

CHAPTER 3

PERSONNEL ADMINISTRATIVE RULES

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PERSONNEL ADMINISTRATIVE RULES 3.01

3.01 PURPOSE. The purpose of this chapter is to establish a consistent and fair administration of County personnel procedures.

3.02 APPLICABILITY. This chapter shall apply to all County employees receiving remuneration from the County, except employees currently covered by an existing labor agreement, a separate employment agreement, or when State Statute has precedence; provided where no existing agreement or statute applies; then this chapter shall prevail.

3.03 AMENDMENTS. Amendments to this chapter shall be by ordinance of the County Board in accordance with the rules thereof.

3.04 EMPLOYMENT RULES AND QUALIFICATIONS.

(1) EMPLOYEE HIRING.

(a) Replacement of Budgeted Positions.

1. The County Administrator may approve replacement of budgeted positions upon the recommendation of the Personnel Director.

2. No Committee or County Board approval is necessary to fill such positions.

(b) Hiring Additional Staff – Existing County Job Classification and Title.

1. The Personnel Director and County Administrator may recommend hiring additional staff where there is an existing County job classification and title if the position is:

a. Fully funded by outside sources.

b. Sunsets at the end of funding.

2. The Executive Committee may approve the hiring of such additional staff.

3. County Board approval is required pursuant to s. 2.02(11)(a)3 of this Code if the position is not fully funded

(c) Hiring of Additional Staff – Creation of New County Job Classification and Title.

1. The County Administrator and Personnel Director may recommend approval.

2. The Executive Committee and County Board may approve the hiring of staff for new positions pursuant to s. 2.02(11)(a)3.

(d) Temporary Services – Replacement for Absent Staff.

1. The Department Head shall provide the Personnel Director with written justification for the need to replace absent staff with temporary services.

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2. The Personnel Director may approve the use of temporary staff if justified by the Department Head.

3. After approval, the Personnel Department will assist departments in securing temporary services.

(2) RECRUITMENT.

(a) Notice of Vacant Position. Recruitment for vacant positions shall be done by public notification through newspaper advertising, State Job Service or such other means as may be provided for a particular department. All public notices shall indicate the job title, salary information and the necessary qualifications and shall include applicable non-discrimination terminology and may indicate the closing date for filing applications.

(b) Residency Requirements for Applicants.

1. The County Administrator shall be a resident of La Crosse County and the Deputy County Administrators shall be residents of the State of Wisconsin within 6 months after date of hire. Deputy Sheriffs and other sworn law enforcement officers appointed pursuant to s. 59.26(1), Wis. Stats., are required to be residents of the State of Wisconsin. There shall be no other residency requirements except where required by state statute.

2. If residency for a position is mandated by the previous section, then the advertisement to fill a vacancy in that position shall contain the residency requirement.

(c) Special Qualifications. Special qualifications for any particular classification shall be established by the hiring authority and the Personnel Director prior to initiating recruitment. The guidelines for such qualifications shall be established by the adoption of a formal job description.

(3) EXAMINATIONS OF APPLICANTS.

(a) Qualification testing shall be fair and impartial and open and accessible to all qualified applicants. The Personnel Director shall determine what examinations are necessary and appropriate to test for skills, knowledge and qualifications utilizing whatever resources are deemed appropriate. Provision shall be made wherever possible to provide for culturally fair examinations, so as not to unduly exclude those applicants who have been deprived of adequate educational and economic opportunities through no fault of their own.

(b) All applicants shall be properly certified for the hiring authority. All applicants shall be entitled to know the results of their examination.

(4) EMPLOYEE PHYSICAL EXAMINATION.

(a) Required Pre-employment. Applicants may be required to submit to physical agility testing which is directly related to the essential functions of the position applied for and applicants may be required to submit to drug testing.

(b) Required Post-employment. All employees shall complete a physical screening after hire in accordance with the procedures established by the Personnel Director. For specified positions designated in advance, the County may require physical examination and testing,

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after a conditional offer of employment, where the essential job functions require physical conditioning, effort or ability. Physical examination and testing shall be at County expense after which a determination shall be made as to fitness for duty. All such physical screenings shall be completed within 30 days of employment.

(c) Medical Information. Every employee, after offer of employment, shall release such medical information as is necessary to complete the physical screening, physical examination or testing. All medical information shall be confidential and shall not be used to discriminate against an employee in regard to any employment practices or terms, conditions and privileges of employment including, application, testing, hiring, assignments, evaluation, leave, training, promotion, medical examination, layoff/recall, termination, compensation, disciplinary action, benefits, and other terms and conditions of employment.

(d) Reasonable Accommodation. La Crosse County will make reasonable efforts to accommodate and assist all persons wishing to participate in the recruitment process. Those persons needing accommodation and assistance should contact the Personnel Department.

(5) REAPPLICATION. Any applicant who has previously applied for a particular position and been rejected shall not be eligible to reapply for 6 months from the date of the last examination.

3.05 PROBATION.

(1) MANDATORY PERIOD. Employees shall serve a probationary period of either 6 months or 12 months of full-time employment, as defined for the pay grade of the position. Permanent part-time employees shall serve a working probationary period in the same proportion as that required of full-time employees. All probationary employees shall have an employee development review prior to passing probation in accordance with Personnel Department procedures. Any probationary employee may be dismissed without cause at any time during the probationary period.

(2) EXTENSIONS. A probationary period may be extended for 90 calendar days, subject to the approval of the Personnel Director, following a review of the request to determine appropriate justification.

(3) BENEFITS DURING PROBATION.

(a) Probationary employees except for current La Crosse County employees who are promoted shall not be entitled to vacation or sick leave for the initial 6 months of employment. Upon completion of the probationary period, or upon completion of 6 months for those with a longer probation, vacation credits and sick leave credits of probationary employees shall accrue from the date of employment. Current County employees who are on probation in a promotional position shall keep their sick leave and vacation balances and may use such benefits during their probation. The probationary period for current employees who are promoted may be extended if their use of vacation or sick leave does not permit sufficient probationary evaluation.

(b) Participation in the Wisconsin Retirement System shall be in accordance with the applicable statutes governing the same.

(c) Group hospitalization, medical, major medical, dental, life, weekly income and disability insurance shall be available to a probationary employee prior to the completion of probation, provided the employee meets all requirements outlined in the policy agreement.

(d) Probationary employees shall be entitled to paid holidays, provided they meet the eligibility requirements in qualifying for holiday pay.

3.06 EMPLOYEE BENEFITS.

(1) RETIREMENT.

(a) Wisconsin Retirement System. All employees who meet the applicable statutory requirements may participate in the Wisconsin Retirement System. Retirement plan eligibility and benefits shall be governed by the Wisconsin Retirement System as amended from time to time.

(b) Commencement of Retirement. There is no mandatory retirement age. All employees of the County regardless of age must be physically and mentally fit to perform the duties of their regularly assigned positions, except as otherwise provided in this chapter. Any employee, including elected officials and law enforcement officers, electing to retire must do so in accordance with the provisions of the Wisconsin Retirement System.

(c) County Contribution. The County may contribute an amount toward payment of the employee's contribution toward the Wisconsin Retirement System as set by the County Board from time to time.

(2) VACATIONS.

(a) Amount.

1. Regular Full-time Employees. Any regular full-time employee or officer of the County who has been continuously employed by the County for 1 year or more and has completed probation shall be granted a vacation with pay, as follows:

a. After 1 year of active employment, 10 days of paid vacation.

b. After 5 years of active employment, 15 days of paid vacation;

c. After 12 years of active employment, 20 days of paid vacation; and

d. After 20 years of active employment, 25 days of paid vacation.

2. Such employee or officer may, during the first 2 years of employment, draw ahead on vacation accrued after 6 months of active employment.

3. Regular Part-time Employees. Regular part-time employees shall be entitled to vacation with pay which shall be prorated by the number of regularly scheduled days of work per week.

4. Others. Provisional, on call, temporary and seasonal employees shall not be entitled to vacations with pay.

(b) How Determined.

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1. Vacation Leave. For the purposes of this subsection, vacation leave shall be governed by the date of employment or reinstatement and shall be retroactive to such date. Vacation leave shall not accumulate from one vacation period to the next.

2. Vacation Period. The vacation period shall be from an anniversary date of employment to the next anniversary date of employment. All earned vacation from the previous year shall be taken during such vacation period.

3. If an employee demonstrates that the demands of work have prevented the employee from using vacation, the Personnel Director may grant limited carry over.

4. The County Administrator may authorize vacation level where necessary for non-union employees.

(c) Scheduling.

1. Except in emergencies, all vacation shall be requested in advance by employees to the Department Head or designee. The Department Head shall consider the effect on work load, customer service and consider other staff already off before approval or denial. When more than 1 employee requests the same time off, seniority and order of request shall be considered.

2. The more days off requested, the greater advance notice should be given. Notice of vacation approved should be available to other department staff for planning.

(d) Use as Sick Leave or Other Leave. Any employee or officer who has used accumulated sick leave but is entitled to vacation leave as herein provided may, upon request and with the approval of his Department Head, use vacation leave for sick leave. Any time absent from duty by an employee or officer during the work year, except for sick leave, may be deducted from such vacation leave subject to the approval of the Department Head.

(e) Sick Leave or Holiday During Vacation. Sick leave shall not be claimed for an illness occurring during an employee's vacation time. Holidays falling during an employee's vacation time shall not be charged against the employee's vacation credits.

(f) Payment of Earned and Accrued Vacation. Any employee, including an employee who is elected to public office, may elect a cash payment for the following:

1. Earned vacation credits that have not been used prior to the date of the employee's termination or retirement from county government.

2. Accrued vacation credits computed from the last anniversary date to the last pay period of employment if the employee terminates in good standing in accordance with s. 3.14.

(3) SICK LEAVE.

(a) Regular Full-time Employees. All regular full-time employees of the County shall earn sick leave pay protection at the rate of 1 work day per full month of employment until a total of work days authorized by the County Board have been accumulated. Employees are eligible to use this sick leave pay protection benefit after they have completed 6 months of employment.

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(b) Regular Part-time Employees. Regular part-time employees of the County shall be entitled to a pro rata accumulated sick leave based on the number of regular hours worked per month. Employees are eligible to use this sick leave pay protection benefit after they have worked for the 6 month equivalent number of hours.

(c) Other Employees. Provisional, on call, temporary and seasonal employees shall not be entitled to sick leave pay protection.

(d) Additional Sick Leave. When an employee has used all of his/her accumulated sick leave balance, the employee may request additional sick leave. Additional sick leave may be granted by the County Administrator on recommendation of the Personnel Director to an employee who has 10 years or more of continuous employment with the County and who meets the following conditions:

1. The employee must submit a request for additional sick leave in writing to his/her Department Head. If approved by the Department Head, the request shall be forwarded to the Personnel Department.

2. The Personnel Department must certify that the employee is in good standing (meaning not under disciplinary suspension or pending termination) and that the employee has a good attendance record according to County standards.

3. The employee must not have received additional sick leave that exceeds 1 day per 1 year of service.

4. The Personnel Department shall gather details regarding how much leave is requested and the time of use.

5. If approved by the Personnel Director, the request shall be sent to the County Administrator.

6. To an employee meeting the above conditions, the County Administrator may grant 1 day of additional sick leave for each year of continuous county employment.

7. For regular part-time employees, any additional sick leave granted shall be calculated on a pro rata basis.

(e) Department Head to be Notified of Absence. An employee taking sick leave shall report or cause to be reported an absence from work within 4 hours prior to the employee's regularly scheduled starting time to the Department Head or official in charge of the department in which the person is employed unless the nature of the illness prevents the employee from reporting within the time specified. The employee shall also report or cause to be reported as soon as possible when the person expects to return to work.

(f) Illness of Family Member. Accumulated sick leave of up to three (3) consecutive days may be used by an employee for necessary care of a member of the employee's household or immediate family incapacitated due to illness or injury. Immediate family for purposes of this section includes the following family members: spouse, children, grandparents or parents of the employee.

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(g) Death of Family Member. If a death occurs among a member of the employee's immediate family, the employee will be excused from work to attend the funeral or memorial service, and make other necessary arrangements without loss of pay for up to 3 working days. Such absence shall be granted for the day of the funeral or memorial service and 2 days immediately prior to or subsequent to the day of the funeral or memorial service, provided such days are workdays. Immediate family for purposes of this section includes the following family members:

Employee:	Spouse of Employee:
Spouse	
Children (including adopted & step children of a current marriage)	Children
Parents	Parents
Brother or Sister	Brother or Sister
Grandparents	Grandparents
Grandchildren	Grandchildren
Spouse of Child	Spouse of Child

And other members of the immediate household for which the employee has the responsibility of funeral or memorial service arrangements.

One day of funeral leave with pay will be granted to attend the funeral or memorial service of the following relations:

Employee:	Spouse of Employee:
Spouse of Brother or Sister	Spouse of Brother or Sister
	Aunt or Uncle

Paid bereavement leave is not chargeable to sick leave, nor payable if the funeral is held while the employee is on paid leave or excused absence from work.

Any employee may take up to 1 day without loss of pay from regular work hours when serving as a pallbearer or military honor guard.

(h) Authentication. When claiming compensation for sick leave, the employee shall establish to the satisfaction of the Department Head the authenticity of illness of the employee or death or illness of an immediate family member of the family. The authentication may be by certificate from a physician licensed to practice medicine, chiroprody or osteopathy or by such other means as may be provided. Absence in excess of 3 days for sick leave shall be properly authorized in writing.

(i) Termination and Retirement. Health Insurance Continuation. Those employees who retire under the Wisconsin Retirement System, either normal or disability retirement, will be credited with a percentage of sick leave authorized by the County Board and accumulated to the date of retirement to be applied toward the payment of the monthly group health insurance contribution after retirement. Such credits will be applied monthly until exhausted. The value of the accumulated sick leave shall be computed at the regular hourly rate in effect at the date of retirement, excluding shift differential, or any other additions to the regular hourly rate. If the retiree dies prior to expending accumulated sick leave credits, the remainder shall be applied to the payment of the monthly contribution for the County's group health insurance continuation for a surviving spouse until all credits are exhausted. In no event shall cash payment be available.

(4) HOLIDAYS.

(a) Enumerated. The following shall be paid holidays for all full-time and regular part-time employees, except those employees whose holidays are regulated by another authority or agreement and subject to par. (e) below:

1. January 1 - New Year's Day.
2. Martin Luther King Holiday – the 3rd Monday in January.
3. Spring Holiday.
4. May 30 - Memorial Day or as established by State and federal authority.
5. July 4 - Independence Day or as established by State and federal authority.
6. Labor Day.
7. Thanksgiving Day.
8. Day after Thanksgiving.
9. December 24 - Christmas Eve Day.
10. December 25 - Christmas Day.

(b) Holidays Falling on Weekends. Holidays falling on Saturday should be observed on the preceding Friday. Holidays falling on Sunday should be observed on the following Monday. Provided, however, that when Christmas Day falls on a Saturday the following Monday should be observed as the holiday and when Christmas Eve falls on a Sunday the preceding Friday shall be observed as the holiday.

(c) Worked Holidays. If the affairs in a department are such that they require the attendance of an employee on the day a holiday would normally be observed, such employee shall be entitled to compensatory time off to be taken at a time mutually arranged with the Department Head. Such compensatory time off shall be taken within 90 days of the date accrued and in the same calendar year, except compensatory time off for the Christmas holidays shall be taken before March 30 of the following year.

(d) Qualifying. To qualify for paid holidays, the employee shall have worked the last scheduled day preceding and the next scheduled workday following the holiday unless excused by proven illness, death in the immediate family or paid vacation.

(e) Exceptions. Seasonal, on call, temporary or provisional employees shall not be entitled to paid holidays, but shall be granted time off without pay. Employees who do not fall into the above categories and are regular part-time employees shall be entitled to a prorated paid holiday based on the number of hours worked the week in which the holiday is celebrated.

(f) Compensatory Time. Compensatory time and those taking it shall be subject to s. 3.17(2).

(5) UNEMPLOYMENT COMPENSATION.

(a) The County shall provide unemployment compensation protection for those employees who qualify.

(b) All claims and notices of filing for unemployment compensation by an employee of the County shall be processed through the County Personnel Office.

(6) WORKERS COMPENSATION.

(a) County employees shall be protected by workers compensation coverage.

(b) Claims, reports of injuries and litigation of workers compensation claims shall be processed through the County Personnel Office.

(c) All injuries shall be reported in accordance with the established procedure within 24 hours after occurrence to the County Personnel Office. The Department Head shall investigate each accident and take the necessary corrective actions to prevent recurrence whenever possible.

(7) LEAVES OF ABSENCE.

(a) Generally.

1. The Department Head of any department may grant a leave of absence without pay from regular duty to a County officer or employee who has been employed for more than 12 months, including probation, such leave of absence to be for not more than 60 days. Leaves of absence for longer than 60 days shall be approved by the Personnel Director, provided no leave of absence granted, extended or continued shall exceed 1 year except as may otherwise be provided in this section. Leaves of absence shall not be granted for the purpose of obtaining employment elsewhere. No leave of absence shall be granted to an officer or employee who has been in the service of the County for less than 1 year, including time on probation, immediately preceding the employee's leave except for absence on the grounds of sickness, disability or urgent necessity.

2. In those departments where a labor agreement currently exists, the provisions in the labor agreement relating to specific leaves of absence shall apply.

(b) Military Leave.

1. An employee or officer of the County who is called into the military or naval service of the United States or who in time of national emergency voluntarily enlists in such service shall be granted a leave of absence for such time as may be necessary to permit completion of such naval or military service, together with such additional time not exceeding 90 days as may be reasonably necessary to enable such employee or officer to resume his duties with the County.

During such leave of absence, the seniority rights of such employee or officer shall continue to accumulate in the same manner and to the same extent as if such leave of absence had not been granted and such employee or officer had been continuously in the employ of the County; and such employee or officer on such leave of absence shall be entitled to all such rights and benefits; except such employee or officer shall not be entitled to payment of salary or wages by the County or to vacation or sick leave rights during such leave of absence.

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2. Any full-time official or employee of the County who is a duly enrolled member of the National Guard or of the State Guard or any other organized reserve of the armed forces of the United States is entitled to leave of absence, without loss of time of service to the County, to enable such person to attend military school and field camps of instruction which have been duly ordered held, but not to exceed 15 days, excluding Sundays and legal holidays, in the calendar year in which so ordered and held. Such employee shall suffer no reduction or interruption in pay from the County for the time spent in such attendance; therefore, any salary received for such attendance shall be properly disclosed, and the County shall make up the difference between such military pay and the regular salary. The leave granted by this subdivision is in addition to other leaves granted or authorized by any other provision of law, and the time of the leave granted hereunder shall not be deemed a part of any leave granted or authorized by any other provisions or ordinances of the County. In determining seniority, pay or salary advancement, the status of the official or employee shall be considered as though not interrupted by such attendance.

(c) National Defense Leave. In times of national emergency, an employee or officer may, at the discretion of the employee's Department Head with approval of the Personnel Director, be granted a leave of absence to permit the employee to engage in work for the United States which may reasonably and fairly be defined as aiding the national defense. Such leave of absence, if granted, shall be for such period of time as may be necessary to permit the employee or officer to complete such service for the United States government, together with such additional time, not exceeding 40 days, as may be reasonably necessary to enable such employee or officer to resume duties with the County; but such leave of absence may only be granted upon written request of the government of the United States or any of its authorized agencies.

(d) Leaves of Absence for Probationary Employees. Any employee or officer who is serving on probation may be granted a leave of absence under pars. (b) and (c), provided that upon return from leave such employee or officer shall work the remaining months of the probationary period to qualify for status with seniority.

(e) Jury Duty. Employees called for jury duty shall be given a leave of absence with pay, provided any remuneration received, except travel expenses, shall be deducted from any salary paid while on jury duty and provided any time during which the employee's services are not required as a juror, the employee shall perform regular duties.

(f) Family and Medical Leave. Upon prior written request, regular employees who have completed the initial probationary period shall be granted family leave in accordance with the Wisconsin or Federal Family Leave Act and the regulations pertaining to it which are expressly adopted by this Code.

1. Family Leave. Family leave may be granted because of the birth or adoption of a child pursuant to the Wisconsin or Federal Family Leave Act. A pregnant employee may continue to work predicated on the statement of a physician, physician's assistant or midwife, obtained at no cost to the County, certifying that continuance of work will not jeopardize the health of the employee or prevent the satisfactory performance of assigned duties. A monthly statement of a physician, physician's assistant or midwife certifying continued ability to work shall be required after the fourth month of pregnancy. Duration of leave shall be in accordance with the Wisconsin or Federal Family Leave Act.

2. Medical Leave. Medical leave may be granted an employee who has a serious health condition which makes the employee unable to perform the duties; or to care for the employee's child, spouse or parent having a serious health condition, pursuant to the

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Wisconsin or Federal Family Leave Act. Duration of leave shall be in accordance with the Wisconsin or Federal Family Leave Act, the regulations of which are adopted by reference to this Code. This section is intended to conform with the Personnel Administrative Code to the Wisconsin and Federal Family Leave Acts.

3. Leave Credit. All qualifying leave granted to County employees shall be deemed leave provided under the Wisconsin and Federal Family Leave Acts.

(g) Unauthorized or Prolonged Leaves. Any employee or officer who is absent from duty without authorized leave or fails to report after a leave of absence has expired or been disapproved, revoked or cancelled shall be subject to disciplinary action. An employee absent from duty without authorization for more than 3 consecutive days shall be deemed to have voluntarily terminated.

(h) Expiration of Leaves. Upon the expiration of a leave of absence, an employee or officer shall be reinstated in the employee's former position if mentally and physically competent to perform the duties of the position. The County, through its authorized representative, may require a physical examination of such employee or officer to verify competency to perform such duties.

(i) There shall be no accumulation of sick leave or vacation during unpaid leaves of absence.

(8) GROUP INSURANCE.

(a) All eligible County employees shall designate their option for coverage under the County's group hospitalization, medial, major medical, dental, life, weekly income, and disability insurance then in effect within 30 days of initial employment.

(b) Enrollment in the group insurance programs shall be through the County Personnel Office or such designees as the Personnel Director may appoint.

(c) The applicable eligibility rules as may be amended by the group insurance carrier or Administrator shall prevail and shall be published in an employee handbook. Employee contributions to group insurance shall be as set by the County Board from time to time.

(d) Group insurance claims shall be processed through the County Personnel Office or such designees as may be appointed by the Personnel Director.

(9) REST PERIODS.

(a) All employees within the purview of these rules shall be granted a 15-minute rest period in the first 1/2 of the workday and 15 minutes during the second 1/2 of the workday. Such rest periods shall be scheduled as near to the middle of each 1/2 of the workday as possible.

(b) Rest period breaks shall be scheduled by the respective departments to provide adequate personnel to serve the public while other employees in the department are observing their rest period breaks.

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(10) EMPLOYEE ASSISTANCE PROGRAM. An Employee Assistance Program shall be established which shall be available to assist employees in finding guidance and counseling for employee's personal problems affecting work performance. An outside referral agency shall be used for initial contacts and to maintain confidentiality. Initial contacts with the referral agency shall be at no cost to the employee. Financial charges resulting from any further counseling or referrals may be submitted to the employee's health insurance for coverage to the extent available under policies existing at the time of submittal and any uncovered charges shall be the responsibility of the employee.

3.07 WORK HOURS.

(1) The normal workweek for office employees in the downtown campus buildings and annexes thereto working on a scheduled basis shall be 5 days, Monday through Friday, from 8:30 a.m. until 5 p.m. with a one-hour unpaid lunch break. Employees may be scheduled at other times as well to serve the needs of the department and customers.

(2) Each department shall schedule its noon lunch period to assure that its office is adequately staffed to serve the public without interruption between 8:30 a.m. and 5 p.m.

(3) Downtown campus building maintenance employees shall work a scheduled 40-hour week. Their workdays shall be scheduled to provide maintenance service which will not interfere with ordinary business activities during regular business hours.

(4) Elected and appointed officials, professional employees and administrative supervisors shall work on a nonscheduled basis because the nature of the work performed by such personnel cannot be regulated by a scheduled workweek and their performance is evaluated in terms of total accomplishment; therefore, their workweek could be very irregular and shall be classed "nonscheduled."

(5) This section shall be subject to the provisions of s. 3.17(3).

3.08 STANDARDS OF CONDUCT.

(1) Certain standards of conduct are expected of all employees in the County service. Charges of malfeasance or misfeasance shall be adjudicated in accordance with the applicable statute. Proof of commission of any of the following prohibited acts shall immediately subject a County employee to dismissal, suspension or other appropriate disciplinary action:

- (a) Theft.
- (b) Willful misuse or destruction of County or other public property.
- (c) Fraudulent claims for reimbursement.
- (d) Fraudulent claims for hours worked.

(e) Willful neglect of duties; disorderly or improper conduct which might degrade the public image of other employees of the County; unsafe conduct, such as horseplay; and untreated or uncontrolled addiction to alcohol or drugs.

- (f) Proven incompetence in the performance of assigned duties.

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- (g) Chronic tardiness or absence from duties without good cause.
- (h) Insubordination or refusal to perform assigned work.
- (i) Gambling while on duty.
- (j) Sleeping while on duty.
- (k) Failure to report personal injuries or vehicular accidents.
- (l) Misappropriation of County-owned equipment or tools.
- (m) Performance of personal work or services for pay while on duty.
- (n) Failure to remain current on legitimate obligations to the County, State or federal governments.
- (o) Participation in any lobbying activity without the express approval of the County Board. This does not preclude an employee in the County Service from participating in lobbying activities by taking unpaid leave and paying the employee's own expenses.
- (p) Violation of rules governing political activities, nepotism, or sexual harassment.
- (q) Violation of any reasonable rule established in the employee's assigned department.

(2) The violations enumerated in sub. (1) shall not be construed as all-inclusive; they shall, rather, serve as guidelines in maintaining appropriate standards of conduct while in the County service.

3.09 APPEALS AND COMPLAINTS.

(1) Employees of the County who have received disciplinary action affecting their status shall have the right to appeal such action in accordance with the following prescribed rules; provided employees who are elected or are covered by an existing labor agreement shall not have recourse through such rules but shall follow those procedures prescribed by statute or labor agreement;

(a) The employee shall first discuss the matter with the immediate supervisor or Department Head within 7 calendar days of the alleged action. If the matter is not resolved within 5 working days, an appeal may be made to the next step.

(b) The employee and the Department Head shall reduce their positions to writing and present them to the County Personnel Director within the next 7 calendar days. The Director shall meet with both parties and attempt to adjudicate and resolve the matter. If it is not resolved within 20 working days, then upon written request of the complaining party within 10 calendar days from date of the Personnel Director's response the matter shall be referred to the County Board Chairman, who shall appoint a special Hearing Committee in accordance with the County Board rules.

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(c) The Hearing Committee shall consist of 3 members, who shall elect 1 of their members' chairman. Such members may be County Board members, including at least 1 member of the Executive Committee. The County Board may opt to have a Hearing Committee composed of 3 members, as provided under s. 2.07, who are not County Board members, employees of the County or any municipality or elected officials of any governmental unit.

(d) The Hearing Committee shall review the matter and issue its decision within 30 calendar days after presentation of the facts. The review of the Hearing Committee shall include a hearing of the facts from the parties involved. Those parties directly involved may employ counsel at their own expense, and the Corporation Counsel shall appear on behalf of the County. The Hearing Committee may require the presence of witnesses by subpoena. The hearing shall be informal, and rules of evidence and law may not necessarily apply.

(e) The Hearing Committee may uphold, dismiss or modify the action of the Department Head affecting the status of the aggrieved employee. The action of the Hearing Committee shall be final and binding on the parties involved, and its report shall be placed on file with the County Board.

(2) Matters concerning the operation of the business affairs of a department shall not be subject to appeal, nor shall warning notices and employee Development Reviews be subject to appeal. Matters involving alleged acts of discrimination, selection and appointment appeals shall be heard by the Hearing Committee established in sub. (1)(d) above upon filing of a complaint in writing to the County Personnel Director. The time limits set forth above shall apply to these complaints, provided that notice after 7 calendar days of alleged complaint shall be to the Personnel Director in lieu of the Supervisor or Department Head, except if the procedure provided under s. 2.07 is invoked.

(3) Complaints which do not involve disciplinary actions shall be referred to the immediate supervisor. Such complaints shall be heard and, if presented reasonably, shall not prejudice the employee's status.

3.10 TRAINING.

(1) Each department shall provide in-service training for all new and present employees where appropriate in their development toward greater responsibilities and promotion. In-service training programs shall be constructed in accordance with the requirements and needs of each County department.

(2) Training shall be accomplished by attendance at recognized seminars or University extension courses, or enrollment in a recognized vocational school or college, and shall be appropriately related to the employee's job.

(3) Expenses incurred in training may be reimbursed pursuant to s. 3.13.

(4) A Department Head or County employee wishing to attend a workshop, seminar, or convention may be required to complete a "Request to Attend Workshop, Seminar or Conference/Convention" form pursuant to s. 3.13(3)(a).

3.11 EMPLOYEE DEVELOPMENT REVIEWS.

(1) Reviews of employee's performance shall be made at least yearly provided probationary employees shall be reviewed during their probationary period. The purpose of the review is to help the employee develop and improve performance and value in the County service. The procedure and form shall be prescribed by the County Personnel Director.

(2) Elected officials shall not be subject to development reviews.

3.12 LAYOFFS AND REDUCTION OF STAFF.

(1) In the event of lack of work or economic cutbacks in any department, the reduction of staff will be accomplished by attrition, retirements or voluntary reduction in hours or voluntary layoff to the extent possible to minimize the impact on staff.

(2) If layoffs are necessary they may be done in a manner that gives consideration to the following factors:

(a) the skills, expertise, and licenses necessary to perform the work of the department;

(b) the greatest cost saving to the department while preserving jobs;

(c) retaining those employees with greater length of service with the county; and,

(d) the temporary, seasonal, or part-time nature of the duties.

(3) Upon reinstatement, those with the most service in the department shall be reinstated first.

(4) Eligibility for reinstatement from layoff shall be for 1 year from the date of layoff. Employees on layoff shall not lose vacation or sick leave benefits but shall not accrue the same during the layoff.

3.13 TRAVEL, MILEAGE AND CONFERENCE/CONVENTION ALLOWANCES.

(1) PURPOSE. This section shall establish a uniform system for determining County responsibility for expenses incurred by its employees, officers, Supervisors, volunteers and non-county board members serving on boards, commissions and committees while in the pursuit of official business. This section shall set forth the responsibilities of those who incur such expenses, to seek approval for such expenses and to account for the same.

(a) Nothing in this chapter shall be construed to vest in the Auditor/Finance Director the right to deny an elected officer the right to travel and incur expenses unless specifically provided for by statute or Code.

(b) All travel must be done in compliance with this Code, regardless of the funding source, i.e., federal and state grants, contracts, general operating funds and restricted funds. More stringent travel policies may be established at the discretion of the County Board or County Administrator where not in conflict with union contracts.

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(2) DEFINITIONS. Unless the context dictates otherwise, the following definitions shall apply to this section:

(a) Authorizing Party. Means the County Administrator with respect to Department Heads, elected officials except Supervisors and non-supervisor committee members; Department Heads with respect to subordinate employees and volunteers; and the County Board Chair with respect to the County Administrator and Supervisors. An authorizing party may designate a person or persons to act on his/her behalf in writing to the Finance Department.

(b) Budgeted. Appropriated by the County Board or otherwise allocated in accordance with County Board rules.

(c) Traveler. All public officials, county employees, Supervisors, non-county board members serving on boards, commissions and committees and volunteers who are traveling on behalf of and/or at the expense of the County.

(d) Vehicles. All motor driven surface forms of transportation except motorcycles or other 2 wheel motorized devices.

(e) Supervisors. All members of the La Crosse County Board of Supervisors.

(f) Headquarters. The traveler's regular or assigned work site, i.e. the place (office, lab, client's home, etc.) where the traveler generally performs his/her scheduled duties.

(3) GENERAL TRAVEL POLICY.

(a) The authorizing party at his or her discretion may require each traveler requesting approval to travel to complete a "Request to Attend Workshop, Seminar or Conference/Convention" form and submit the form to the authorizing party for approval.

(b) Travelers shall be reimbursed for reasonable, necessary and actual travel expenses incurred in the performance of authorized official duties, subject to the limitations in this section. Use of public transportation and/or rental vehicles is encouraged and may be required at the discretion of the authorizing party. Each respective authorizing party shall be responsible for ensuring that travelers plan their travel with the principles of fiscal austerity and energy conservation in mind, and make maximum use of the telephone, e-mail, fax, and postal service as a way to minimize the need for travel.

(c) All travel expenses must be budgeted in advance of authorization.

(d) Approval of the Department Head or his/her designee is sufficient to authorize travel for subordinate employees within the state or outside the state.

(e) Provisions in labor contracts in conflict with this section shall supersede this section only to the extent of this conflict.

(f) Travelers shall exercise good judgment in incurring travel costs. The traveler's authorizing party is primarily responsible for auditing the travel expenditures. In cases

PERSONNEL ADMINISTRATIVE RULES 3.13(3)(f)

where there is dispute over an item, the traveler shall submit to the Finance Department a written explanation regarding the expense. A decision regarding reimbursement of the questionable expense shall be made by the Auditor/Finance Director in conjunction with the County Administrator.

(g) When registering in hotels or motels or signing for any official purpose, travelers shall use their headquarters address. If government discounts are available, said discounts shall be reflected on the statement submitted to the county for reimbursement.

(h) Except when authorized by the County Administrator or designee, a department may send only 1 traveler to conventions, seminars or conferences that are held outside of the state or outside of the 200 mile radius of headquarters.

(i) It is the responsibility of the Department Head to arrange for pooled transportation of all travelers. Where travelers of more than 1 department are traveling to the same destination, it shall be the joint responsibility of the Department Heads to arrange for pooled transportation.

(j) Travel reimbursements shall not exceed the budgeted amount. Expenditures in excess thereof shall be the personal responsibility of the traveler. The travel request shall not be approved unless sufficient funding exists in the requisitioner's travel accounts.

(k) The authorizing party who approves the "Request to Attend" form should also approve the final statement of travel expenses.

(l) All detail instructions for completing the travel forms and audit procedures are listed in the "Finance & Purchasing Procedures Manual" that has been distributed to all departments by the Finance Department.

(m) The policy for use of a procurement card to pay for travel expenses shall be set forth in the Finance & Purchasing Procedure Manual.

(n) All receipts for travel costs paid for by use of a procurement card shall be submitted to the authorizing party. If the items charged on the procurement card are deemed to be in violation of this Code, the traveler will be required to make reimbursement to the County for those expenses.

(o) Written explanation may be requested by the authorizing party in the event of excessive mileage or expenses.

(4) TRANSPORTATION.

(a) Air Travel.

1. The maximum permitted amount for air travel shall be limited to the lesser of the fare for the lowest coach class available or the standard County mileage allowance. The making of reservations well in advance is recommended so as to assure that the lowest possible airfare is attained.

2. Unless circumstances do not permit, prepayment of airfares shall be made upon arrangement with the authorizing party. All prepayments shall be recorded as such on the travel expense form.

PERSONNEL ADMINISTRATIVE RULES 3.13(4)(a)3.

3. Flight insurance will not be reimbursed.
4. The passenger copy of the airline ticket must be attached to the travel expense form.
5. When a favorable price differential exists, round trip tickets shall be purchased.

(b) Use of Privately Owned Vehicles.

1. A privately owned vehicle may be used in lieu of a rental vehicle or other means of public transportation for any trip. Each traveler shall be reimbursed an amount not to exceed the cost that would have been incurred had the traveler utilized a less expensive form of travel that is a reasonable alternative under the circumstances such as a rental vehicle, commercial airline, etc. In addition, travelers shall not be reimbursed for meals and/or lodging that would not have occurred if a more efficient mode of transportation had been used. Any vacation requests in conjunction with official travel shall be approved in advance and in accordance with existing labor contract agreements.

2. The standard County mileage allowance for use of private vehicles shall be paid in accordance with the standard mileage rate established by the Internal Revenue Services (IRS). This rate shall be effective as of January 1, 2005.

3. Reimbursement shall not apply with respect to miles traveled to or from a traveler's home to his or her headquarters or while on personal business.

4. Mileage may be claimed by all Supervisors for official County business that results from their County Board or committee responsibilities. Citizen committee members may claim mileage for attending regularly scheduled meetings for which they receive a formal meeting notice. Mileage may also be claimed by those Supervisors appointed by the County Board Chair to external boards and/or committees attached to outside agencies and/or organizations when attending meetings scheduled by those agencies or organizations. All mileage claims from Supervisors shall be approved by the County Board Chair and given to the County Clerk for processing. Mileage claimed by citizen committee members shall be processed by the Department Head attached to that committee and charged to the department travel budget.

5. Any traveler claiming mileage reimbursement from the County shall present a certificate of insurance with either a split limit auto liability policy of \$100,000 per person/\$300,000 aggregate per occurrence or a combined single limit (CSL) auto liability policy of \$300,000 to the Department Head before any claims for mileage reimbursement will be honored and shall see that a current certificate is kept on file with the department. Any traveler using a private vehicle for County business, but not claiming mileage reimbursement, shall present a certificate of insurance with either a split limit auto liability policy of \$100,000 per person/\$300,000 aggregate per occurrence or a combined single limit (CSL) auto liability policy of \$300,000 to the Department Head if requested by the Department Head. Such compliance shall be under the supervision of the Auditor/Finance Director.

6. Parking charges incurred in the County resulting from daily trips between a traveler's residence and place of County employment are not reimbursable. Other parking fees and toll charges incurred while on official business are reimbursable if incurred as a result thereof and if approved by the authorizing party.

PERSONNEL ADMINISTRATIVE RULES 3.13(4)(b)7.

7. Traffic and parking violation expenses are not reimbursable.

(c) Travel by Train.

1. Travel by train shall be limited to coach, except in cases of overnight travel wherein accommodations shall be met.

2. Unless circumstances do not permit, prepayment of rail fares shall be made upon arrangement with the authorizing party. All prepayments shall be recorded as such on the travel expense form. A copy of the train ticket should be attached to the travel expense form.

(d) Travel by Bus. The utilization of buses is encouraged. Receipts are required and shall be attached to the travel expense form.

(e) Taxis and Airline Limousines. Reasonable charges for taxis and airline limousines, including taxi drivers' tips at a maximum rate of 15% of the charge, are reimbursable.

(f) Vehicle Rental.

1. Use of rental vehicles is encouraged when the vehicle rental is the most practical and economical mode of transportation determined by the traveler, and approved by the authorizing party. Only rental agencies that provide the most favorable contract terms, as determined by the Auditor/Finance Director shall be used.

2. If the rental agreement is not a direct charge to the County, it should be attached to the travel expense form, along with all gas receipts, for reimbursement.

3. The cost of a mid-size model is reimbursable, unless non-availability of this size vehicle is documented by the car rental agency. For large groups, reimbursement of a larger size vehicle is allowed. Only individuals involved in County business shall be included in the count.

4. All vehicle rental rates include collision and liability insurance. All types of personal insurance, and any additional charges incurred for personal use by the employee when using a rented vehicle, are not reimbursable.

5. All travelers renting a vehicle should fill the gas tank prior to returning the vehicle. The rental agency will charge substantially more for gas if they have to fill the tank.

6. Detailed procedures for vehicle rental, including express check-in/check-out, express vehicle delivery, personal vehicle parking when rental vehicle is picked up, is listed in the "Travel and Training" section of the Finance and Purchasing Procedures Manual.

(5) MEALS.

(a) Meal expense claims may only be made for those meals purchased outside the County. Exceptions are in-county conferences, conventions and circumstances where the authorizing party approves meal expenses that are budgeted for in-county work related activities. Additional exceptions are lengthy county board or committee meetings for Supervisors approved by the authorizing party.

PERSONNEL ADMINISTRATIVE RULES 3.13(5)(b)

(b) The claim for meals shall represent actual, reasonable and necessary costs expended for meals. Meals included in the cost of lodging or registration fees are not reimbursable. The authorizing party may grant individual exceptions if the traveler provides written justification.

(c) Maximum daily permitted amounts for meals, including tax and tips are:

1. Breakfast. \$8.00. Only for trips requiring the traveler to leave before 6 a.m.

2. Lunch. \$9.00. Only for trips requiring the traveler to leave before 10:30 a.m. and return after 2:30 p.m.

3. Dinner. \$17.00. Only for trips requiring the traveler to leave before 3:30 p.m. and return after 7 p. m.

4. Total. \$34.00. No reimbursement will be made for candy, snack foods, and alcoholic beverages.

(d) If the traveler is permitted to purchase 1 meal while on County business, he/she shall be limited to the amount stated per meal. If the traveler is permitted to eat 2 or more meals in a day, the costs may be divided between meals as desired, as long as the maximum for the meals is not exceeded. Each day is considered separately for application of this policy. If meal maximums are not reached on 1 day, the savings do not accrue and cannot be applied to meal costs on another day.

(e) Any amount in excess of the maximum daily meal allowances shall not be reimbursed to the traveler except as provided in subsection (d) above. Exceptions to the time requirements for meal reimbursement may be approved by the authorizing party if justified by a written explanation.

(f) Travelers are not required to obtain and attach to their travel expense form receipts for meals that do not exceed the maximum unless the authorizing party requires the traveler to provide such receipts.

(g) Departure and returning times shall be recorded on the travel expense form when submitted.

(6) LODGING EXPENSE.

(a) The choice of lodging shall be based primarily on cost with consideration given to accessibility in conducting business. When traveling alone, the traveler shall make use of a single room rate. Persons traveling together shall, whenever feasible, share lodging accommodations. Only travel expenses for the authorized traveler shall be reimbursed and at the rate for a single room. The hotel clerk must be asked to write the single room rate on the receipt.

(b) Lodging expenses will not be reimbursed for the night prior to a meeting if the traveler can reasonably arrive on time for the meeting by leaving no earlier than 6:30 a.m. on the day of the meeting.

(c) It is recommended that lodging costs be limited to approximately \$80.00 per night, except for lodging in higher cost cities or when a higher lodging rate is required to attend a conference, convention or seminar.

PERSONNEL ADMINISTRATIVE RULES 3.13(6)(d)

(d) When making lodging reservations, the government rate should always be requested.

(e) Travelers shall observe posted hotel checkout hours in order to avoid a charge for the day of departure. The traveler who is required to remain in 1 location for an extended period of time is required to find lodging at reasonable weekly and/or monthly rates.

(f) All lodging expenses shall be supported by the original machine printed receipts or an original handwritten receipt and shall be attached to the travel expense form. Expenses for lodging at homes of relatives or friends are not reimbursable.

(7) CASH ADVANCES/ADVANCE PAYMENTS. All advance payments and cash advances if permitted by the authorizing party must be requested through a check requisition form signed by the authorizing party. Advance payment of registration costs, dues, lodging costs, etc. shall be made payable directly to the vendor whenever practical. Cash advances for meals and miscellaneous travel expenses will be made payable to the traveler. Cash advances shall be accounted for separately on the travel expense form and such form shall be submitted no later than the fifth working day of the month following the scheduled travel. The amount due and owing for the travel shall be reduced by the amount advanced. In cases where the cash advance exceeds the total expenditure, a check payable to the County Treasurer shall accompany the travel expense form. If a cash advance is not reconciled, the Auditor/Finance Director shall withhold further travel reimbursements until reconciled.

(8) MISCELLANEOUS EXPENSES.

(a) Telephone. When it is necessary to use the telephone for business purposes while away from the office, both local and long distance calls will be reimbursed. The date and place of the telephone call and its business purpose shall be included on the travel expense form.

(b) Registration Fees. Receipts are required for registration fees for conferences, conventions and seminars if not paid directly by County check. The schedule and statement of costs thereof must be attached to the travel expense form showing:

1. Actual dates of the conference, convention or seminar.

2. A breakdown of specific meals which were included with the registration fee. No further reimbursement will be made for these meals. A spouse or other family member included in registration fees is not reimbursable.

(9) CLAIMING REIMBURSEMENT OF AUTHORIZED EXPENDITURES. All claims for reimbursement of authorized expenses shall be submitted on a statement of travel expense form prescribed by the Auditor/Finance Director. To facilitate the processing of the travel expense form, travelers must follow the instructions printed in the "Finance & Purchasing Procedures Manual". Any travel claim not submitted on the official form shall be returned to the claimant unprocessed. The daily starting and destination point shall be stated on the travel expense form along with an explanation for mileage necessary for conducting official County business.

(10) WRITTEN REPORTS. Supervisors and employees attending conventions, seminars, workshops, etc., shall submit an informational written report to the authorizing party if requested.

3.14 TERMINATIONS.

(1) For an employee to terminate in good standing, at least 2 weeks written notice of termination shall be given to the Department Head. Such notice period shall be worked by the employee and shall not include vacation time, except upon retirement. An employee who does not give 2 weeks notice shall not be considered as terminating in good standing, provided due consideration may be given in those cases where extenuating circumstances preclude giving 2 weeks notice. Employees terminating in good standing shall be eligible for accrued vacation credits computed from the last anniversary date to the last pay period of employment, but employees who do not terminate in good standing shall not be eligible for accrued vacation credits or be given consideration for rehire.

(2) Reinstatement after termination shall not entitle an employee to claim past service credits for vacation and sick leave purposes and such reinstated employee may be required to serve the established probationary period.

3.15 ACCOMMODATION DURING EMPLOYMENT. La Crosse County will make a reasonable accommodation to the known physical or mental limitations of employees with a disability unless that accommodation would cause an undue hardship on the operation of County business.

3.16 CLASSIFICATION PLAN.

(1) JOB DESCRIPTIONS.

(a) Job descriptions shall be drafted for every position in the County service except those defined by State statute. Such job descriptions shall be used to develop "job classifications," herein referred to as "classifications."

(b) The Personnel Director shall be responsible for drafting job descriptions and allocating classifications and shall establish and implement the procedures necessary to do so.

(2) ANNUAL REVIEW. Classifications shall be reviewed annually for accuracy and to incorporate any changes in work assignments.

3.17 COMPENSATION PLAN.

(1) PAY GRADES.

(a) Each classification shall have an established pay range, known as the "pay grade."

(2) STEPS. Each pay grade shall be divided into steps.

(3) APPLICATION AND INTERPRETATION OF COMPENSATION PLAN. The following shall apply in the application and interpretation of the compensation plan:

(a) Initial Employment Rate. The lowest step in the pay grade shall be the entrance rate payable to an employee on first appointment to the job. Under extenuating circumstances, the County Administrator or his/her designee may approve starting an employee at a higher step in the pay grade.

PERSONNEL ADMINISTRATIVE RULES 3.17(3)(b)

(b) Probationary Salary Increase. Any new employee starting at the initial step of the pay plan, who has satisfactorily completed the probationary period or extended probation shall be eligible for a one-step increase upon completion of the service time for the next step of the pay grade. Employees hired above the initial step shall progress to subsequent steps according to the time and merit requirements of each step.

(c) Promotional Increase. An employee who has been promoted to another classification in a higher pay grade shall be placed in a step that affords an appropriate increase in pay above the employee's existing classification, but not into a step that requires meritorious performance, without documentation of such. The employee shall progress normally into subsequent steps from the date of promotion.

(d) Reclassification.

1. Generally. Any change in non-union employee position classifications shall be governed by policies established by the Executive Committee. The criteria for requesting a reclassification include: assigned duties and responsibilities substantially exceed the job classification, increased or new responsibility assigned by management, and additional training or skills required by the job and obtained by the employee. A higher volume of duties without a substantial change is not a valid criteria for reclassification. All requests for reclassification shall be reviewed by the Personnel Director and a Review Committee appointed by the County Administrator. The County Administrator shall be the determining authority for approval of re-classes, who shall notify the County Board annually of those approved within the budgeted amount.

2. Provisional Appointments. "Provisional appointments" are temporary appointments under emergency conditions to positions for which no fully qualified person is available. Provisional appointments may be made until a successor is qualified, but not to exceed 3 months. Such appointments may be made from within the County service. If from within the County service, all benefits and privileges shall continue to accrue. Such employee shall start at the minimum of the new classification and pay grade or receive a rate of pay that is at least equal to a one-step increase over the previous rate of pay if the appointment covers at least 1 pay period. If the employee fulfilling such appointment should be the successor, such time shall be credited to his/her probationary period.

(e) Demotion. Any employee demoted to a classification of a lower pay grade shall be reduced to the same step as held in the previous pay grade. The employee shall not advance to the next higher step in the new pay grade after 6 months of employment unless the step to which the employee has been demoted is the minimum of the assigned pay grade. Demotions shall be reviewed by the County Personnel Director and approved by the Executive Committee. Demotions may be subject to s. 3.09 if such action is for disciplinary reasons.

(f) Transfer. "Transfer" is the movement of an employee from 1 classification to another in the same pay grade. There shall be no change in salary, unless such employee is below the second step of the pay grade. Upon completion of the probationary period in the new classification or passage of required time, the employee shall advance to the next higher step.

(g) Reinstated Employees. Any employee reinstated within 1 year after leaving the County service may receive a salary equal to the same step in the classification and pay grade held at the time active service with the County terminated. (see also 3.14(2)) Employees

PERSONNEL ADMINISTRATIVE RULES 3.17(3)(g)

who are reinstated after more than 1 year's absence shall be paid at a rate approved by the Executive Committee or its designated authority; provided such employee shall not be reinstated at a higher step than when actively employed. Special consideration may be given employees who terminated their active service with the County to obtain additional education or experience which would enhance their job performance.

(h) Annual Salary Adjustments. Pay ranges for each pay grade shall be reviewed annually and any adjustments thereto shall become effective at such time as determined by the County Board in accordance with s. 3.18. Any increases other than economic across-the-board increases shall be on a merit basis to recognize exceptional performance. Annual salary adjustments to pay grades shall be recommended by the Executive Committee and approved by the County Board.

(i) Merit Increases. Employees who have demonstrated exceptional performance may be granted a merit increase between the mid-point and the maximum step of their pay grade. The mid-point is identified as Step 4. If an employee's performance falls below standard, the employee may be held in the present step and pay until the employee's level of performance is acceptable according to applicable standards. Merit increases shall be by recommendation, properly substantiated by the Department Head and reviewed by any performance review board that the County Board may establish and approved by the Executive Committee.

(j) Maximum Rate. The compensation paid to the incumbent of any position in a given pay grade shall not exceed the maximum step in the pay range for that classification.

(k) Part-Time Employment. All rates in the compensation plan shall be for full-time employment, unless otherwise specified. When employment is on a part-time basis, the rate shall be reduced to an hourly rate of pay.

(l) Shift Differential. Employees who are scheduled for shift work shall be paid a differential for work scheduled on the second and third shifts in amounts as the County Board shall from time to time set. The times, hours and other terms and conditions shall be set as the County Board deems appropriate. Shift differential shall be included in computing overtime pay pursuant to the Fair Labor Standards Act.

(m) Overtime.

1. Wages at Time and One Half. Any scheduled employee, subject to the provisions of the Fair Labor Standards Act of 1938 as amended, who works in excess of 40 hours per week, except where a longer work period is established, shall be entitled to overtime wages at time and one-half, except as provided in par. 2.

2. Compensatory Time.

a. Non-Exempt Employees. Scheduled employees may elect to take compensatory time off instead of being paid straight time pay for those hours worked over normal hours scheduled in a week, but under 40 hours, with a limitation that no more than 37-1/2 hours may be accumulated. Such time must be taken off within 90 calendar days of being earned and must be scheduled with the approval of the Department Head no less than 5 work days prior to taking said time off. If wages for the time worked would be payable at time and one-half under the Fair Labor Standards Act, compensatory time may not be elected and time worked must be paid.

PERSONNEL ADMINISTRATIVE RULES 3.17(3)(m)2.a.

Compensatory time may also be allowed in the following cases:

(i) Holidays worked. An employee may be granted both holiday pay and comp time off as provided in s. 3.06(4).

(ii) Eight hours rest. When hours required to be worked do not permit a period of 8 hours rest between shifts, comp time may be granted at the beginning of the shift following an order to allow a period of 8 hours rest.

(iii) Comp time within the same day. An employee who has first obtained the Department Head's permission and who begins work early or works through a portion of the employee's unpaid lunch hour, may be granted comp time for compelling reasons, provided that permission shall not be granted on a regular basis.

This section is not applicable to non-scheduled employees in executive, administrative or professional positions or those employees covered by a collective bargaining agreement which provides for comp time.

b. Exempt Employees.

(i) Non-scheduled employees in executive, administrative or professional positions who are exempt shall set their schedules giving consideration to standard work hours of non-exempt employees, seasonal fluctuations in workload and public expectations regarding services and availability. Continuing County policy shall be to recognize no compensatory time plan for said employees, who may vary their work schedule to allow sufficient time to fulfill job duties, maintain the highest degree of public service and continuity of operation. Exempt employees will coordinate their hours with immediate supervisors. Department Heads will coordinate hours with the County Administrator and the County Administrator will coordinate hours with the County Board Chair.

(ii) No compensatory time will be granted to exempt employees and no excess time may be accumulated for any purpose. At termination of employment for any reason, no excess or compensatory time shall be due or payable by La Crosse County. The salary paid by La Crosse County to salaried employees is specifically intended to compensate for all hours worked.

c. This article is designated as the understanding regarding comp time under the Fair Labor Standards Act of 1985.

(n) Effective Date of Salary Changes. Any salary change due to a promotion, reclassification, demotion or completion of probation shall be effective on the date specified on the authorizing document.

3.18 AMENDMENT TO CLASSIFICATION AND COMPENSATION PLANS. The Executive Committee may review and take such actions as are deemed necessary to implement, amend or add to the classification plan, compensation plan or any pertinent matter not otherwise provided for in this chapter, provided amendments to the classification plan and the compensation plan shall be by resolution of the County Board and shall take effect at such time as may be set by the County Board.

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3.19 ACCIDENT PREVENTION. Every department or unit in the County service in which the nature of the work done exposes employees to hazards and risks which might cause injury shall carry out an accident prevention program pursuant to procedures established under a County approved safety program. See s. 3.21(2).

3.20 DEFINITIONS. In the interpretation and application of this chapter the following definitions shall apply:

(1) REGULAR FULL-TIME EMPLOYEE. An employee who works 37-1/2 hours or more per week, or 1,950 hours or more per year or 260 days or more per year, including paid vacation, holidays, and sick leave.

(2) TEMPORARY EMPLOYEE OR LIMITED TERM EMPLOYEE. An employee hired to fill in during peak loads of work or in the absence of regular employees for a short period of time, usually not exceeding 6 calendar months. All temporary employees shall be paid at an hourly rate. Time worked as a temporary or limited term employee shall not be credited toward the probationary period if such employee is appointed as a regular employee.

(3) SEASONAL EMPLOYEE. An employee hired for a seasonal period of time whose employment terminates at the end of a given season and usually does not exceed 6 months.

(4) PROVISIONAL EMPLOYEE. An employee appointed to fill a vacancy until such time as a successor can be qualified and appointed.

(5) REGULAR PART-TIME EMPLOYEE. An employee who works less than full time and who works longer than a temporary employee. Regular part-time employees shall work at least 18.75 hours per week, or 975 hours per year, or 130 days per year. All part-time employees shall be paid at an hourly rate. Employees working less than 18.75 hours/week shall not be entitled to benefits.

(6) ON-CALL EMPLOYEE. An employee who is on-call is called only when needed and available, such as Jury Commissioners, bailiffs, or part-time employees who work less than 18.75 hours per week or 975 hours per year, or 130 days per year. Such employees shall be paid at either an hourly or a daily rate.

3.21 EMPLOYEE HANDBOOK AND MANUALS.

(1) The County Personnel Office shall publish an employee handbooks and supervisors' manuals, and other necessary publications, which shall incorporate the Personnel Administrative Code and Rules, employee benefits and such other information as may benefit an employee or supervisor. This includes establishing rules and procedures to carry out the provisions of this chapter, such as, but not limited to, Affirmative Action planning, nepotism and political activities.

(2) Each department shall draft and distribute necessary rules and procedures to assist employees in their respective departments to better perform their assigned tasks and serve the public. This shall include safety programs, emergency planning and training.

(3) Any employee handbook, manual or department rules shall be kept current, and changes shall be made known in a proper manner to those employees affected.

3.22 AUTHORITY REFERENCES.

(1) The sections of this General Code specified below shall be incorporated into the Personnel Administrative Rules by reference:

- (a) Section 2.06 - Code of Ethics
- (b) Section 2.07 - Administrative Review Procedure
- (c) Section 14.01 - Affirmative Action
- (d) Section 25.04 - Penalty Provisions

(2) This section shall also incorporate by reference the authorities as provided under s. 59.07(20), Wis. Stats.

3.23 USE OF ADMINISTRATIVE VEHICLES.

(1) Application. This ordinance applies to users of administrative vehicles assigned to various departments in La Crosse County. This ordinance does not apply to users of special purpose or utility vehicles such as squad cars, dump trucks, or other utility vehicles used in the daily operations of the County or Sheriff's vehicles.

(2) Restrictions. The following restrictions shall apply to administrative vehicles and their use.

(a) Administrative vehicles are to be used only for official County business. Administrative vehicles are not personal vehicles and may be used by employees other than the Department Head when authorized by the Department Head. When the Department Head is absent because of vacation, sick leave, or other matters, the vehicle shall be available to other members of the department during such absence.

(b) Administrative vehicles may be taken home overnight and on the weekends only by the following employees:

1. Highway Commissioner
2. Assistant Highway Commissioner
3. Facilities Director
4. La Crosse County Sheriff
5. Chief Deputy Sheriff.

La Crosse County administrative vehicles may be taken home overnight and on weekends by appointed officials, other County employees and authorized volunteers on an occasional basis, when on official La Crosse County business upon approval by the County Administrator. The La Crosse County Auditor/Finance Director will insure that Internal Revenue Service rules on taxable benefits are complied with regarding vehicles which are authorized to be taken home pursuant to this section.

PERSONNEL ADMINISTRATIVE RULES 3.23(2)(c)

(c) Administrative vehicles are not to be driven beyond a 150 mile radius of the City of La Crosse without prior approval from the County Administrator or the County committee which oversees the particular department involved.

(d) All drivers of administrative vehicles are to be properly licensed in the State of Wisconsin and must be employees or elected officials of La Crosse County, or official volunteers when authorized by the County Administrator. Drivers are to be responsible for routine operator maintenance, such as checking of gas and oil levels, tire pressure, cleaning of windows, head lights and tail lights, and other routine maintenance, and the operator shall promptly report any maintenance problems to the responsible Department Head.

(e) All such vehicles shall be marked to identify the vehicles as La Crosse County vehicles, and all vehicles shall have municipal plates.

(f) Except for official business purposes, non-employees or hitchhikers shall not be transported in County administrative vehicles, only employees shall operate County administrative vehicles.

(g) All drivers of administrative vehicles shall abide by all applicable traffic laws, regulations and rules of the road; and drivers are personally responsible for traffic tickets and fines for violations.

(h) Specific Rules of operation of Administrative vehicles:

- i. seat belts must be worn by all parties in the vehicle during operation;
- ii. no cell phones may be used by drivers unless 'hands free' devices are installed; and
- iii. employees shall remove keys and lock the doors when leaving the vehicles.

3.24 ELECTRONIC MAIL AND INTERNET POLICY. La Crosse County has established the following policies with regard to the County's electronic mail (e-mail) and Internet systems including monitoring of Internet activities and disclosure of all messages that are created, sent or received by County employees using these systems.

(1) Electronic Mail (E-Mail).

(a) All hardware and software used to create and receive Internet and County e-mail is County property.

(b) All messages composed, sent, or received on the Internet and County's e-mail systems shall remain the property of the County and are governed by the Wisconsin open records law. Such messages are not the private property of any employee(s) and employees have no right or expectation of privacy in messages.

(c) The use of the Internet and County e-mail systems is reserved for the conduct of County business. The Internet and County e-mail systems are not intended to be used for personal business.

PERSONNEL ADMINISTRATIVE RULES 3.24(1)(d)

(d) The Internet and County e-mail systems shall not be used to solicit, advertise or expound on commercial ventures, religious, political or other causes, or any non-job-related issue(s). However, the County reserves the right to use the Internet and County E-mail systems to inform employees or promote employee participation in County sponsored activities approved by the County Board Chair or County Administrator.

(e) The Internet and County e-mail systems shall not be used to create, modify or forward any offensive or disruptive messages. Offensive or disruptive messages include, but are not limited to, any messages which are sexually explicit or contain sexual implications, racial slurs, gender offensive comments, profanity, or any other comment that offensively addresses someone's age, race, creed, color, handicap, marital status, sex, national origin, ancestry, sexual orientation, arrest record or conviction record, or any comment which in any way defames another person, or is intended to frighten, intimidate, threaten, abuse, annoy, or harass another person. In the event an employee receives an offensive or disruptive message, the procedure outlined in the County Sexual Harassment Policy shall be followed.

(f) The County reserves the right and intends to exercise the right to monitor e-mail activities and monitor review, audit, access and disclose all messages created, received or sent over the Internet and County e-mail systems for any purpose. The contents of electronic communications properly obtained for legitimate business purposes may be disclosed within the County to those with legitimate need to know or to law enforcement officials without the permission of the employee.

(g) Internet and County e-mail may be accessed by an employee's supervisor or County management if such employee is on leave of absence, vacation, transferred to another department or on any other occasion, if necessary for County business purposes.

(h) The confidentiality of any message should not be assumed. The use of passwords for security does not guarantee confidentiality of the message.

(i) Notwithstanding the County's right to retrieve and read any e-mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any Internet and/or County e-mail messages to another employee without the latter's permission. Any exception to this policy must receive prior approval by the department head.

(j) The electronic communications systems are not to be used to send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

(2) Internet Policy.

(a) The County has software and systems in place that monitor and records all Internet usage. No employees should have any expectation of privacy as to his or her Internet usage.

(b) The County reserves the right to inspect any and all files stored in private areas of its network or any device attached to the network in order to assure compliance with this policy.

PERSONNEL ADMINISTRATIVE RULES 3.24(2)(c)

(c) The display of any kind of sexually explicit image or document on any County system is a violation of the County Sexual Harassment Policy except for approved investigations by law enforcement or County personnel. In addition, sexually explicit material shall not be printed, archived, stored, distributed, edited or recorded using County network or computing resources

(d) The County uses independently supplied software and data to identify inappropriate or sexually explicit Internet sites. The County may block access from within its networks to all such sites that the County knows of. If an employee finds himself or herself connected incidentally to a site that contains sexually explicit or offensive material, the employee shall disconnect from that site immediately.

(e) The County's Internet facilities and computing resources shall not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, providence or other local jurisdiction in any material way. Use of any County resources for illegal activity is grounds for immediate dismissal, and the County will cooperate with any legitimate law enforcement activity.

(f) Any software or files downloaded via the Internet into the County network become the property of the County. Any such files or software shall be used only in ways that are consistent with the licenses or copyrights.

(g) No employee shall use County facilities knowingly to download or distribute pirated software or data.

(h) No employee shall use the County's Internet facilities or deliberately create, propagate or distribute any virus, worm, Trojan horse or trap door program code.

(i) No employee shall use the County's Internet facilities knowingly to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

(j) Each employee using the Internet facilities of the County shall identify himself or herself honestly, accurately, and completely (including one's County affiliation and function where requested) when participating in chat or newsgroups, or when setting up accounts on outside computer systems.

(k) Only those employees or officials who are duly authorized to speak to the media or in public gatherings on behalf of the County may speak or write in the name of the County to any newsgroup or chat room. Other employees may participate in newsgroup or chat rooms in the course of business when relevant to their duties, but they do so as individuals speaking only for themselves. Where an individual participant is identified as an employee or agent of this County, the employee shall refrain from any unauthorized political advocacy and shall refrain from the unauthorized endorsement or appearance of endorsement by the County of any commercial product or service not sold or serviced by the County. Only those managers and County officials who are authorized to speak to the media or in public gatherings on behalf of the County may grant such authority to newsgroup or chat room participants.

(l) The County retains the copyright to any material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his or her duties.

PERSONNEL ADMINISTRATIVE RULES 3.24(2)(m)

(m) Employees are reminded that chat rooms and newsgroups are public forums where it is inappropriate to reveal confidential or privileged County or client information. Employees disclosing confidential or privileged information via newsgroups or chat rooms –whether or not the release is inadvertent – will be subject to discipline and/or penalties for violating the Code of Ethics.

(n) Employees may use their Internet facilities for non-business research or browsing during unpaid time or outside of work hours, provided that all other usage policies are adhered to.

(o) Employees with Internet access may download only software with direct business use, and shall arrange to have such software properly licensed and registered. Downloaded software shall be used only under the terms of its license.

(p) Employees with Internet access shall not use company Internet facilities to download entertainment software or games, or to play games against opponents over the Internet.

(3) Enforcement and Violations.

(a) The Electronic Mail (e-mail) and Internet Policy is intended to be illustrative of the range of acceptable and unacceptable uses of e-mail and Internet facilities and is not necessarily exhaustive. Questions about specific uses related to security issues not enumerated in this policy statement, reports of specific unacceptable uses or other questions about appropriate use should be directed to the employee's supervisor or department head.

(b) The County will review alleged violations of the Electronic Mail (e-mail) and Internet Policy on a case-by-case basis. Violations of the policy will result in disciplinary actions as appropriate, up to and including discharge.

3.25 INTELLECTUAL PROPERTY POLICY. The following policy shall apply to any intellectual property right conceived, made or created by a County employee within the employee's scope of employment by the County (employer) or under circumstances in which working time, funds, facilities and/or other resources of the County are utilized in the conceiving, making or creating of the intellectual property rights. Intellectual property rights covered by this policy shall embrace any and all forms of intellectual property rights which are created by an employee as well as any invention (whether patentable or not) conceived or made by an employee within the scope of employment or through the use of working time, funds, facilities, and/or other resources of the County. An employee shall discuss any proposed task involving intellectual property with his/her Department Head. Tasks undertaken by an employee in the creation and/or making of intellectual property rights involving any working time, funds, facilities and/or resources shall proceed only with the Department Head's approval and in accordance with the ownership and use of this policy. The following policy guidelines for intellectual property shall apply to all employees of the County of La Crosse:

(1) Intellectual property may only be created by an employee as it relates to the scope of the employee's departmental job duties.

(2) Intellectual property rights conceived, created or made by an employee within the scope of employment of the County shall become vested solely with the County.

PERSONNEL ADMINISTRATIVE RULES 3.25(3)

(3) An employee owes a fiduciary obligation and duty to the County to fully account for any employment time, public funds, facilities and/or other resources utilized in the making of any invention or creating of any copyrightable work irrespective of whether or not any such work or invention is within the scope of employment.

(4) Any employee shall neither be entitled to nor seek additional compensation for any invention or any work in which public resources were utilized in its development or creation unless previously authorized by the County Board of Supervisors.

(5) Employees of the County shall execute any and all legal documents necessary for applying, receiving, obtaining, protecting or maintaining intellectual property.

(6) In case of a dispute, the employee and the County will attempt to resolve the respective rights of each party in a fair and impartial manner utilizing the controlling intellectual property law and an appropriate forum in making the determination as to whether or not the work of the invention was conceived, made or created within the scope of employment or otherwise.

(7) Employees shall not use public resources in conflict with the public's interest.

(8) No written, oral, or implied agreement shall be made to purchase any intellectual property right from any current or former County employee without the prior approval of the County Board of Supervisors.

(9) Employees shall not utilize funds, facilities, employment hours or any other resources of the County to promote, create and/or make intellectual property for private and/or personal gain.

3.26 NEPOTISM.

(1) La Crosse County will not hire or promote any person into a position where a member, or members, of that person's immediate family participates in the hiring process for that position, or in any way is in a position to vote on any matters that would materially affect that person's status or act in any supervisory capacity.

(2) La Crosse County will not permit employment of persons in positions which would result in their being under the direction or immediate supervision of a member of their immediate family.

(3) Members of the immediate family shall be construed as follows:

- (a) Mother or father, whether by blood or marriage.
- (b) Spouse.
- (c) Brother or sister, whether by blood or by marriage.
- (d) Son or daughter, whether foster, adopted, blood or by marriage.
- (e) Uncle, aunt, niece or nephew.

3.27 CODE OF ETHICS. See Chapter 2, Governing Body, s. 2.04 of this Code.

3.28 POLITICAL ACTIVITY.

(1) In general, the following political activities are permissible for employees:

(a) Making voluntary contributions for political purposes.

(b) Participating as a candidate for office, unless prohibited by the Hatch Political Activity Act, provided service in the office will not conflict or interfere with the efficient discharge of an employee's official duties.

(c) Expressing opinions as an individual privately and publicly on all political subjects and candidates.

(d) Being a member of a political party and participating in party affairs. The following are some of the political activities that an employee may participate in providing he or she is off duty and not on County property:

1. Soliciting votes in support of or in opposition to a partisan candidate for public office or political party office.

2. Serving as an officer of a political party, a member of a national, state or local committee of a political party, an officer or member of a committee of a partisan political club, or being a candidate for any of these positions.

3. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessments, contributions, or other funds for a partisan political purpose.

4. Taking an active part in managing the political campaign of a partisan candidate for public office or political party office.

5. Acting as a recorder, watcher, challenger, or similar officer at the polls on behalf of a political party or partisan candidate.

6. Organizing, selling tickets to, promoting or actively participating in a fundraising activity of a partisan candidate, political party or political club.

7. Driving voters to polls on behalf of a political party or partisan candidate.

8. Serving as a delegate, alternate or proxy to a political convention.

9. Addressing a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a partisan candidate for public office or political party office.

10. Initiating or circulating a nominating petition.

11. Endorsing or opposing a partisan candidate for public office or political party office in a political advertisement, a broadcast, campaign literature or similar material, except such action shall not be taken in the employee's official capacity, unless the employee is an elected official

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12. Organizing or reorganizing a partisan political party organization or political club.

(2) In general, the following political activities by employees are prohibited:

(a) Using governmental authority to interfere or effect nomination or election for any public office or position within any political party.

(b) Using governmental authority or influence to intimidate, threaten or coerce any person to vote contrary to his/her own voluntary choosing.

(c) Using governmental authority to directly or indirectly intimidate, threaten, or coerce any person to pay, lend or contribute anything of value, including services, to any party, organization, group or individual for political purposes.

(d) Using any official authority or influence to coerce any individual or group for political action, or to confer benefits or effect reprisals to secure desired political action or inaction.

(e) Offering to pay or accept benefits in return for desired political action or inaction.

(f) Requesting or receiving anything of value for influence or help in securing appointive office.

(g) Paying or offering payment for securing appointive office.

(h) Engaging in political activity on County-owned property or during work hours in such a manner as to give the impression of an official County endorsement of a particular candidate, proposal or position unless the County in fact has taken such a formal position or the employee reasonably believes the employee's political activity to be consistent with his or her official duties.

(i) Directly or indirectly soliciting or receiving subscriptions or contributions for any political party or any political purpose while in a building, office or room occupied for any purpose by the County.

(j) Either orally soliciting or by letter transmitting any solicitation to a County office or be in any manner concerned in soliciting any assistance, subscription or support for any political party or purpose from any person holding any position with La Crosse County while on County time or engaged in official duties.

(k) During the hours when on official duty engaging in any form of political activity calculated to favor or improve the chances of any political party or any person seeking or attempting to hold political office. The wearing of political identification while on duty is such a political activity.

3.29 FOSTER CARE LICENSING.

(1) Prohibition. All employees of the La Crosse County Human Services Department (hereinafter the "Department") working within the Family & Children's Section shall be

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prohibited from being licensed as foster parents by the Department. All other employees of the County may be licensed as foster parents by the Department. No La Crosse County foster children shall be placed in the home of an employee of the Family & Children's Section that is licensed as a foster parent by a private agency nor shall the Department have any regulatory responsibility for the licensing or supervision of children placed in a foster home of a Family & Children's Section employee.

(2) Grandfather Exception for Department Employee Foster Homes Existing as of June 8, 1999.

(a) All children placed in the foster home of a Family & Children's Section employee prior to June 8, 1999 shall remain under the supervision of the Department and may remain in the employee's foster home. After these children have left the foster home of a Family & Children's Section employee, the employee may be referred to a state or private agency for re-licensing if the employee wants to continue as a foster parent. The Department may notify other counties in the region of the availability of foster homes of Family & Children's Section employees to receive placement of foster children not supervised by the Department.

(b) No new placements of La Crosse County foster children shall be made in the foster homes of Family & Children's Section employees after June 8, 1999. Such employee foster homes that do not have children in placement on that date may also be referred to a state or private agency for re-licensing if they are interested in continuing as foster parents.