabe, County Board Chair; Nicole Geschke, HR Coordinator

MINUTES

Motion/second (Wielgosh/Bates) to approve the minutes of the April 8, 2021 meeting with no additions or corrections. Motion carried with no negative vote.

RESOLUTIONS

- **Establishing 2022 Annual Budgeted Allocation for Pay for Performance**

County Administrator Cathy Schmit stated this is the resolution needed every year in order to start the annual budget process. The 2% (+/-) wage increase is the same as 2021. Discussion held.

Motion/second (Wendt/Bates) to approve the resolution and forward to Finance and County Board for final approval. Motion carried with no negative vote.

COMMITTEE DISCUSSION

Future meeting date: Regular meeting – Next meeting date set for June 10, 2021 at 3:30 PM

Future agenda items:

ADJOURNMENT

Chair Schweder adjourned the meeting at 3:34 PM.

Submitted by,

Liz Otto
County Clerk

ORDINANCE NO. -2021

Amending the Personnel Policies and Procedures Manual to add an additional Paid Holiday at Thanksgiving.

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 15th day of June 2021, does ordain as follows:

- 1 **WHEREAS**, the County currently grants Thanksgiving Day and the Friday after
- 2 Thanksgiving Day as a paid holiday for all employees; and,

- 3 **WHEREAS**, on October 20, 2020, the County Board by Resolution 19-2020 granted an
- 4 additional paid holiday to employees for the Thanksgiving Holiday for the year 2020, in
- 5 recognition of their hard work and dedication during the Covid-19 pandemic; and,

Roll Call on Ordinance No. -2021

Submitted by Personnel Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 15th day of June, 2021.

Robert Schweder, Chair

Sue Wendt, Vice-chair

County Board Chairman

Ken Bates

ATTEST: County Clerk
Approve as to Form:

Charlie Wielgosh

Corporation Counsel

Curt Talma

7 **WHEREAS**, employees were required to take the additional holiday either the Wednesday
8 before or the Monday after Thanksgiving Day, in order to ensure all departments remained
9 open to the public and certain employees in the Sheriff's Office received gift cards in lieu of
10 the extra day off; and,

11 **WHEREAS**, the County did not encounter any service disruptions due to the extra paid
12 holiday; and,

13 **WHEREAS**, with budget constraints and rising health care costs, the County wishes to
14 show its appreciation for its employees and granting an additional paid holiday is an
15 economical way to show appreciation to County employees.

16 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**
17 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

18 Section 1. Green Lake County Ordinance, No. 1042-2012 passed on December 18, 2012
19 and as amended from time-to-time (known as the Personnel Policies and Procedures
20 Manual) is hereby amended as follows (additions are in underline, deletions are in
21 ~~strikeout~~:

22 **PAID HOLIDAYS**

23 The following paid holidays will be granted to all regular full-time and regular part-time
24 employees:

- 25 New Year's Day
- 26 Good Friday
- 27 Memorial Day
- 28 July 4th
- 29 Labor Day
- 30 Thanksgiving
- 31 Friday after Thanksgiving
- 32 Wednesday before or Monday after Thanksgiving
- 33 Christmas Eve
- 34 Christmas
- 35 New Year's Eve

36 If a paid holiday falls on a Saturday, it shall be observed the preceding work day and if it
37 falls on Sunday, it shall be observed on the following workday. Employees who are
38 regularly scheduled to work a 2080 hour work year shall receive eight (8) hours of holiday
39 pay at their base rate. Employees who are regularly scheduled to work a 1950 hour work
40 year shall receive seven and one-half (7.5) hours of holiday pay at their base rate.
41 Employees who are regularly scheduled to work an 1820 hour work year shall receive
42 seven (7) hours of holiday pay at their base rate. In no event shall holiday pay exceed a
43 total of eight (8) hours paid per holiday for any employee.

44 Full-time Corrections, Communication and union Patrol staff in the Sheriff's Office will be
45 given a gift card rather than the additional Thanksgiving Holiday day off which will be
46 budgeted for each year. Gift cards are income and are subject to employment taxes.

47 When scheduling an employee off the Wednesday before or the Monday after
48 Thanksgiving, Department Heads shall ensure that there is sufficient staffing in their
49 department so that business may be conducted as usual. Time off is either the
50 Wednesday before or the Monday after Thanksgiving, meaning that employees are
51 granted one additional day off around the Thanksgiving holiday, not two. Department
52 Heads may implement an internal policy on how to request the additional time off.

53 Section 2. This ordinance shall become effective upon passage and publication.

ORDINANCE NO. -2021

Amending the Personnel Policies and Procedures Manual to comply with Fair Labor Standards Act Safe Harbor Language Requirement

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 15th day of June 2021, does ordain as follows:

- 1 **WHEREAS**, a review of the current Personnel Policies and Procedures Manual (PPPM)
- 2 in regard to the Fair Labor Standards Act (FLSA) revealed that certain provisions
- 3 require amendment to be consistent with the FLSA; and

- 4 **WHEREAS**, the PPPM lacks “safe harbor” language for exempt employees.

Roll Call on Ordinance No. -2021

Submitted by Personnel Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 15th day of June, 2021.

Robert Schweder, Chair

Sue Wendt, Vice-chair

County Board Chairman

Ken Bates

ATTEST: County Clerk
Approve as to Form:

Charlie Wielgosh

Corporation Counsel

Curt Talma

5 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**
6 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

7 Section 1. Green Lake County Ordinance, No. 1042-2012 adopted on December 18,
8 2012 and as amended from time-to-time is amended as follows (additions are in **bold**
9 **underline**, deletions are in ~~strikeout~~):

10
11 **NON-EXEMPT, AND EXEMPT AND PARTIALLY EXEMPT EMPLOYEES**
12

13 In addition to personnel classifications, employees are generally classified under the
14 Fair Labor Standards Act (“FLSA” or “Act”) and state wage and hour laws (collectively
15 “FLSA”) as non-exempt, **and** exempt ~~and partially exempt~~. An employee’s classification
16 under the FLSA determines, among other things, whether an employee is entitled to
17 premium overtime pay. The County designates employees as exempt, **and** non-exempt
18 ~~or partially exempt~~ in accordance with the requirements of the FLSA.

19
20 1. Non-exempt employees. Non-exempt employees are entitled to all of the protections
21 provided by the FLSA including minimum wage, compensation for hours worked in
22 excess of scheduled hours and premium overtime pay equal to time and one-half for all
23 hours worked over forty (40) in a work week. Non-exempt employees qualify for
24 compensatory time under the FLSA in lieu of premium pay for overtime hours worked
25 (to the extent that compensatory time is made available by the County).

26
27 2. Exempt employees. Exempt employees receive an annual salary for the services
28 they perform and generally are not subject to the requirements of the FLSA. This means
29 that exempt employees are not entitled to, and do not receive, among other things,
30 additional compensation for hours worked outside of their scheduled hours (if any) or
31 premium overtime pay/compensatory time for hours worked in excess of forty (40) hours
32 per week. Exempt employees include, but are not limited to, Department Heads,
33 Supervisors, Administrators, Managers, certain information technology (IT) employees
34 and professional employees.

35
36 3. ~~Partially exempt~~ **Law Enforcement and Corrections** employees. ~~Partially exempt~~
37 ~~employees~~ **Law Enforcement and Corrections employees** are paid on an hourly
38 basis but are not eligible to receive premium overtime pay for hours worked over forty
39 (40) in a work week. Instead, ~~partially exempt~~ **Law Enforcement and Corrections**
40 employees receive premium overtime pay based on whether they work more than a
41 defined number of hours in a designated “work period.” A “work period” consists of a
42 period of days set by the County (which may or may not coincide with an employee pay
43 period). The FLSA defines the number of hours which a partially exempt employee may
44 be required to work during a work period before being entitled to premium overtime pay
45 equal to time and one-half. The maximum number of hours that may be worked varies
46 depending upon the occupation of the employee. ~~Partially exempt employees include~~
47 ~~sheriff’s deputies and corrections employees.~~

50 **PAYMENT OF WAGES**

51
52 **Payroll Periods.** The County uses a bi-weekly payroll period. Payment is issued on
53 Thursday of every other week, except when the payday is an official holiday. All
54 employees are required to receive their wages by direct deposit. For purposes of
55 calculating employees' pay, the following guidelines will be followed:

56
57 1. Exempt employees who are paid a base salary shall have their pay computed on a bi-
58 weekly time period.

59
60 2. Non-Exempt employees will be paid on the basis of the hours that are actually worked
61 during the bi- weekly pay period.

62
63 ~~Employees should examine their advice of deposit carefully when they receive it. If~~
64 ~~employees have any questions regarding the advice, contact the County Clerk's Office~~
65 ~~immediately. Errors are possible and if they occur, the County wants to correct them~~
66 ~~promptly~~

67 **It is our policy and practice to accurately compensate employees and to do so in**
68 **compliance with all applicable state and federal laws. To ensure that you are paid**
69 **properly for all time worked and that no improper deductions are made, you must**
70 **record correctly all work time and review your paychecks promptly to identify and**
71 **to report all errors. You also must not engage in off-the-clock or unrecorded**
72 **work.**

73
74 **A. Review Your Pay Stub. We make every effort to ensure our employees are paid**
75 **correctly. Occasionally, however, inadvertent mistakes can happen. When**
76 **mistakes do happen and are called to our attention, we promptly will make any**
77 **correction that is necessary. Please review your pay stub when you receive it to**
78 **make sure it is correct. If you believe a mistake has occurred or if you have any**
79 **question, please use the reporting procedure outlined below.**

80
81 **B. Non-exempt Employees. If you are eligible for overtime pay or extra pay**
82 **(including pay due under our PPPM or a collective bargaining agreement), you**
83 **must maintain a record of the total hours you work each day. These hours must**
84 **be accurately recorded on a time card that will be provided to you if you do not**
85 **have access to the Alio Employee Service Portal. Each employee must sign or**
86 **electronically sign their time card to verify that the reported hours worked are**
87 **complete and accurate (and that there is no unrecorded or "off-the-clock" work).**
88 **Your time card must accurately reflect all regular and overtime hours worked, any**
89 **absences, early or late arrivals, early or late departures and meal breaks (if**
90 **required to report meal breaks). At the end of each pay period, you should**
91 **submit your completed time card for verification and approval. When you receive**
92 **each pay check, please verify immediately that you were paid correctly for all**
93 **regular and overtime hours worked each workweek.**
94

95 **C. Exempt Employees. If you are classified as an exempt salaried employee, you**
96 **will receive a salary which is intended to compensate you for all hours that you**
97 **may work for the County. This salary will be established at the time of hire or**
98 **when you become classified as an exempt employee. While it may be subject to**
99 **review and modification from time to time, such as during salary review times, the**
100 **salary will be a predetermined amount that will not be subject to deductions for**
101 **variations in the quantity or quality of the work you perform.**

102
103 **You will receive your full salary for any workweek in which work is performed.**
104 **However, under federal law, your salary is subject to certain deductions. For**
105 **example, absent contrary state law requirements, your salary can be reduced for**
106 **the following reasons in a workweek in which work was performed:**

- 107
- 108 • **Full day absences for personal reasons, including vacation.**
- 109 • **Full day absences for sickness or disability, since we have a sick day**
110 **pay plan.**
- 111 • **Full day disciplinary suspensions for infractions of safety rules of major**
112 **significance (including those that could cause serious harm to others).**
- 113 • **Family and Medical Leave absences (either full or partial day absences).**
- 114 • **To offset amounts received as payment for jury and witness fees or**
115 **military pay.**
- 116 • **Unpaid disciplinary suspensions of one or more full days for significant**
117 **infractions of major workplace conduct rules set forth in written**
118 **policies.**
- 119 • **The first or last week of employment in the event you work less than a**
120 **full week.**

121
122 **Your salary also may be reduced for certain types of deductions, such as: your**
123 **portion of health, dental or life insurance premiums; state, federal or local taxes,**
124 **social security; or voluntary contributions to a 401(k) or pension plan. In any**
125 **workweek in which you performed any work, your salary will not be reduced for**
126 **any of the following reasons:**

- 127
- 128 • **Partial day absences for personal reasons, sickness or disability.**
- 129 • **Your absence because the facility is closed on a scheduled work day.**
- 130 • **Absences for jury duty, attendance as a witness, or military leave in any**
131 **week in which you have performed any work.**
- 132 • **Any other deductions prohibited by state or federal law.**

133
134 **Please note: You will be required to use accrued vacation, personal or other**
135 **forms of paid time off for full or partial day absences for personal reasons,**
136 **sickness or disability. However, your salary will not be reduced for partial day**
137 **absences if you do not have accrued paid time off.**

138
139 **D. It is a violation of the County's policy for any employee to falsify a time card,**
140 **or to alter another employee's time card. It is also a serious violation of County**

141 policy for any employee or manager to instruct another employee to incorrectly
142 or falsely report hours worked or alter another employee's time card to under- or
143 over-report hours worked. If any manager or employee instructs you to (1)
144 incorrectly or falsely under- or over-report your hours worked, (2) alter another
145 employee's time records to inaccurately or falsely report that employee's hours
146 worked, or (3) conceal any falsification of time records or to violate this policy, do
147 not do so. Instead, report it immediately to the County Clerk.

148
149 You should not work any hours outside of your scheduled work day unless your
150 supervisor has authorized the unscheduled work in advance. Do not start work
151 early, finish work late, work during a meal break or perform any other extra or
152 overtime work unless you are authorized to do so and that time is recorded on
153 your time card. Employees are prohibited from performing any "off-the-clock"
154 work. "Off-the-clock" work means work you may perform but fail to report on
155 your time card. Any employee who fails to report or inaccurately reports any
156 hours worked will be subject to disciplinary action, up to and including
157 discharge.

158
159 E. If you have questions about deductions from your pay, please contact the
160 County Clerk immediately. If you believe your wages have been subject to any
161 improper deductions or your pay does not accurately reflect all hours worked,
162 you should report your concerns to a supervisor immediately. If a supervisor is
163 unavailable or if you believe it would be inappropriate to contact that person (or if
164 you have not received a prompt and fully acceptable reply within three business
165 days), you should immediately contact the County Clerk. If you have not received
166 a satisfactory response within five business days after reporting your concern to
167 the County Clerk and you are unsure who to contact to correct the problem,
168 please immediately contact the County Administrator.

169
170 Every report will be fully investigated and corrective action will be taken, up to
171 and including discharge of any employee(s) who violates this policy.

172
173 In addition, the County will not allow any form of retaliation against individuals
174 who report alleged violations of this policy or who cooperate in the County's
175 investigation of such reports. Retaliation is unacceptable. Any form of retaliation
176 in violation of this policy will result in disciplinary action, up to and including
177 discharge.

178 179 RECORDKEEPING OF HOURS

180
181 Timesheets. All employees, whether non-exempt, partially exempt or exempt regardless
182 of status under the FLSA, are required to record their hours worked on time sheets
183 provided by the County if they do not have access to the Alio Employee Service
184 Portal. All employees should also record time off such as vacations, holidays and sick

185 time-on-time sheets provided by the County.
186

187 **It is a violation of the County's policy for any employee to falsify a time card, or to**
188 **alter another employee's time card. It is also a serious violation of County policy**
189 **for any employee or manager to instruct another employee to incorrectly or**
190 **falsely report hours worked or alter another employee's time card to under- or**
191 **over-report hours worked. If any manager or employee instructs you to (1)**
192 **incorrectly or falsely under- or over-report your hours worked, (2) alter another**
193 **employee's time records to inaccurately or falsely report that employee's hours**
194 **worked, or (3) conceal any falsification of time records or to violate this policy, do**
195 **not do so. Instead, report it immediately to the County Clerk.**
196

197 **You should not work any hours outside of your scheduled work day unless your**
198 **supervisor has authorized the unscheduled work in advance. Do not start work**
199 **early, finish work late, work during a meal break or perform any other extra or**
200 **overtime work unless you are authorized to do so and that time is recorded on**
201 **your time card. Employees are prohibited from performing any "off-the-clock"**
202 **work. "Off-the-clock" work means work you may perform but fail to report on**
203 **your time card. Any employee who fails to report or inaccurately reports any**
204 **hours worked will be subject to disciplinary action, up to and including**
205 **discharge.**
206

207 **In addition, the County will not allow any form of retaliation against individuals**
208 **who report alleged violations of this policy or who cooperate in the County's**
209 **investigation of such reports. Retaliation is unacceptable. Any form of retaliation**
210 **in violation of this policy will result in disciplinary action, up to and including**
211 **discharge.**
212

213

214

215 OVERTIME AND COMPENSATORY TIME

216

217 Compensatory Time for Non-exempt and Partially-Exempt **Law Enforcement and**
218 **Corrections** Employees. The County may provide non-exempt and **Law Enforcement**
219 **and Corrections** partially-exempt employees with compensatory time instead of paying
220 for overtime hours worked in excess of forty (40) hours. Compensatory time will be
221 provided in accordance with the requirements of state and federal law.
222

223 Use of Compensatory Time by Non-exempt and Partially-Exempt **Law Enforcement and**
224 **Corrections** Employees. The Department Head or Supervisor must pre-approve the
225 hours that the employee plans to be absent from work prior to the employee taking
226 compensatory time. The Department Head and Supervisor shall manage requests to use
227 compensatory time in accordance with the FLSA. The County may require employees to
228 use compensatory time in accordance with the FLSA.
229
230

231 **UNAUTHORIZED HOURS AND WORKING FROM HOME**

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~~Non-exempt and partially exempt~~ County employees are prohibited from working outside their scheduled hours without the express approval of their Department Head. ~~Non-exempt and partially exempt employees~~ **Employees** who work prior to or following their shifts without authorization shall be subject to discipline up to and including discharge from employment.

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~~Exempt, Non-exempt and partially exempt employees~~ **All employees** are generally prohibited from working at home. However, the County recognizes that there could be circumstances which would make it necessary for an employee to work from their home but only on a very limited and temporary basis. If circumstances warrant such a decision, prior approval must be granted by the Department Head and County Administrator and all time worked by the employee must be recorded accurately in writing. ~~Any Non-exempt and partially exempt employees~~ who works from home without prior approval shall be subject to discipline up to and including discharge from employment.

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Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.