

## CHAPTER 5

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### PERSONNEL

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#### 5.01 Positions.

- (1) Definitions. As used in this chapter:

“Full time” means that, except in the highway and public works departments, an employee is normally scheduled for 1,950 compensable hours during a year. Full-time administrative support positions in the highway and public works departments will also normally be scheduled for 1,950 compensable hours during a year, but all other full-time hourly positions in those departments will be scheduled for 2,080 compensable hours during a year.

“Full-time equivalent” or “FTE” means the ratio of hours worked during a specified time period to the number of compensable hours scheduled to be worked during that time period for a particular position.

“Part-time” means a position in which an employee is normally scheduled for fewer hours than the number of compensable hours required for a full-time position.

“Position” means a job classification having a defined set of duties and responsibilities that require the services of one or more employees on a full-time or part-time basis.

- (2) Positions Authorized by the Annual Budget.
- (a) Positions may be created during the budget process.
  - (b) The annual budget as proposed by the county executive, recommended by the finance committee, and approved by the county board will include a table showing the number of positions and full-time-equivalents authorized for each department.
  - (c) The annual budget as proposed by the county executive, recommended by the finance committee, and approved by the county board will include a list of

new positions included in the budget for each department, accompanied by a brief statement explaining the reason for including each new position.

(3) Positions Authorized by Resolution.

- (a) Positions may be created outside the budget process.
- (b) A department director may initiate a request for an additional or new position by submitting a resolution creating the position and specifying its funding to the board, committee, or commission that oversees operation of the department. The standing committee shall approve, modify, or reject the resolution.
- (c) If the standing committee approves the request, it will forward the resolution to the personnel committee.
- (d) The personnel committee will review the resolution and approve or reject the resolution. If the personnel committee approves the resolution and funding for the position is included in the department's budget, the resolution will be forwarded to the county board. If funding for the position is not included in the department's budget, the resolution will be forwarded to the finance committee.
- (e) The finance committee will review the resolution and either amend the resolution to include a fund transfer from the general fund to pay for the position or reject the resolution. If the finance committee amends the resolution, the resolution will be forwarded to the county board.
- (f) A resolution that authorizes the creation of a position for which funding is included in the department's budget may be approved by a simple majority vote of the county board. A resolution that authorizes the creation of a position that requires a transfer of funds must be approved by a two-thirds vote of the entire membership of the county board.

(4) New Positions.

- (a) A new position should be created only if no reasonable alternative exists to provide necessary services.
- (b) No new regular full-time or part-time position may be created except under the procedures of this section.

(5) Change from Part-time to Full-time.

- (a) No part-time position may be increased to a full-time position except under the procedures contained in this section.

- (b) A department director may request approval from his or her standing committee to increase the FTE associated with a position, including increasing a part-time position to a full-time position. If the standing committee concurs in the request, it will forward the request to the personnel committee.
- (c) If there are sufficient funds in the department's budget to fund the request, the personnel committee may approve the request.
- (d) If there are not sufficient funds in the department's budget, the personnel committee will forward the request to the finance committee if it concurs in the request.
- (e) If the finance committee concurs in the request, it will forward a resolution approving the request and transferring sufficient funds to the county board for approval.

(6) Maximums.

No department may create any position or employ any person if the creation of the position or employment of the person would cause the department to exceed the authorized number of positions or the authorized number of full-time equivalents for the department.

(7) Reallocation.

- (a) A department may request a change in the number of full-time and part-time positions provided the change does not result in an increase in number of authorized full-time equivalents.
- (b) The personnel committee may, upon the request of the standing committee that oversees the department, approve the reallocation request.

(8) Temporary employees.

- (a) A department may hire a temporary employee either from the general labor force or through a temporary employment agency.
- (b) A department may grant a temporary promotion to fill a temporary vacancy caused by illness or accident.
- (c) A department that hires a temporary employee will be required to pay the cost of such temporary employment out of its department budget.

## **5.02 Compensation.**

- (1) It is the county's policy to compensate employees who are not represented by labor unions in a fair, equitable, and consistent manner.
- (2) The county has adopted a wage schedule that was developed using the Decision Band Method of job evaluation. Using this system, each position has been evaluated and assigned a decision band, grade, subgrade, and working condition rating.
- (3) Pay administration guidelines for placing and moving employees through the wage schedule are as follows:
  - (a) The hiring range shall be from the range minimum for minimally acceptable qualified individuals to the midpoint for well qualified individuals.
  - (b) Hiring above midpoint requires personnel committee approval;
  - (c) An employee's progression through the salary range from the minimum to the midpoint is based on overall job performance which meets or exceeds job requirements.
  - (d) An employee's progression from midpoint to maximum is based on performance that consistently exceeds proficient performance levels for incumbents in the class of positions.
  - (e) Lump sum pay adjustments may be provided to employee's whose wage rate exceeds the maximum of the wage schedule in recognition of performance that consistently exceeds proficient performance levels for incumbents in the class of positions.
- (4) In order to remain competitive with the market, the wage schedule may be adjusted each year by action of the county board.
- (5) In order to assure that the pay plan is effectively meeting the market, a comprehensive review of market compensation should be conducted every three years.

## **5.03 Payroll.**

All payroll changes must be recorded on an employee status form and authorized by the department director. Completed forms must be submitted to the personnel department for review and approval. Once approved, the employee status form will be submitted to the Finance Department for processing.

#### **5.04 Administrative Policies.**

- (1) The personnel department will maintain an Employee Policy Manual that contains plans, policies, and procedures applicable to county employees that have been reviewed and recommended by the personnel committee and approved by the county board.
- (2) The manual may be amended by the county board acting upon the recommendation of the personnel committee.
- (3) The contents of the Employee Policy Manual are presented for information purposes only and the plans, policies, and procedures contained in the manual are not conditions of employment. The Employee Policy Manual is not intended to, does not, and is not to be construed to create or constitute a contract between the county and any one or all of its employees or to guarantee continued employment of any employee.
- (4) Notwithstanding any provision of the Employee Policy manual, employment may be terminated at any time, with or without cause.
- (5) If the county board takes any action that conflicts with a provision in the Employee Policy Manual, the later action of the county board will take precedence over the provision in the manual.
- (6) The county reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time with or without notice.

#### **5.05 Residency.**

- (1) As used in this section, “reside” means to be physically present and live in a place with intent to remain indefinitely. An employee’s intent will be determined by reference to such factors as the person’s principal residence, mailing address, voter registration, driver’s license address, vehicle registration, banking location, and other similar factors that are indicative of a person’s residence.
- (2) A county employee is required to reside in the county when required to do so by state law.
- (3) An employee who is subject to the residency requirement must establish residence in the county within 6 months following the end of his or her probationary period.

## **5.06 Elected Official Compensation.**

Elected official compensation is set pursuant to Wis. Stat. § 59.22. To aid in setting such compensation, Manitowoc County shall use the following process as outlined in this Section 5.06.

- (1) The Personnel Director shall grade and assign a decision band, subgrade, and working condition rating for each of the elected positions of Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer by using the Decision Band Method of Job Evaluation.
- (2) Upon completing the grading and assignment for each elected position, the Personnel Director shall forward the results to Personnel Committee.
- (3) The Personnel Committee shall establish salary recommendations for the elected positions of Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer generally using the following guidelines:
  - (a) The recommended salary shall be 85% of the wage band for the first year of an elected official's term, except for the County Clerk. The recommended salary for the County Clerk shall be 85% of the wage band plus \$1,000.00.
  - (b) Each subsequent year of an elected official's term shall be increased by the average change in the Consumer Price Index, as determined by the Wisconsin Department of Revenue, for the past four years.
- (4) The Personnel Committee shall forward a resolution to the County Board with its salary recommendation for the Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer at least thirty (30) days before the earliest time for filing nomination papers for any elective office to be voted on in the county.
- (5) If the Personnel Committee deviates from the guidelines in § 5.06(3) when establishing a recommended salary, the Personnel Committee shall provide an explanation for such deviation in its resolution to the County Board.
- (6) The County Board shall set the salaries of the Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer by resolution and in accord with Wis. Stat. § 59.22, as amended.

## HISTORY

08/18/1987: Chapter 5 codified by Ord. No. 87/88-77 effective August 25, 1987.

01/19/1988: Sec. 5.07(e)(1) and (3) amended by Ord. No. 87/88-137 effective January 27, 1988.

07/19/88: Sec. 5.02 (f) repealed and recreated by Ord. No. 88/89-54 effective July 23, 1988.

10/18/1988: Sec. 5.11(2) and (7) amended by Ord. No. 88/89-90 effective October 23, 1988.

02/21/1989: Sec. 5.06 (3)(j) created by Ord. No. 88/89-158 effective March 1, 1989.

05/16/1989: Sec. 5.02(7) created by Ord. No. 89/90-33 effective May 22, 1989.

05/16/1989: Sec. 5.11(11) amended by Ord. No. 89/90-34 effective May 23, 1989.

11/14/1989: Sec. 5.07 amended by Ord. No. 89/90-113 effective November 14, 1989.

01/16/1990: Sec. 5.11 (8) and 5.12 (2) amended by Ord. No. 89/90-135 effective January 22, 1990.

01/16/1990: Sec. 5.14 created by Ord. No. 89/90-136 effective January 22, 1990.

02/19/1991: Sec. 5.05 (1)(b) repealed and recreated and sec. 5.05(1)(c) and (d) repealed by Ord. No. 90/91-124 effective February 25, 1991.

01/21/1992: Chapter 5 amended passim to replace "Human Resources" with "Personnel" by Ord. No. 91/92-138 effective January 30, 1992.

01/21/1992: Sec. 5.03(2) amended by Ord. No. 91/92-137 effective January 30, 1992.

03/17/1992: Sec. 5.03(2) amended by Ord. No. 91/92-162 effective March 17, 1992.

06/16/1992: Sec. 5.07 amended by Ord. No. 92/93-42 effective June 16, 1992.

04/20/1993: Sec. 5.06(3) amended and sec. 5.06(3)(k) created by Ord. No. 93/94-12 effective May 4, 1993.

05/18/1993: Sec. 5.05(1) amended and sec. 5.05(1)(d) created by Ord. No. 93/94-37 effective May 28, 1993.

06/15/1993: Sec. 5.07(5)(b) amended by Ord. No. 93/94-54 effective June 24, 1993.

04/26/1994: Sec. 5.09(2)(d) amended by Ord. No. 94/95-15 effective May 5, 1994.

11/14/1995: Sec. 5.06(3)(g) amended by Ord. No. 95/96-118 effective November 27, 1995.

02/20/1996: Sec. 5.11(2) amended by Ord. No. 95/96-156 effective April 3, 1996.

05/21/1996: Sec. 5.05(1)(d)2 and 4 amended by Ord. No. 96/97-35 effective May 29, 1996.

09/24/1996: Sec. 5.14(1) amended by Ord. No. 96/97-92 effective October 1, 1996.

10/15/1996: Sec. 5.06(3)(i)1 amended by Ord. No. 96/97-105 effective October 21, 1996.

10/28/1997: Secs. 5.11 (11) and (12) renumbered and sec. 5.11(10) created by Ord. No. 97/98-104 effective November 5, 1997.

12/16/1997: Sec. 5.06 (4)(e) created by Ord. No. 97/98-129 effective January 2, 1998.

12/21/1999: Sec. 5.05 amended by Ord. No. 1999/2000-133 effective January 6, 2000.

07/18/2000: Sec. 5.11(2) amended by Ord. No. 2000/2001-51 effective July 26, 2000.

03/20/2001: Sec. 5.14(1) repealed by Ord. No. 2000/2001-168 effective March 30, 2001.

08/21/2001: Sec. 5.11 repealed by Ord. No. 2001/2002-90 effective August 28, 2001.

08/21/2007: Sec. 5.06(4)(e) repealed by Ord. No. 2007/2008-51 effective August 29, 2007.

01/18/2011: Sec. 5.06 repealed and recreated as Ch. 30 by Ord. No. 2010/2011-79 effective March 1, 2011.

11/20/2012: Sec. 5.05 amended by Ord. No. 2012/2013-61 at p. 48-A effective December 1, 2012.

09/23/2014: Chapter 5 repealed and recreated by Ord. No. 2014/2015-39 effective October 2, 2014.

12/16/2014: Sec. 5.06 repealed by Ord. No. 2014/2015-65 effective January 1, 2015.

10/10/2017: Sec. 5.06 created by Ord. No. 2017/2018-55 effective October 13, 2017.

11/05/2020: Sec. 5.03 amended by Ord. No. 2020/2021-41 effective November 10, 2020.