



Minutes
Committee #2
Labor Negotiations, Personnel, Policy & Administration
April 2, 2019

Committee #2 met on Tuesday, April 2, 2019 at 8:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: CW King and John Monarski. Absent: Chuck Hull
Mayor/Other Council Members present: Mayor Hoffman, Rob Kiefer, and Paul Nadreau.
Others present: Finance Manager/Treasurer Lynne Bauer, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, Fire Chief Mike Hepfler, Street and Utility Maintenance Manager Rick Ruf, Water Supervisor Matt Boos, Library Director Joe Niese, Utility Office Manager Connie Freagon, and City Clerk Bridget Givens.

Call to Order: 8:00 am

1. Discuss nepotism policy guidelines. Possible recommendations to the Council.

The City's previous policy regarding hiring relatives, as well as examples of nepotism policies from other communities were distributed. When the new handbook was adopted in 2015, this policy was not included. ~~The Committee was asked to determine if there should be a policy regarding hiring relatives, and if so, to what extent.~~

The Fire Department indicated they had 16 people apply for an open position, and one of the candidates is a relative of a current Fire Department employee. Discussion ensued regarding supervising family members, family members working in different departments, and considering possible exceptions.

Motion by Monarski/King to recommend Council reinstate the policy regarding hiring relatives with a draft of the policy coming back to the Committee for final approval. **All present voting aye, motion carried.**

2. Review current comp time policy and discuss possible changes. Possible recommendations to the Council.

Finance Manager/Treasurer Bauer stated that the Street Department employees expressed interest in receiving compensatory (comp) time as opposed to overtime. This was predicated upon the number of hours they worked performing snow removal this winter. Current policy only allows comp time for non-department head, exempt, management employees. Comp time cannot be implemented for only one group, it would have to be implemented for all hourly employees (excluding Police and Fire).

The Committee discussed limiting the total number of comp hours per calendar year, earning the comp time in a different department than which you normally work, and the idea of implementing the policy on a trial basis.

The Committee directed that a comp time policy be drafted to include hourly employees with the draft brought back for further consideration.

No action taken.

3. Discuss current polling place locations and potential changes for 2020 election year. Possible recommendations to the Council.

Clerk Givens advised that the Land Records Department at Chippewa County will begin remodeling in January of 2020. As a result, they will be temporarily relocating to the assembly room where voting for Wards 2 and 3 is normally conducted. This would impact elections in February and April. Givens also expressed concern with the distance from the elevator to the assembly room and the impact on voters with disabilities.

Due to these issues, alternate polling locations are being considered for Wards 2 and 3 including Our Saviour's Lutheran Church. Different methods were discussed to help communicate any polling place changes with voters.

No action taken.

4. Adjournment

Motion by Monarski/King to adjourn at 8:31 am. All present voting aye, motion carried.

**Minutes submitted by,
Lynne Bauer, Finance Manager/Treasurer**



POLICY

SUBJECT: Hiring Relatives		DISTRIBUTION: All Departments	
EFFECTIVE DATE: 8/25/92	PAGE 1 of 1	SECTION: C-3	
REVISION DATE:	REVIEWED BY: Committee #2		
ORIGINATION:			

POLICY:

This policy applies to all City employees and elected officials; it governs the proposed hiring for either full-time or part-time work as City employees, of individuals, who are their relatives. For the purpose of this policy, "relative" means a spouse, son, daughter, stepchild, father, mother, stepparent, brother, sister, grandparent, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

It is the policy of the city that a department head not hire a relative of any current employee within that department. This shall apply to the hiring of full and part-time employees, not seasonal.

It is expected that the City employee to whom a job applicant is related, or the job applicant, will make the relationship known to the department head before any hiring decision is made; the decision to hire the relative of a current City employee will be subject to approval by the City Council. (The subsequent marriage of two City employees will not be considered a violation of this policy).

Hiring a relative of any elected official of the City for either permanent or limited-term (seasonal) employment is generally considered contrary to good public policy. While this policy does not apply to non-elected officials serving as appointed members of boards, committees or commissions created by the City Council, both elected and appointed officials are expected to abstain from active participation in discussing and deciding matters which may affect the hiring, retention, classification, promotion, demotion or compensation of a relative currently employed or being considered for employment by the City.

32.01 Hiring Prohibitions

(1) Relatives, as defined herein, of City employees, shall not be hired for any position where such position places the Relative in a subordinate or supervisory role to such City employee. Relatives of elected officials shall not be hired for any position unless the elected official avoids a violation of Sections 19.59 and 946.13 of the Wisconsin Statutes. This provision shall not apply to City band members and Fire Department employees.

(2) "Relative" is defined to include spouse, registered or unregistered domestic partner, or significant other or any one of the following: parent, children, stepchildren, adopted children, foster children, grandchildren, mother-in-law, father-in-law, parents, and stepparents, uncles, aunts, brothers, sisters, step-siblings, nieces, and nephews of the employee, registered or unregistered domestic partner or significant other. A "significant other" would include a person with whom the employee cohabits or with whom he/she maintains an intimate relationship.

If, during employment, a supervisor and subordinate become relatives, one of the parties must either transfer to a position in another department/division or terminate employment within six months of becoming Relatives.

This section of the policy does not exist for the purpose of depriving any citizen of an equal opportunity for City employment. It serves to eliminate the possibility of preferential treatment given in favor of relatives or significant others in employment decisions.

32.02 Retroactivity

(1) Nothing in this policy shall affect persons so hired or transferred prior to the effective date of this policy. Furthermore, this policy shall not apply to employees who marry subsequent to its adoption.

Bridget Givens

From: Diane Coenen <dcoenen@oconomowoc-wi.gov>
Sent: Thursday, March 28, 2019 4:00 PM
To: Bridget Givens
Subject: RE: Nepotism

NEPOTISM

No employee will hold a job over which a member of his/her immediate family exercise supervisory authority. Immediate family members shall include spouses, parents, grandparents, children, siblings, step relations of such members and in-laws.

This is our entire policy.

Diane Coenen, CMC, WCMC, 1st VP - WMCA
City Clerk
City of Oconomowoc
174 E. Wisconsin Avenue
Oconomowoc, WI 53066
262-569-2175
dcoenen@oconomowoc-wi.gov



Please consider the environment before printing this e-mail

From: Bridget Givens <bgivens@chippewafalls-wi.gov>
Sent: Thursday, March 28, 2019 3:01 PM
To: Clerk List <clerklist@list.wisclerks.org>
Subject: [clerklist] Nepotism

Hello!

Looking for policies regarding nepotism. Would you please share what you have in place?

Thank you,

Bridget Givens, WCMC
City Clerk
City of Chippewa Falls
30 West Central Street
Chippewa Falls, WI 54729
Population: 14,049 (Estimated)
Phone: 715-726-2719
Fax: 715-726-2759

City of Cumberland

Nepotism Policy

This policy refers to the employment of immediate family members in order to assure the reality and appearance of fairness in the best interest of the City. It is the City's policy that immediate family members will not be employed in positions where:

1. One relative would have the authority to supervise, discipline or evaluate the performance of the other.
2. One relative would be responsible for auditing the work of the other.
3. Other circumstances (eg immediate family members working within the same department) exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

In the event two employees within the same department become married or legal domestic partners, the City may require one employee to resign 60 days after marriage or legal domestic partnership, and if a mutually-agreeable solution cannot be reached between the City and the employees.

"Immediate Family" includes employee's spouse, legal domestic partner, parent, child/step-child, siblings/step-sibling, daughter-in-law, son-in-law, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandchild, grandparent and aunt/uncle.

This policy will go into effect upon passage of the Common Council and any current nepotism situations will be grandfathered until one of the affected employees resigns/retires from their current position.

Motion by Strickland, second by Bridger, to adopt this policy effective February 4, 2014.

Thomas Mysicka, Mayor

Julie A. Kessler, Clerk-Treasurer

City of Superior
HUMAN RESOURCES COMMITTEE POLICY

Topic: NEPOTISM
Section: RECRUITMENT, EXAMINATION &
EMPLOYMENT STANDARDS
Number: 04.06c

Page 1 of 1
Date Issued: 04/96
Date Revised: 6/17/02

No person who is related within the first or second degree to a department head, manager or supervisor may be evaluated or disciplined by such department head, manager or supervisor.

Relatives within the first or second degree are spouses, parents, children, grandchildren, brothers and sisters.

Approved by Human Resources Committee 4/1/96; 6/17/02
Approved by City Council 7/2/02

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COMPENSATORY TIME

POLICY: It is understood that Managers and other exempt positions (as classified by your job description) are paid a salary for their overall responsibility and accountability and may work in excess of the normal work week in order to complete necessary job tasks.

Earned and Limits: At the discretion of the Department Head, non-department head exempt management employees who work in excess of 37.5 or 40 hours (depending on their normal workweek) in a workweek may qualify for compensatory time. Compensatory time shall be earned prior to use, is earned at straight time (hour for hour), and must be tracked accordingly on the designated form. Compensatory time balances should not exceed 80.0 hours at the end of the calendar year. Employees are strongly urged to use earned compensatory at the earliest available opportunity.

Compensatory Time Payout: All accrued and unused compensatory time will be paid out for the following reasons:

1. If an employee is promoted to a management/department head position; or
2. If an employee transfers to another department;
3. If an employee terminates employment with the City.

Compensatory time payout due to promotion to a department head position; or transfer to another department will be added to the payroll on the last day worked in the former position, paid at the regular rate of pay, to be paid in cash via the employee paycheck. The compensatory time paid shall not be considered time worked.

Approval: All compensatory time earned must be approved in advance by the department head. If advanced approval is not obtained the employee is not authorized to work the overtime. The department head has the sole right to approve or deny compensatory time requests. Failure to obtain prior approval may result in disciplinary action, up to and including termination of employment.

Compensatory Time Off: Use of compensatory time must be requested by the employee as far in advance as reasonably possible, and must be approved in advance by the Department Head. Employees shall follow written departmental procedures for requesting to take compensatory time. Requests to use compensatory time may be denied based on the needs and workload of the department or if other employees are already scheduled for time off. The department head has full authority to approve or deny said request.

Department Scheduling Procedures: Each department shall establish written procedures to ensure that compensatory time off requests are processed in a fair and equitable manner, with first consideration to be given to the efficient operation of the department.

TIME AT WORK & COMPENSATION

HOURS OF WORK / WORK SCHEDULES

POLICY: To provide employees with standard work hours and work schedules while ensuring staffing coverage necessary for effective operations.

Standard Work Week and Work Day for Hourly Employees (Non-exempt):

The standard work week for full-time employees shall be five days of work, totaling 37.5 (thirty-seven and one-half) or forty (40) hours, as designated by the respective department. The standard work day (starting time and ending time) shall be designated by each department. The City of Chippewa Falls retains the right to change work hours and work schedules; employees requesting changes to work hours and work schedules must provide their department head/supervisor with a written request and receive written authorization before making any changes. Changes requiring advance approval include starting work before the beginning of the shift, working over an unpaid lunch period, or working after the end of the work day. Hourly employees may not use electronic communication to conduct work outside the regular work day without prior approval.

The standard work week and work day for any part-time employee shall be designated by the City.

Standard Work Week for Salaried Employees (Exempt):

Salaried employees are expected to adhere to a regular schedule with the expectation and understanding that the schedule may be adjusted to meet the needs of the job.

Overtime - "Exempt" v. "Non-Exempt":

Under the Fair Labor Standards Act (FLSA), non-exempt positions are eligible for overtime and "exempt" positions are generally not eligible for overtime. Non-exempt City employees shall receive time and one-half for all hours worked over thirty-seven and one-half (37 1/2) or forty (40) in a workweek depending on the employee's normal workweek. Overtime work shall be distributed as equally as possible within each department. Paid leave time, including vacation and sick time, shall be counted as "hours worked" for overtime purposes. Employees may not work overtime without prior supervisor authorization; working overtime without authorization may result in disciplinary action.

Lunch and Break Periods:

Each department establishes lunch and break period guidelines which are subject to change in order to meet operating needs. Any break periods that are cancelled or not taken may not be used to extend a subsequent break/lunch period or "saved" to be used at a later date; break periods cannot be used to make up lost time due to tardiness or absence, and cannot be used arrive late or leave early from work. Any deviations regarding lunch and/or break periods require prior department head approval.

Work on a Holiday and Holiday Pay:

Employees who are required to work on a holiday shall receive twice the hourly rate of pay in addition to holiday pay. If an employee is scheduled to work on a holiday and does not report to work due to illness, the employee shall receive sick leave pay, but shall forfeit holiday pay.

Employees shall receive one (1) day pay at regular straight time rate of pay for each holiday authorized by the City on which they performed no work, providing the employee shall have worked his/her last scheduled work day prior to and his/her first scheduled work day following the holiday. For purposes of this section, time off for sick leave, vacation or compensatory time shall be considered time worked.

At the City's discretion, an employee who is required to work on a holiday may be scheduled for a different day off in lieu of the holiday/holiday pay.

Emergency Call-In Pay: Emergency Call-In Pay will be according to Department Policy. Department Policies should be filed with the City Finance and Administration Department.

Wage Rates for Hourly Employees:

Wage rates for hourly employees are included in the Appendix to this Handbook and will be updated as changes are approved by the City Council.