

# SECTION III – TIME AWAY FROM WORK

## HOLIDAYS

**POLICY:** To identify employee holidays and to establish a consistent procedure for scheduling and payment.

### A. Procedure

Douglas County offices are closed on the following designated holidays (with the exception of those specific services which operate on a 24 hour basis):

New Year's Day	Labor Day
President's Day	Thanksgiving Day
Spring Holiday	Day after Thanksgiving*
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day

\*Highway Department employees observe Veteran's Day in place of Day after Thanksgiving

If the holiday falls on a Saturday, it shall be observed the preceding Friday. If the holiday falls on a Sunday, the following Monday will be observed. If a holiday falls within an employee's vacation period, that day is paid as a holiday and not counted as a vacation day.

### B. Eligibility:

1. Regular full-time employees are eligible to receive holiday pay.
2. Regular part-time employees are eligible to receive prorated holiday pay.
3. Regular full-time or part-time employees are not eligible to receive pay for designated holidays which occur during an unpaid leave of absence.

### C. Work on Designated Holiday

1. Employees who are required to work on a designated holiday when their department is officially closed, will have an option of:
  - a. Being paid for actual hours worked at their normal rate of pay; in addition to full holiday pay. Holiday hours, as well as hours worked on the designated holiday, will be credited toward hours worked for overtime purposes; or
  - b. Requesting compensatory time off for hours worked on a holiday. The time off must be taken under the provisions of Section II, Employment Policies, Overtime/Compensatory Time.

2. Certain employees who work in the Jail and Communication Center (jailers, dispatchers) and are required to work on a designated holiday will receive overtime pay of one and one half times the hours worked. (Holiday pay is included in the base wage for these employees.)

*Passed by County Board, Resolution#4-12; January 19, 2012*

## **LEAVES – BEREAVEMENT**

**POLICY:** To allow paid leave for purposes of making funeral arrangements and/or attendance at a funeral.

### **A. Procedure**

In the event of the death of a member of an employee's immediate family, full-time employees will be granted up to three days of paid leave, if scheduled to work, to make necessary funeral arrangements and/or attend the funeral. Immediate family shall include the spouse, children, parents, grandparents, brother, sister, uncle, aunt, niece, nephew, and grandchildren. The following is also allowed:

1. Douglas County recognizes that "immediate family" may not include people whom are cared about deeply. Leaves for funerals of individuals that are not listed may likewise be granted at the discretion of the department manager or designee.
2. Bereavement leave requested in excess of three days, may be allowed by the department manager; however, pay for additional leave shall not be allowed.
3. Should an employee be requested to serve as a pallbearer in a funeral they may be granted one (1) day off with pay.
4. Department manager may require verification of the need for the leave.

### **B. Eligibility**

1. Regular full-time employees are eligible to receive bereavement pay.
2. Regular part-time employees are eligible to receive prorated bereavement pay.
3. Regular full-time or part-time employees are not eligible to receive bereavement pay during an unpaid leave of absence.

*Passed by County Board, Resolution#4-12; January 19, 2012*

*Resolution #58-14, August 21, 2014*

## **LEAVES – FAMILY AND MEDICAL**

**POLICY:** To grant family and medical leaves to qualified employees in accordance with the Wisconsin Family and Medical Leave Law (WFML) and the Federal Family and Medical Leave Act (FMLA).

### **A. Procedure**

Family/medical leave is available to all employees who meet the legal eligibility requirements and will be administered accordingly. Employees are required to complete and submit a Leave of Absence Request Form to their immediate supervisor as far in advance of the anticipated leave as possible. The supervisor will submit the form to the Human Resources Department. Extension of a leave of absence must be approved by the County Administrator.

The statements contained in this policy are guidelines and the actual implementation of leave provisions are subject to the current laws.

### **B. Eligibility/Definitions**

#### **1. Wisconsin Family and Medical Leave Law**

The WFML is available for employees who have worked for Douglas County for 52 consecutive weeks, and at least 1,000 hours in the 12 months prior to leave, and allows:

- a. Up to six weeks of leave per 12-month period on the birth or adoption of a child.
- b. Up to two (2) weeks per 12-month period to care for a parent, child, spouse, parent-in-law, domestic partner (as defined in Wisconsin Statutes § 40.02(1) and § 770.01(1)), or domestic partner's parent with a serious health condition.
- c. Up to two (2) weeks per 12-month period for the serious health condition of the employee.

#### **2. Federal Family and Medical Leave Act**

The FMLA is available for employees who have worked for Douglas County for 12 months, and at least 1,250 hours in the 12 month period prior to leave, and allows up to 12 weeks of leave for the following:

- a. Birth or placement for adoption or foster care of a son or daughter.
- b. Serious health condition of the employee's parent, son, daughter or spouse.
- c. Serious health condition of the employee.

- d. A qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active duty as a member of the Armed Forces, National Guard, or Reserves. The federal law also provides for 26 weeks of unpaid leave during a single 12-month period in the case of covered service member caregiver leave because the employee is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness. This 12-month period begins on the first day the eligible employee takes leave for this purpose.

### **3. Compensation During Leave**

Under the FMLA, an employee may elect, or employer may require, accrued paid leave to be substituted. Under the WFML, an employee may elect to substitute accrued paid or unpaid leave of any other type provided by the employer.

Once an employee has exhausted their WFML as applicable, Douglas County requires that an employee on FMLA exhaust their leave balances before any additional unpaid time may be taken. Accrued and earned time (sick, vacation, personal time, compensation time, etc.) will be assigned. Once all time is exhausted, the employee will be on unpaid leave.

### **C. Return to Work**

Employees returning from a leave of absence will be reinstated to their same job or one of similar status and pay provided Douglas County's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

### **D. Termination of Leave of Absence**

A leave of absence will be terminated:

1. If the employee is employed outside of Douglas County, while on a leave of absence from Douglas County.
2. In most instances, if the employee fails to report to work on the agreed upon date.

## **E. Impact of Leave of Absence on Benefits**

An approved leave of absence does not affect the employee's date of employment for benefit calculations. Following an approved leave of absence, employees will receive full credit for that period.

Vacation and sick leave benefits continue to accrue for employees who are on paid leave of absence. Unpaid authorized leave of absence results in a temporary suspension of vacation and accrual of unused sick leave, until active employment resumes.

It is the responsibility of the employee to pay any portion of their benefit premiums, as previously required.

*Passed by County Board, Resolution#4-12; January 19, 2012*

## **LEAVES – JURY DUTY**

**POLICY:** To allow jury duty leave to employees who receive a summons to serve on jury duty.

### **A. Procedure**

Employees must give reasonable advance notice of their intended absence for jury duty. If an employee is dismissed from jury duty on any given day prior to the end of his/her regularly scheduled working hours, he/she shall report to work for the balance of the working day.

If an employee is on jury duty, Douglas County will pay the employee's regular wage, not to exceed a normal workday, for a period not to exceed two weeks in a calendar year, and any jury duty pay received by the employee, excluding expenses, must be turned into the department manager.

### **B. Eligibility**

Regular full-time and regular part-time employees are eligible to receive jury duty pay, except during an unpaid leave of absence.

*Passed by County Board, Resolution#4-12; January 19, 2012*

## **LEAVES – MILITARY**

**POLICY:** To allow unpaid leave for purposes of fulfilling military obligations.

### **A. Procedure**

1. Employees who are called to active military duty or to Reserve or National Guard training should submit copies of their military orders to the Human Resources Department as soon as received. Employees will be granted a military leave of absence without pay (except as stated below) for the period of military service outlined in the orders, in accordance with applicable laws. Eligibility for reinstatement after military duty is completed is also determined in accordance with applicable laws.
2. Douglas County will grant a military leave of absence of up to two weeks for full-time employees for the purpose of attending an annual encampment or cruise in a recognized reserve branch or component of the armed forces of the United States. Douglas County will supplement the employee's military pay with their wages to equal, but not exceed, their regular salary. Regular part-time and temporary employees will be granted an unpaid leave to fulfill this obligation. Employees returning from training must report to work on the first scheduled working day following the completion of training.

### **B. Return to Work**

Upon successful completion of military service and timely notice of intent to return to work, an employee will be reinstated to a job comparable to the one the employee left, provided the employee is qualified and circumstances have not changed to the extent that it would be impossible or unreasonable to provide re-employment. An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

If an employee, on return from military service, is unable to perform the duties of the employee's previous job, Douglas County will engage in an interactive process with the employee and undertake a review of what reasonable accommodations may be available.

*Passed by County Board, Resolution#4-12; January 19, 2012*

## **LEAVES – OTHER**

**POLICY:** To grant unpaid leave for personal and educational purposes.

### **A. Procedure**

#### **1. Personal**

A personal leave of absence is defined as an authorized absence from work by a regular full-time or regular part-time employee, which is not covered by paid sick leave, vacation, holidays or any other reasons provided for in the attendance policy.

A personal leave of absence is normally without pay. Requests for personal leave are considered individually; the reasons for the request, demands of the individual job, needs of the department, as well as the employee's work record and length of service are all considered in granting a leave.

Personal leaves of absence should not exceed sixty (60) calendar days in any one (1) year.

Requests must be made in advance, and all arrangements must be approved by the employee's manager and the County Administrator.

#### **2. Educational**

Employees who desire to continue their education in preparation for added responsibilities with the County may be granted an unpaid educational leave of absence.

Educational leave may be granted by the department, and will require County Administrator approval. Requests will be considered on an individual and department circumstance.

### **B. Return to Work**

Employees returning from a leave of absence will be reinstated to their same job or one of similar status and pay provided Douglas County's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

### **C. Termination of Leave of Absence**

A leave of absence will be terminated:

1. If the employee is employed outside of Douglas County, while on a leave of absence from Douglas County.
2. In most instances, if the employee fails to report to work on the agreed upon date.

### **D. Impact of Leave of Absence on Benefits**

An approved leave of absence does not affect the employee's date of employment for benefit calculations. Following an approved leave of absence, employees will receive full credit for that period.

Vacation and sick leave benefits continue to accrue for employees who are on paid leave of absence. Unpaid authorized leave of absence results in a temporary suspension of vacation and accrual of unused sick leave, until active employment resumes.

It is the responsibility of the employee to pay any portion of their benefit premiums, as previously required.

*Passed by County Board, Resolution#4-12; January 19, 2012*

## LEAVES – PERSONAL TIME

**POLICY:** To provide eligible employees with personal time, which is supplemental paid time off in which the employee may elect the date of use, while meeting the operational needs of Douglas County.

### A. Procedure

1. Personal time shall according to the following schedule:

<u>Work Week Hours</u>	<u>Annual Time</u>
37.5	3.5 days (26.25 hours)
40	3.5 days (28 hours)
24/7 services	3 days (24 hours)
Highway	3.5 days *(30 hours)

\*(1) ten hour day may be used when working the ten hour schedule

2. Personal time earned, but unused on or before December 31 of the same calendar year, will be forfeited.
3. Payment in lieu of personal time will not be granted.
4. If employment terminates, before personal time is earned, but has been taken, the unearned time used will be deducted from the employee's last paycheck.

### B. Eligibility

1. Regular full-time employees are eligible for personal time benefits.
2. Regular part-time employees are eligible for prorated personal time benefits.
3. Newly-hired employees must meet a four month employment requirement during a calendar year before personal time can be used.
4. Personal time will not be earned if an employee is on an unpaid leave of absence for more than one month.

*Passed by County Board, Resolution#4-12; January 19, 2012  
Amended by County Board, Resolution #57-13, June 20, 2013*

## **LEAVES – SICK**

**POLICY:** To provide eligible employees with paid time to address their own personal health care needs or the health care needs of an immediate family member.

### **A. Procedure**

All eligible employees may accumulate sick leave up to a maximum of one hundred twenty (120) days.

1. Regular full-time employees are credited with one (1) day of sick leave for each completed month of employment up to one hundred twenty (120) days.
2. Regular part-time employees are credited with prorated sick leave accruals based on hours worked, up to one hundred twenty (120) days.
3. Accumulated sick leave accruals are transferable within the county.
4. Accumulated sick leave accruals are not payable at termination of employment, except as specified under Section IV, C., Retirement Health Savings Plan.
5. A negative accrual balance of sick leave is not allowed, for any reason.

### **B. Eligibility**

1. Regular full-time and regular part-time employees will receive sick leave accruals.
2. Newly-hired employees will earn sick leave beginning with date of hire and may use sick leave accruals after working thirty (30) calendar days, provided an accrual is recorded.

### **C. Allowable Use of Sick Leave**

Sick leave may be used for absences from work for an employee's illness or injury, the necessary medical care of an immediate family member, and required medical and dental treatments. For purposes of this policy, family members are defined as children, spouse, parent, grandparent, or other family members residing in the employee's household. Illness occurring on days normally off by the employee, cannot be claimed as sick leave pay.

Verification of illness may be requested by an employee's immediate supervisor.

**D. Excessive Use of Sick Leave**

All non-FMLA approved sick leave usage in excess of seven (7) days in a calendar year may be considered excessive and employees should be informed and counseled by their manager of this problem (see Section VI, Attendance and Punctuality).

**E. Retirement Health Savings Plan**

Employees who have reached the 120 day sick leave cap, shall be allowed to deposit into a Retirement Health Savings Plan, the value of any additional earned sick days while they remain at the 120 day cap. The value is calculated monthly at 50% of an employee's current base rate, excluding longevity, times the number of hours accrued above the cap (see Section IV, C., Retirement Health Savings Plan).

*Passed by County Board, Resolution#4-12; January 19, 2012*

## LEAVES – VACATION

**POLICY:** To provide eligible employees with paid vacation time while meeting the operational needs of Douglas County. The established vacation year is the calendar year, January 1 through December 31 each year; vacation credits are accrued or earned based on the employee's length of service and are transferable within Douglas County.

### A. Procedure

Eligible employees will earn vacation credit for each month of service in which the employee is actively employed and in paid status, according to the following guidelines. The County Administrator may approve advanced movement within the earning guideline.

#### Vacation Earning Guideline

<u>Service Length</u>	<u>Monthly Credit (37.50/40.0)</u>	<u>Annual Days</u>
1-6 years (1-72 months)	6.25 or 6.67 hrs.	10 days
Start of 7 <sup>th</sup> year (73-132 months)	9.38 or 10.0 hrs.	15 days
Start of 12 <sup>th</sup> year (133-192 months)	12.5 or 13.33 hrs.	20 days
Start of 17 <sup>th</sup> year (193+ months)	15.63 or 16.67 hrs.	25 days

### B. Eligibility

1. Regular full-time and regular part-time employees are eligible for vacation benefits.
2. Newly-hired employees will accrue vacation from their date of hire, but are not eligible to take vacation until successful completion of six months of their employment.
3. Vacation accruals will not be earned if an employee is on an unpaid leave of absence for more than one month.
4. Active employees are not eligible for salary in lieu of vacation.

### C. Vacation Scheduling Guidelines

Preference in the selection of vacation shall be given to employees on the basis of their length of service and the needs of the department. Vacations may be determined in the following manner:

1. Employees may be allowed to make their first round of vacation preference for up to two weeks by March 31 of each year; scheduling of the first five days of vacation consecutively is encouraged.

2. Employees may be allowed to make their second round of vacation preference for up to five days by April 30 of each year.
3. After May 1, employee vacation preferences shall be awarded on a first-come, first-served basis.

#### **D. Vacation Use/Carry Over**

An employee may carry over up to five days of vacation with the approval of the department manager. The vacation days carried over must be taken on or before March 31 of the following calendar year or the vacation may be forfeited.

Under extreme circumstances, the County Administrator has the authority to approve an extension of the time beyond March 31 of the following year but no longer than June 30 of that year. The employee must submit a request in writing, with the department manager's approval, to the County Administrator outlining the circumstances of the request.

#### **E. Termination of Employment**

Upon termination of employment, employees with more than one year of service will be paid at their prevailing rate for accrued but unused vacation time. Vacation time used, but not yet accrued, will be deducted from the employee's final pay.

*Passed by County Board, Resolution#4-12; January 19, 2012  
Amended by County Board, Resolution #64-13; August 15, 2013*