CITY OF HARTFORD, WISCONSIN

Employee Handbook

Updated 5/30/2019

TABLE OF CONTENTS

	Page Numbers
Introduction	5
Receipt for Employee Handbook (Represented)	6
Receipt for Employee Handbook (Non-Represented)	7
Equal Employment Opportunity	8
Non-Discrimination & Anti-Harassment Policy	8
Americans with Disabilities Act Policy	9
Health Insurance Privacy Policy	11
Conflict of Interest & Outside Employment	14
Code of Ethics	15
Confidential Nature of Work	16
Employee Categories	17
Transfers & Promotions	17
Performance Reviews	18
Payment of Wages	18
Timesheets	19
Personnel Records	19
On-Call Pay	19
Minimum Call In	19
Standby Pay	20
Compensatory Time Off	20
Acting Crew Leader	20
Paid Time Off (PTO)	20
Sick Leave	21
Prior Employee Agreements	22
Holidays	23
Jury Duty	23
Military Duty	24
Other Time Off	24
Compensatory/Flex Time	24

Working From Home 24
Hartford Fire & Rescue Volunteers 24
Employee Parking 25
Family & Medical Leave Act Leave 25
Leave of Absence Without Pay 30
Inclement Weather 30
Emergency Closings 31
Health Insurance 31
Health Appraisal Program 33
Dental Insurance 33
Vision Insurance 33
Flexible Spending Account 33
Life Insurance 33
Long-Term Disability 33
Retirement Plan 34
Workers' Compensation Benefits 34
Attendance, Punctuality & Dependability 34
Drug & Alcohol Abuse 34
Reporting of Drug Conviction 35
Prescription Medication 35
Smoking Policy 35
Employee Assistance Program 36
Appearance & Conduct 36
Anti-Nepotism Policy 36
Romantic Relationships 37
Violence in the Workplace 37
Accidents & Emergencies 37
Internal Complaint Procedures 37
Solicitations, Distributions & Use of Bulletin Boards 38
Employee Concealed Carry Policy 38
E-Mail & Internet Policy 40

Employer Information & Property 40
Cell Phone Policy 40
Voice Mail Policy 41
Use of City Vehicles 42
Telephone Use 42
Reference Checks 42
Protective Clothing 43
Clothing Allowance 43
Equipment 43
Identification Cards 43
Commercial Driver's License 43
Tuition Reimbursement Policy 43
Resignation from City Employment 44
Dismissals 44
Written Warnings 46
Exit Interview 46
Benefits 46
Final Paycheck 46
Attachments:
ADA Employee Accommodation Request Form 47
ADA Response to Accommodation Request Form 48
HIPAA Participant Authorization Form 49
HIPAA Request for Restricted Use 51
HIPAA Request for Confidential Communications 52
HIPAA Request for Access to Health Information 53
Tuition Reimbursement Request Form 54
Electronic Communications & Information Systems Policy 55
E-Mail & Electronic Communications Employee Notice 64

INTRODUCTION

The employees of the City of Hartford are its most valuable resource. This *Employee Handbook* serves as a guide to the employer/employee relationship. It is not intended to address all possible applications of, or exceptions to, the general policies and procedures described. Questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to an individual employee, should be addressed to the appropriate department head or the Administration Department.

Neither this *Employee Handbook* nor any other City document confers any contractual right, either expressed or implied, to remain in the City's employ. Nor does it guarantee any fixed terms and conditions of employment. Employment is not provided for any specific time and may be terminated at will, with or without cause and without prior notice, by the City. Employees may resign for any reason at any time. Only the Common Council, the Mayor, and the City Administrator have the authority to enter into agreements for employment for a specified period of time, or to create an agreement contrary to the above. The procedures, practices, policies, and benefits described herein may be modified or discontinued from time to time. Employees will be notified of changes as they occur.

NOTES:

1. The terms of collective bargaining agreements are intended to control where a direct conflict exists with this *Employee Handbook*.
2. This *Employee Handbook* does not address the employer/employee relationship between the City of Hartford and it elected officials, or officials appointed to its various boards, authorities, committees, commissions, corporations, and advisory groups.
3. This *Employee Handbook* does not apply to employees of the Hartford Community Development Corporation, the Hartford Downtown Business Improvement District, or their respective component units, corporations, or subsidiaries.
4. This *Employee Handbook* does not control the employer/employee relationship where authorities have been specifically granted to Library Boards under Chapter 43 of Wisconsin Statutes, unless the Library Board elects to adopt this Employee Handbook for its employees.
5. This *Employee Handbook* does not control elements of the employer/employee relationship where authorities have been specifically granted to Police and Fire Commissions under Chapter 62 of Wisconsin Statutes.

RECEIPT FOR EMPLOYEE HANDBOOK (REPRESENTED EMPLOYEES ONLY)

I acknowledge that I have received a copy of the City of Hartford Employee Handbook. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from the Administration Department. No supervisor or other representative of the City (except the City Administrator) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this Handbook states City of Hartford's policies and practices in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with the City of Hartford for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Administration Department. Your initial paycheck will be released once your receipt has been received.

Date: _____

Signature: _____

Print Name: _____

RECEIPT FOR EMPLOYEE HANDBOOK
(MANAGEMENT/NON-REPRESENTED EMPLOYEES ONLY)

I acknowledge that I have received a copy of the City of Hartford Employee Handbook. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from the Administration Department. I understand that the City of Hartford is an "at will" employer and as such employment with the City of Hartford is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the City (except the City Administrator) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this Handbook states City of Hartford's policies and practices in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with the City of Hartford for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Administration Department. Your initial paycheck will be released once your receipt has been received.

Date: _____

Signature: _____

Print Name: _____

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at the City of Hartford, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment. The Administration Department has overall responsibility for this policy and maintains reporting and monitoring procedures. Police and Fire Personnel hiring and disciplinary procedures will be governed by the provisions of §62.13. Employees' questions or concerns should be referred to the Administration Department. Appropriate disciplinary action may be taken against any employee willfully violating this policy.

NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

It is the policy of the City of Hartford that all employees have the right to work in an environment free of all forms of harassment. The City of Hartford will not tolerate, condone, or allow harassment by any employee or other non-employees who conduct business with the City. The City of Hartford considers harassment and discrimination of others to be forms of serious employee misconduct. Therefore, the City shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this City policy can lead to discipline up to and including termination, with repeated violations, even if “minor,” resulting is greater levels of discipline as appropriate.

Individuals covered under this policy include employees and applicants for employment, volunteers, and elected officials, collectively referred to as “employees.”

This policy prohibits any City employee, male or female, from sexually harassing another employee. Prohibited sexual harassment includes, but is not limited to:

A. Unwelcome sexual advances, flirtations, propositions or requests for sexual favors;

B. Unwelcome verbal abuse of a sexual nature, including sexually degrading words to describe an individual and graphic or suggestive comments to or about an individual;

C. Unwelcome physical contact or gestures;

D. Making submission to (or rejection of) such conduct a factor in the employment decisions affecting the employee;

E. Permitting such conduct to interfere with an employee’s work performance, or to create a hostile, intimidating or offensive work environment;

F. The display in the workplace of sexually suggestive objects or pictures, including nude and semi-nude photographs, calendars, comics, or jokes.

G. Usage of voicemail, e-mail, the Internet or other such sources as a means to express or obtain sexual materials, comments, etc.

Sexual harassment by an employee, supervisor or manager or any other person will not be tolerated. All supervisors are responsible for preventing and eliminating harassment in their respective work areas or departments.

This policy prohibits any City employee from harassing another employee. Harassment is any verbal, written, visual or physical act that creates a hostile, intimidating or offensive work environment or interferes with an individual’s job performance. Prohibited harassment includes, but is not limited to:

A. Ridiculing, mocking, deriding, or belittling another person;

B. Making offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, age, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the City of Hartford.

C. Usage of voicemail, e-mail, the Internet, or other such sources as a means to harass another individual.

An employee who believes he/she has been the subject of harassment should promptly take the following steps:

A. Politely but firmly state to the person who is doing the harassing how you feel about his/her actions and request that the person cease such behavior immediately.

B. If the harassment continues or if you believe some employment consequences may result from your request that the action stop, report the matter as soon as possible to your immediate supervisor. State the specific details in writing of the harassing behavior.

It is the policy of the City to listen to all reasonable complaints, seek early corroboration and quickly apply sanctions when appropriate. Any complaint of harassment shall receive the immediate attention of the supervisor to whom it is made. The supervisor shall immediately forward and investigate all complaints brought to his/her attention to his/her department head and/or the Administration Department. Supervisor shall not discourage employees from making complaints. If a matter involves a supervisor, the complaint may be taken instead to the Department Head or the Administration Department.

An investigation will be undertaken to determine the facts of the complaint. The investigation will include conferring with the parties and witnesses named by the complaining person. Because of its sensitive nature, complaints of harassment will be investigated with particular care and should remain, to the extent possible, confidential. After appropriate investigation, any supervisor or other employee found to have harassed another person will be subject to appropriate disciplinary action, up to and including discharge.

Retaliation against any employee for filing a harassment complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the City of the Hartford and by federal statutes. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for harassment complaints.

The City recognizes that the question of whether a particular action or incident is a purely personal, social matter without a discriminatory affect requires a factual determination based on the facts of the incident. The City also recognizes that false accusations of harassment can have serious adverse effects. The City expects all employees to act honestly and responsibly in complying with and enforcing this policy. It is the City's desire to continue providing a pleasant work environment for all employees, free of harassment.

AMERICANS WITH DISABILITIES ACT POLICY

This policy outlines the provisions of the Americans with Disabilities Act (ADA) of 1990 and the rights and obligations of employees and the City of Hartford under federal and state law.

In accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973 and the Wisconsin Fair Employment Act, the City of Hartford prohibits discrimination against qualified individuals with disabilities in all employment practices, including: job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. The City of Hartford is committed to providing accommodations for eligible employees, citizens and/or applicants with documented disabilities.

Application Process: In accordance with the law, all applicants for City of Hartford positions must have accessibility to all steps in the selection process and are protected from disability related questions that

could potentially screen them out of the application process. Applicants may not be asked questions that are likely to elicit information about a disability, including whether an applicant has a particular disability. Inquiries regarding an applicant's medical or worker's compensation history may also not be asked. However, applicants may be asked questions concerning their ability to perform the essential functions of a job. An applicant may not be asked to describe or demonstrate how they would perform the job functions, unless all applicants are asked to do this or if the disability is obvious or the applicant discloses a hidden disability.

Reasonable accommodation will be provided to qualified applicants during the selection process to ensure that all applicants have accessibility to all phases of the process. Accommodations may include making an interview room accessible, or supplying an interpreter or reader.

Pre-Employment: Pre-offer physicals are prohibited by the City of Hartford, as are inquiries regarding the existence of an applicant's disability or the nature and severity of the disability.

After an offer of employment has been extended, it will be conditioned on the results of a medical examination, as long as all individuals in the same job category have to undergo a medical exam. The information received during medical examinations will remain confidential. However, a supervisor may be told of a candidate's necessary restrictions and/or accommodations.

If the existence of a disability is revealed during the medical exam, the offer of employment may not be withdrawn unless: (1) the reason is job related and consistent with business necessity and no reasonable accommodation can be made; (2) the disability poses a *direct threat* to the health and safety of the applicant, other employees or the general public, and which cannot be eliminated by reasonable accommodation.

Reasonable Accommodation: The City of Hartford is committed to making reasonable accommodation in job duties, the work environment, and the application process to enable a qualified individual with a disability to enjoy equal employment opportunities, as long as such accommodations do not constitute an undue hardship on the City of Hartford.

Complaint Procedure**:** If an employee believes they have been discriminated against in employment on the basis of disability, an internal complaint may be filed through the City's harassment complaint procedure, or a formal complaint may be filed with the Wisconsin Equal Rights Division of the Department of Workforce Development and/or the federal Equal Employment Opportunity Commission.

DEFINITIONS

"Disability" as defined under the Americans with Disabilities Act of 1990 (42 U.S.C. sec. 12101): A qualified individual who has a physical or mental impairment that substantially limits one or more major life activities; a person who has a record of such impairment; a person who is regarded or perceived to have an impairment; or has a known association or relationship with an individual with a disability.

"Disability" as defined under the Wisconsin Fair Employment Act (Section 111.32): A physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; has a record of such an impairment; or is perceived as having such an impairment.

Direct Threat to Safety: A significant risk to the health or safety of the individual or others that cannot by eliminated by reasonable accommodation.

Essential Job Functions: Those activities of a job that are the core to performing the position that cannot be modified. A function is essential if: the job exists to accomplish the function, only a limited number of employees can perform the function, the function is highly specialized and an employee is hired for his/her expertise in the area. Other factors that may be considered in determining whether a function is essential are: the amount of time an employee spends performing the function, the consequences if the employee were not required to perform the function, the terms of applicable collective bargaining agreements, the work experience of previous employees who held the job, and the work experience of employees in similar jobs.

Interactive Process: The process by which an agent of the employer and individual requesting accommodation engage in, to discuss physical or mental abilities and limitations as they relate to the job's essential functions and to determine possible job accommodations.

Major Life Activities: Caring for one's self, performing manual tasks, walking, sitting, standing, seeing, hearing, eating, breathing, speaking, sleeping, reproducing, working, learning, thinking, concentrating and interacting with others.

Mitigating Measure: Medication, an assistive device or even compensating behaviors developed to control or eliminate symptoms or limitations of an impairment.

Qualified Individual with A Disability: A person who meets legitimate skill, experience, education, or other requirements of an employment position that s/he holds or seeks, and who can perform the "essential" functions of the position with or without reasonable accommodation.

Reasonable Accommodation: Any modification or adjustment to a job or the work environment that will enable a "qualified" applicant or employee with a disability to participate in the application process or to perform essential job functions. Examples of reasonable accommodation include: making facilities readily accessible, job restructuring, modifying work schedules, implementing flexible leave policies, reassignment to a vacant position, acquiring or modifying equipment or devices, adjusting or modifying tests, training material or policies, and providing qualified readers or interpreters.

Undue Hardship: An action that is excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.

Requests for Accommodation**:** An employee who believes they need a reasonable accommodation to perform an essential function of their job should make that request through their direct supervisor or the Administration Department. The City of Hartford will work with the employee to determine if their disability can be reasonably accommodated.

When a request for accommodation is received by a supervisor or when it is apparent that a reasonable accommodation may enable an individual with a disability to perform the essential functions of the position or participate in the employment process, the employee should be directed to submit a Reasonable Accommodation Request Form with appropriate supporting documentation to their direct supervisor or the Administration Department for consideration.

All requests for accommodation shall be responded to in a timely fashion, after the supervisor has engaged in the "interactive process" with the employee requesting accommodation. Supervisors are required to discuss each request with the Administration Department.

The City of Hartford reviews all requests for accommodation on a case by case basis and may provide a reasonable accommodation that allows the qualified individual with a disability to achieve the same level of job performance as other similarly skilled employees. The City of Hartford is not obligated to provide an accommodation that causes an undue hardship on the City.

Documentation of Request for Accommodation: Documentation of the request for accommodation and the response (provided on the Response to Accommodation Request Form) by the supervisor and/or the City Administrator should be forwarded to the Administration Department and shall be kept in a confidential file.

HEALTH INSURANCE PRIVACY POLICY

Use and Disclosure of Health Information: The City of Hartford may use health information, that is, information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provision of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), for purposes of making or obtaining payment of health claims and conducting health care operations. The City of Hartford has established a policy to guard against unnecessary disclosure of health information.

The following is a summary of the circumstances under which and purposes for which health information may be used and disclosed:

To Make or Obtain Payment. The City of Hartford may use or disclose health information to make payment to or collect payment from third parties, such as other health plans or providers, for health care claims. For example, the City may provide information regarding employee coverage or health care treatment to other health plans to coordinate payment of benefits.

To Conduct Health Care Operations. The City of Hartford may use or disclose health information for its own operations to facilitate the administration of the health plan and as necessary to provide coverage and services to all of health plan participants. Health care operations include such activities as:

- Quality assessment and improvement activities.
- Activities designed to improve health or reduce health care costs.
- Clinical guideline and protocol development, case management and care coordination.
- Contacting health care providers and participants with information about treatment alternatives and other related functions.
- Health care professional competence or qualifications review and performance evaluation.
- Accreditation, certification, licensing or credentialing activities.
- Underwriting, premium rating or related functions to create, renew or replace health insurance or health benefits.
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs.
- Business planning and development including cost management and planning related analyses and formulary development.
- Business management and general administrative activities of the health plan, including customer service and resolution of internal grievances.

For example, the City of Hartford may use personal health information to conduct case management, quality improvement and utilization review, and provider credentialing activities or to engage in customer service and grievance resolution activities.

For Treatment Alternatives. The City of Hartford may use and disclose personal health information to tell employees about or recommend possible treatment options or alternatives.

For Distribution of Health-Related Benefits and Services**.** The City of Hartford may use or disclose personal health information to provide information to employees on health-related benefits and services.

For Disclosure to the Plan Sponsor. The City of Hartford may disclose personal health information to the plan sponsor for plan administration functions performed by the plan sponsor on behalf of the health plan. In addition, the City may provide summary health information to the plan sponsor so that the plan sponsor may solicit premium bids from health insurers or modify, amend or terminate the plan. The City of Hartford also may disclose to the plan sponsor information on employee participation in the health plan.

When Legally Required**.** The City of Hartford will disclose personal health information when it is required to do so by any federal, state or local law.

To Conduct Health Oversight Activities. The City of Hartford may disclose personal health information to a health oversight agency for authorized activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. The City, however, may not disclose personal health information if the plan participant is the subject of an investigation and the investigation does not arise out of or is not directly related to receipt of health care or public benefits.

In Connection With Judicial and Administrative Proceedings. As permitted or required by state law, the City of Hartford may disclose personal health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when the City makes reasonable efforts to either notify the plan participant about the request or to obtain an order protecting personal health information.

For Law Enforcement Purposes. As permitted or required by state law, the City of Hartford may disclose personal health information to a law enforcement official for certain law enforcement purposes, including, but not limited to, if the City has a suspicion that the plan participant's death was the result of criminal conduct or in an emergency to report a crime.

In the Event of a Serious Threat to Health or Safety. The City of Hartford may, consistent with applicable law and ethical standards of conduct, disclose personal health information if the City, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to the plan participant's health or safety or to the health and safety of the public.

For Specified Government Functions. In certain circumstances, federal regulations require the City of Hartford to use or disclose personal health information to facilitate specified government functions related to the military and veterans, national security and intelligence activities, protective services for the president and others, and correctional institutions and inmates.

For Worker's Compensation. The City of Hartford may release personal health information to the extent necessary to comply with laws related to worker's compensation or similar programs.

Authorization to Use or Disclose Health Information: Other than as stated above, the City of Hartford will not disclose personal health information other than with written authorization of the plan participant. If the City of Hartford is granted authorization to use or disclose personal health information, the plan participant may revoke that authorization in writing at any time.

Each plan participant has the following rights regarding personal health information that Health Plan maintains:

Right to Request Restrictions. The plan participant may request restrictions on certain uses and disclosures of personal health information. Each participant has the right to request a limit on Health Plan's disclosure of personal health information to someone involved in the payment of health care. However, the City of Hartford is not required to agree to the request. Contact Julie Hanrahan in Administration at 262-673-8204 to make a request for personal health information restrictions.

Right to Receive Confidential Communications. Each plan participant has the right to request that the City of Hartford communicate with the plan participant in a certain way if the disclosure of personal health information could endanger the participant. Make your request in writing to receive confidential communications to Julie Hanrahan, City Administration, 109 North Main Street, Hartford, WI 53027. The City of Hartford will attempt to honor reasonable requests for confidential communications.

Right to Inspect and Copy Personal Health Information. Each plan participant has the right to inspect and copy his/her personal health information. A request to inspect and copy records containing personal health information must be made in writing to Julie Hanrahan, City Administration, 109 North Main Street, Hartford, WI 53027. The City of Hartford may charge a reasonable fee for copying, assembling costs and postage, if applicable, associated with the request.

Right to Amend Personal Health Information. Each plan participant may request that the City of Hartford amend health information records if he/she feels the records are inaccurate or incomplete. That request may be made as long as the information is maintained by the City. A request for an amendment of records must be made in writing to Julie Hanrahan, City Administration, 109 North Main Street, Hartford, WI 53027. The City of Hartford may deny the request if it does not include a reason to support the amendment.

The request also may be denied if your health information records were not created by the City of Hartford, if the health information requiring amendment is not part of the City's health plan records, if the health information requiring amendment falls within an exception to the health information permitted to inspected and copied, or if the City of Hartford determines the records containing personal health information are accurate and complete.

Right to an Accounting. Each plan participant has the right to request a list of certain disclosures of personal health information that the City of Hartford is required to keep a record of under the Privacy Rule, such as disclosures for public purposes authorized by law or disclosures that are not in accordance with the City's privacy policies and applicable law. The request must be made in writing to Julie Hanrahan, City Administration, 109 North Main Street, Hartford, WI 53027. The request should specify the time period of the requested information, but may not start earlier than April 14, 2004. Accounting requests may not be made for periods of time going back more than six (6) years. The City of Hartford will provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee. The City will inform the plan participant in advance of the fee, if applicable.

Right to a Paper Copy of this Notice. Each plan participant has a right to request and receive a paper copy of this policy at any time, even if the policy was received previously. To obtain a paper copy, please contact Julie Hanrahan, City Administration, 262-673-8204.

The City of Hartford is required by law to maintain the privacy of plan participant personal health information as set forth in this policy and to provide this policy of its duties and privacy practices. The City of Hartford is also required to abide by the terms of this policy, which may be amended from time to time. The City reserves the right to change the terms of this policy and to make the new policy provisions effective for all health information that it maintains. If the City of Hartford changes its policies and procedures, the City will revise the policy and will provide a copy of the revised policy to all plan participants within 60 days of the change. Plan participants have the right to express complaints to the City of Hartford and to the Secretary of the Department of Health and Human Services if it is believed that privacy rights have been violated. Any complaints to the City of Hartford should be made in writing to Julie Hanrahan, City Administration, 109 North Main Street, Hartford, WI 53027. The City of Hartford will not retaliate against any plan participant for filing a complaint.

The City of Hartford has designated Julie Hanrahan, City Administration, as its contact person for all issues regarding patient privacy and plan participant privacy rights. Contact Ms. Hanrahan in person, by telephone at 262-673-8204, or by e-mail at jhanrahan@ci.hartford.wi.us.

CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT STATEMENT

In general, the City of Hartford expects employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the City of Hartford. Business dealings that appear to create a conflict between the interests of the City and an employee are unacceptable. The City recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the City may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member as a result of the City's business dealings.

Employees of the police department shall not engage in any business transaction with any person confined in the city jail, in police custody, or during official police contact. Employees of the police department shall not recommend any product or service related to police department business, such as an attorney, ambulance service, towing service, bondsman, or funeral director, etc. in a professional capacity.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Administration Department to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

Outside Employment: Employees are required to obtain written approval from their supervisor before participating in outside work activities. Approval will be granted unless the activity conflicts with the City's interest. In general, outside work activities are not allowed when they:

- prevent the employee from fully performing work for which he or she is employed at the City, including overtime assignments;
- involve organizations that are doing or seek to do business with the City, including actual or potential vendors or customers; or
- violate provisions of law or the City's policies or rules.

Members and employees of the police department are expressly prohibited from engaging in any other business or occupation, except part-time occupations approved by the Chief of Police

From time to time, City employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to the City must be given priority. Employees are hired and continue in City's employ with the understanding that the City of Hartford is their primary employer and that other employment or commercial involvement which is in conflict with the business interests of the City of Hartford is strictly prohibited.

Financial Interest in Other Business: An employee and his or her immediate family may not own or hold any significant interest in a supplier, customer or competitor of the City, except where such ownership or interest consists of securities in a publicly owned company and that securities are regularly traded on the open market, without disclosing such financial or other business interests in writing to the City.

Acceptance of Gifts: No employee may solicit or accept gifts of significant value (i.e., in excess of $25.00), lavish entertainment or other benefits from potential and actual customers, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest.

An employee may entertain potential or actual customers if such entertainment is consistent with accepted business practices, does not violate any law or generally accepted ethical standards and the public disclosure of facts will not embarrass the City. Any questions regarding this policy should be addressed to the Administration Department.

Reporting Potential Conflicts: An employee must promptly disclose actual or potential conflicts of interest, in writing, to his or her supervisor. Approval will not be given unless the relationship will not interfere with the employee's duties or will not damage the City's relationship.

CODE OF ETHICS

Resolution Number 1896 of December 9, 1985 established the following CODE OF ETHICS FOR THE CITY OF HARTFORD:

"BE IT RESOLVED by the Common Council of the City of Hartford, Washington County Wisconsin, that it shall be the duty of City employees, including elected officials, full-time employees, and part-time employees to comply with Wisconsin Statutes and City ordinances with respect to the proper and appropriate conduct of their positions. Mindful of City goals and objectives, city employees:

1) Shall perform all mandatory, nondiscretionary and ministerial duties of their positions within the time and in a manner required by law.

2) Shall devote attention to their duties, uphold the law and conduct City business with fairness, integrity, and professionalism, with full regard to the public trust of the office.

3) Shall not receive any additional salary, benefits, or reimbursement for expenses for work performed pursuant to a City contract for services where that employee is currently being compensated by the City for that work under existing conditions of hire with the City.

4) Shall never act in excess of lawful authority or commit an act forbidden by law within their official capacity.

5) Shall not, by act of commission or omission, in their capacity as an employee of the City, exercise a discretionary power in a manner inconsistent with the duties of their position or the rights of others or with the intent to obtain a dishonest advantage for themselves or others.

6) Shall not in their capacity as employees make an entry in an account, record book, return, certificate, report, or statement which in a material respect intentionally and knowingly falsifies***.***

7) Shall not under color of their position as a City employee intentionally solicit or accept for the performance of any service or duty anything of value including, but not limited to, any gift, loan, favor, or service, given for the purpose of influencing them in the discharge of official duties.

8) Shall not use City property, facilities, or resources strictly for private or personal gain for themselves, family, or others.

9) Shall not use confidential information for their personal gain or benefit or that of family or others.

10) Shall act in what is conceived, in their opinion, to be the best interest of the citizens of the entire City. Similarly, they shall grant no special consideration or treatment to any citizen beyond that which is available to every other citizen.

11) Shall not participate either directly or indirectly in purchases for personal use for less than full value by utilizing discounts or tax exemptions allowed by the City.

BE IT FURTHER RESOLVED that:

a) Nothing in this code shall deny any employee the rights of a citizen under the Constitution of the United States of American, Constitution of the State of Wisconsin, Wisconsin Statutes, or any other bona fide regulation of this State.

b) Employees shall be made aware of this code at the time of their election, employment, or appointment. In the event an action is brought against a City employee for violating this code, discipline, including discharge, may be assessed.

c) Police Department employee's are also subject to the department's general orders, rules, regulations, and directives regarding personal conduct. Violations of any professional standards will be investigated by the police department in accordance with professional standards. In the event of conflicting rules, the police department's rules shall prevail for those employees.

CONFIDENTIAL NATURE OF WORK

All City of Hartford records and information relating to the City or its customers are the confidential property of the City of Hartford, and employees must, therefore, treat all matters accordingly. No City-related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from the City of Hartford's premises without permission from the City. Additionally, the contents of the City of Hartford's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose, or when the subject of an open

records request. Employees must not disclose any confidential information, purposefully or inadvertently through casual conversation), to any unauthorized person inside or outside the City. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

EMPLOYMENT

EMPLOYEE CATEGORIES: Based on the conditions of employment, employees of the City of Hartford fall into the following categories:

Full-Time
Part-Time
Temporary and Seasonal Employees

Full-Time: An employee who works the standard working hours of the City each week (for these purposes, 7 or more hours per day, 5 days per week).

Exempt employees are classified as such if their job duties are exempt from the overtime provisions of the Federal and State Wage and Hour Laws. Exempt employees are not eligible for overtime pay. Their salaries are calculated on a bi-weekly basis.

Non-Exempt employees receive overtime pay in accordance with federal or state law or any applicable union contract. Their salaries are calculated on an hourly basis.

Part-Time: Part-time employees are classified as exempt or non-exempt and work a regular schedule of less than 35 hours per week.

Temporary and Seasonal Employees: A temporary employee is hired for a non-recurring specified project or time frame. A temporary employee in a non-exempt position is paid by the hour while a temporary employee in an exempt position is paid according to the terms of hire for that individual. Temporary employees do not receive any additional compensation or benefits provided by the City. Temporary employees working 1200 hours or more in a 12-month period are eligible for Wisconsin Retirement System benefits.

For purposes of this document all Full-time and Part-time employees of the City of Hartford are said to be placed upon the Citywide Table of Organization. Employees of the Hartford Community Development Authority and its component units, as well as employees of the Hartford Downtown Business Improvement District are not placed upon the Citywide Table of Organization.

All original appointments to the Police Department shall be for a probationary period of 12 months, continuation in the service being dependent upon the conduct of the appointee and his/her fitness for the performance of assigned duties. Any appointee may be removed during the probationary period at the discretion of the Chief of Police.

TRANSFERS AND PROMOTIONS

The City of Hartford encourages employees to assume higher-level positions or lateral transfers for which they qualify. Toward this end, the City has a job posting program, which may include mass emails to all staff depending on the direction of department head or administration, that offers employees the opportunity to apply for certain positions within the City of Harford.

Generally, employees must be in their job for at least one year before applying for a change in position. In addition, employees must have a good performance, attendance and punctuality record. Each employee requesting a transfer will be considered for the new position along with all other applicants. Each transfer is judged on an individual basis, depending on the needs of both departments involved. All final decisions regarding transfers will be made by management, in conjunction with the Administration Department.

Employees who wish to apply for a transfer should discuss it first with their supervisor/manager and the Administration Department so that it may be determined if their skills fit the requirements of the desired job. Employees should also feel free to discuss their career aspirations with their supervisor/manager or the Administration Department at any time.

Due to the sensitive and specialized nature of duties frequently required of police department personnel, there will be no automatic direct transfers from other city departments to that department. If a qualified employee wishes to be considered for a posting within the police department they will be permitted to apply through the general recruitment process for that position.

Members of the police department shall not request the aid of any person outside of the police department to have them transferred to another assignment or beat, or to have themself restored to any assignment or beat from which they have been removed by order of a superior officer, or to have them promoted to a higher rank in the Department; nor shall they knowingly permit any petition to be formulated or presented by citizens in their behalf requesting such transfer, restoration, or promotion.

If an employee fits the basic criteria for the position, the Administration Department will make arrangements to set up an exploratory interview with the other department.

The Chief of the Police and Fire Departments shall appoint subordinates subject for the approval of the Board of Police & Fire Commissioners. Such appointment shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approval by the Board and kept on file with the City Clerk. Such list shall be determined as provided in Section 62.13 (4) of the Wisconsin Statutes.

PERFORMANCE REVIEWS

Under usual and appropriate circumstances, employees should receive at least one performance review annually. If an employee's job responsibilities change substantially at any time after the annual work review, however, another may be performed before the next annual review, after the new assignment has begun. Through the performance review process, employees will receive constructive work reviews designed to address performance and skill developmental needs and interests.

Department heads may schedule additional performance reviews whenever, in the judgment of the department head, the performance of the employee requires additional monitoring.

COMPENSATION

PAYMENT OF WAGES

Salary payment is made bi-weekly for base salary due up to the pay date. Paydays usually are bi-weekly on every other Friday. Overtime payment, which is included with the non-exempt employee's base salary payment, is also paid bi-weekly with such payment covering hours worked in the prior bi-weekly period.

Payment of wages and salaries is done by direct deposit into employee-designated accounts at area financial institutions. Employees are provided with a paycheck remittance advice (aka Statement of Earnings) detailing wage and benefit transactions. It is the City's policy that employee Statements of Earnings will only be given personally to that employee. All other arrangements for mailing or pick-up must be made in advance with the Finance Department.

If the normal payday falls on a City-recognized holiday, payment will be made one workday prior to the aforementioned schedule. Employees may be paid by direct deposit only.

Each Statement of Earnings is given each pay period to employees indicating:

Gross Pay
Statutory Deductions
Voluntary Deductions

The amount of Federal withholding is affected by the number of exemptions claimed on Form W-4, Employee's Withholding Allowance Certificate. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Finance Department. Except for extreme emergencies, no salary advances will be made.

TIMESHEETS

The attendance of all employees is recorded by each department and is submitted to the Finance Department bi-weekly. Our attendance records are City records, and care must be exercised in recording the hours worked, overtime hours, and absences. Employees are not to clock or sign in or out for other employees. Violations of this policy may result in appropriate disciplinary action, up to and including immediate discharge.

Each employee is responsible only for his/her own recordkeeping.

Once an employee clocks or signs in, work is to commence immediately. Failure to do so is considered falsification of timekeeping records.

If an employee forgets to clock or sign in or out, he or she must notify his or her supervisor immediately so the time may be accurately recorded for payroll.

Non-exempt employees must calculate their overtime on a weekly basis. An employee's supervisor must approve each overtime entry; employees with overtime entries that do not have prior approval will be subject to disciplinary action.

Exempt employees are required to complete timesheets in order to properly allocate labor costs within the City's financial system and properly maintain entitlement records. Exempt employees are not required to sign in or out, and any reference to hours of work for exempt employees is for purpose of notation only, unless contractually specified otherwise. Business trips, sick and PTO days must be recorded on the attendance sheet by the employee designated to monitor attendance.

No payment for hours worked may be made to any employee without a valid timesheet signed by the appropriate department head or the City Administrator.

PERSONNEL RECORDS

To keep necessary City records up to date, employees must notify the Finance Department of any changes in:

Name and/or marital status
Address and/or telephone number
# of eligible dependents
W-4 deductions
Person to contact in case of emergency

ON-CALL PAY

The employee with on-call duty would begin this additional assignment on Monday at 3:30 pm and continue with this responsibility until the same time the following Monday. Any actual work performed while on stand-by duty (which is not performed during the employee's regular hours) would be paid at time and one-half Any call out work would continue to be subject to the minimum two hour call out pay provision. Police department employees are not eligible for On-Call pay.

MINIMUM CALL-IN

Some employees as determined by the City are subject to be called in to work, in addition to the regular scheduled work hours. Such time is to be paid for the rate of a two (2) hour minimum at the overtime rate for each call-in. This shall apply for all overtime work, regardless of whether it is scheduled or non-

scheduled, but minimum call-in pay shall not apply to hours worked consecutively prior to or subsequent to the employee's regular scheduled work hours.

STANDBY PAY

Some employees as determined by the City shall be assigned, on a rotating weekly basis, to on-call responsibilities on weekends and holidays. Such on-call responsibilities will include carrying a pager or cell phone, remaining within the effective operational radius of that electrical device, and responding to call-ins in approximately 30 minutes allowing for normal delays. In the case of Electric Utility linemen: such on-call times shall be pay at fifteen (15) hours of pay at straight time per weekend, defined as beginning at 3:30 pm on Friday through 7:00 am on Monday. This amount shall be seven and one half (7.5) hours of pay at straight time in the case of an observed weekday holiday, and shall be three and one-half (3.5) hours of pay at straight time to be used on a half day observed weekday holiday. In the case of Water and Wastewater Utility Employees, they will be paid $400 for weekly duty. Covering holidays adds an additional 5 hours straight time pay for full day work or 2.5 hours for half-day worked. While on call, the normal call in compensation provisions apply. Police department employees are not eligible for Stand By pay.

COMPENSATORY TIME OFF

Any overtime may be paid at the overtime rate or taken as compensatory time off without pay at the overtime rate, at the discretion of the employee. A maximum of forty (40) hours per year of non-standby compensatory and a maximum of forty (40) hours per year of standby compensatory time may be designated by the employee to be placed in the compensatory time bank. A minimum of two (2) weeks advance notice to the department head must be provided by the employee for use of such compensatory time off and prior approval of the department head must be obtained (unless waived at the discretion of the department head). There shall be no carry forward of any compensatory time off from one year to the next. Any compensatory time that is in an employee's time bank as of December 31 of each year shall be paid in January of the following year at the pay rate in effect when the compensatory time was earned. Compensatory time off will be charged on a first in, first out basis. Compensatory Time accumulation, maximums, scheduling, carry forward, and pay rates within the Police Department will be administered in accordance with existing labor agreements.

ACTING CREW LEADER

An employee expressly assigned to be an acting crew leader will receive the crew leader rate. Officer in Charge (OIC) pay rates within the police department will be paid in accordance with existing labor agreements.

TIME OFF

PAID TIME OFF (PTO)

NOTE: THIS SECTION APPLIES TO ALL EMPLOYEES ON THE CITYWIDE TABLE OF ORGANIZATION EXCEPT THOSE COVERED BY COLLECTIVE BARGAINING AGREEMENTS OR WRITTEN EMPLOYMENT AGREEMENTS.

Time away from work to relax and pursue special interests is important to everyone. It is also an important internal control tool for management. All full-time employees are eligible for paid time off. Regular part-time employees earn paid time off on a prorated basis based on hours worked. PTO replaces vacation, floating holidays, short-term sick leave, and funeral leave.

PTO applies to all full-time and part-time employees on the Citywide Table of Organization, unless superseded by collective bargaining agreements or specific contractual language.

PTO is earned biweekly for regular non-represented employees under the following schedule:

COMPLETED YEARS OF SERVICE	ANNUAL BENEFIT EARNED	ACCRUAL LIMIT
1 YEAR	128 HOURS (16 DAYS)	NONE
2 – 5 YEARS	192 HOURS (24 DAYS)	27 DAYS
6 -14 YEARS	232 HOURS (29 DAYS)	33 DAYS
15-20 YEARS	256 HOURS (32 DAYS)	38 DAYS
21 + YEARS	280 HOURS (35 DAYS)	42 DAYS

PTO is earned biweekly for Police Sergeants under the following schedule: (Missing Holidays adds 8 days)

COMPLETED YEARS OF SERVICE	ANNUAL BENEFIT EARNED	ACCRUAL LIMIT
1 YEAR	212.5 HOURS	212.5 HOURS
2 – 5 YEARS	280.5 HOURS	306 HOURS
6 -14 YEARS	323 HOURS	357 HOURS
15-20 YEARS	348.5HOURS	399.5 HOURS
21 + YEARS	374 HOURS	433.5 HOURS

New employees accrue PTO starting the first day. Once accrued, it can be used. If upon their second anniversary, they have more than their accrual limit, they can either transfer a portion to sick leave, or the accrual process stops until such time that enough PTO is used up to get below the limit.

Part time employees eligible for this program must work an average 20 hours per week, and must be listed on the Citywide Table of Organization. Part-time accumulations will be prorated based on the percentage of full-time equivalency (40 hours/week) scheduled to be worked per the job description of the part-time employee.

Negative balances in PTO accounts are prohibited. Any FMLA time allowed after the exhaustion of PTO time is unpaid.

PTO will be counted as time worked for purposes of calculating overtime pay.

Employees on unpaid leave may not accumulate PTO hours.

Upon retirement or termination in good standing, employees who have worked a minimum of six months shall be paid for all accrued PTO hours (except Sick Leave hours –see below) at the wage rate in place at the time of retirement or termination.

PTO hours may not be used to extend an employee's last day of employment, nor may PTO hours be applied toward any required notice period.

Employees discharged for cause or who quit without a two-week notice period will forfeit all accrued PTO hours.

Upon hiring an employee may be granted additional PTO hours in recognition of the employee's prior employment. Such grants may only be authorized by the City Administrator. Vacation and/or PTO hours may be granted by the Chief of Police for lateral entry officers/employees in recognition of the employee's prior employment in accordance with existing labor agreements.

SICK LEAVE

Sick leave may be used to meet the long-term medical needs of the employee or FMLA-eligible family member. It may not be used for medical needs of less than 3 days duration.

If an employee has exhausted available Sick Leave, the employee MUST use accrued PTO hours to cover the deficit. Time off without pay is not allowed, except in absences covered by FMLA. Unpaid Leave may be granted to police department employees by the Chief of Police in accordance with existing labor agreements.

Employees using Sick Leave must contact their supervisor and must provide a medical excuse to return to work if requested to do so by their supervisor.

Any police department employee who is absent due to illness shall allow a supervisor, a city doctor, or nurse access to his/her home, and shall accurately and fully inform them of his/her condition. An employee may be required to submit a physician's certificate of disability for an absence due to sickness or injury of over three days. No employee shall feign illness or injury for the purpose of escaping any duty or assignment.

Employees requesting medical leave in order to care for a family member under FMLA must first use 3 working days of PTO per FLMA qualifying event before accessing Sick Leave.

Employees may accumulate a maximum 480 hours of Sick Leave. Once any employee's Sick Leave accumulation reaches 480 hours, no more hours may be accumulated until the Sick Leave level falls below 480 hours.

After an employee completes 6 months of service with the City, the City will contribute 24 hours of Sick Leave to the employee's accumulation (12 hours for 20 hour per week permanent employees).

All other accumulations of Sick Leave may only occur when:

a. An employee's PTO hours exceed the maximum accumulation identified above, at which time any excess accumulation will be transferred to the Sick Leave account.
b. Prior to their anniversary, employees may elect to deduct up to 40 hours from their PTO accumulation to be transferred to their Sick Leave account. The City of Hartford will match this transfer up to an additional 50% of the employee transfer, capped at twenty hours.
c. Sworn officers will accumulate sick time in accordance with existing labor agreements.

Employees retiring from the City of Hartford at age 55 or older (age 53 for protected service officers, or as contractually specified) after fifteen years of service (or as contractually specified) to the City will be paid for all accumulated Sick Leave at 100% of the employee's hourly wage at the retirement date. The years of service qualifying for this payment will be 20 years for all employees hired after December 31, 2014.

Employees covered by the Sick Leave program in place at January 1, 2015 must transfer all accumulated Sick Leave under that program into the new Sick Leave program. The City of Hartford will honor all prior agreements and existing contracts with respect to the payment of this accumulation at retirement. However, if the accumulation is less than, or falls below, the 480 hour maximum under the new program, this maximum will apply. Use of accumulations of sick leave made prior to January 1, 2015 by existing employees will be covered by the new policy. If the accumulation of sick leave transferred at January 1, 2015 is in excess of 480 hours, any reduction in hours may not be recovered unless the accumulation falls below 480 hours.

PRIOR EMPLOYEE AGREEMENTS:

Employees with oral or written contractual vacation benefits in excess of this policy will continue with those contractual benefits until the Annual Benefit Earned as paid time off per the schedule above matches or exceeds the contractual benefit.

Employees with continuous service from September 1, 1992 will no longer receive an annual sick leave payout unless required by existing labor agreements. Employees qualifying for this benefit will receive an annual Longevity Stipend of 60 hours per year (64 hours for sworn police officers not using the 2080 hour standard year) at the employee's base wage rate.

Upon resignation or retirement from the City of Hartford, the employee shall receive a payment for all accumulated paid time off at the pay rate in existence at the time.

Employees should make their paid time off requests as far in advance as possible. Police department employees shall make requests in accordance with existing labor agreements. Based upon department needs, the City of Hartford will attempt to grant an employee the paid time off dates he/she requests. When a City holiday falls during a scheduled paid time off period it is not counted as paid time off.

Any employee that becomes ill during a scheduled paid time off day cannot change a paid time off day to a sick day; scheduled paid time off days count as paid time off even if an employee would ordinarily take a sick day.

HOLIDAYS

All regular full-time and part-time employees (including those in initial employment period) are eligible for the following paid holidays per year as follows:

New Year's Day
Memorial Day
½ day (four hours) on the Friday before Easter (does not apply to the Police Department)
Easter Day (Police Department Only)
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving Day
Day before Christmas
Christmas Day
½ day (four hours) on New Year's Eve (does not apply to the Police Department)

Whenever one of the listed holidays falls on Saturday, the previous Friday shall be observed as the holiday. Whenever one of the listed holidays falls on a Sunday, it shall be observed on the following Monday. Any other holiday observance situations will be determined by the City Administrator.

Holidays and Floating holidays for members of the police department will be accumulated and scheduled in accordance with existing labor agreements.

FLOATING HOLIDAYS

In the event that a department remains open during a normally closed holiday, the effected employees will receive a floating holiday which they can take at the discretion of their department head.

JURY DUTY

Any employee required to perform jury duty during regular working hours shall be paid his/her regular wages and shall turn over to the Employer any monies, excluding mileage allowances he/she shall receive as a result of such jury duty. If jury duty extends beyond 12:00 noon, employees working evening hours shall be excused from evening work hours while serving on that jury, with no loss of pay. In all other instances of jury duty, employees working evening hours may retain any monies received as a result of jury duty.

Upon receipt of the notice to serve jury duty, the employee should immediately notify his/her supervisor. If the jury duty falls at a time when the employee cannot be away from work, the City may request that the court allow the employee to choose a more convenient time to serve if he/she makes a request in accordance with the court's procedures. The employee must cooperate with this request.

MILITARY LEAVE

Employees who are members of the National Guard, or United States Military Reserve, shall be granted temporary leaves of absence for required hours of duty. The City agrees to pay the differential between the military pay for such required duty and the employee's regular straight time earnings, so that no loss of pay shall be suffered as a result of such required duty. Such differential pay shall be limited to two (2) weeks in any one year.

At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the employee is qualified to perform.

Continuation of Health Benefits: During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service, but will be required to pay all of the premium for the continuation coverage.

Requests for Leave: Upon receipt of orders for active or reserve duty, an employee should notify his/her supervisor and submit a copy of the military orders as soon as possible.

OTHER TIME OFF

1. Lunch: Lunch hours for employees working away from departmental facilities commence when the employees arrive at a departmental facility and end when departing for other work locations.
    a. Lunch time is one hour unless otherwise indicated in a collective bargaining agreement or department policy. Employees may choose to take shorter lunch periods in exchange for shorter work days if approved by their department head.
    b. Non-exempt employees are not allowed to take lunch hours at their work stations.
    c. Non-exempt employees may not conduct City business (including answering telephones) during lunch hours.
2. Breaks
    a. Length and Timing: All non-exempt employees are allowed one 15-minute break for every four hours of scheduled work.
    b. Exclusion of Travel Time
3. Police Department employees
    a. Lunch/Breaks will be taken in accordance with existing labor agreements and protocols.
    b. All police department employees are subject to calls for service during lunches and breaks.

COMPENSATORY TIME/FLEXIBLE TIME

The use of a compensatory time plan or flexible time plan is at the discretion of individual department heads, subject to the pre-approval of any plan by the Administration Department. Compensatory/Flex time within the police department will be taken in accordance with existing labor agreements and protocols.

WORKING FROM HOME

At the discretion of department heads (or the City Administrator in the case of department heads), employees may work from home no more than one day per work week.

HARTFORD FIRE AND RESCUE VOLUNTEERS

Employees who also volunteer to serve the Hartford Fire and Rescue Department, shall not suffer any reduction in wages, benefits, or entitlements as a result of time spent attending emergency fire and rescue operations during work hours. Employees who also volunteer to serve the Hartford Fire and Rescue Department shall be entitled to receive the ordinary wages and stipends afforded to members of the

Hartford Fire and Rescue Department for time spent attending emergency fire and rescue operations during work hours, in addition to the employee's regular wages, benefits, and entitlements.

EMPLOYEE PARKING

Parking of employee vehicles is not guaranteed by the City of Hartford as part of City employment. Parking at municipal facilities except City Hall is under the control of the department head(s) operating from those facilities. Department heads have the authority to ban the use of on-street parking of employee vehicles in proximity to their facilities.

First shift employees of the City of Hartford working from City Hall or the Hartford Police Department are prohibited from parking personal vehicles in any public parking lot or street parking space between and including North Main Street and North Johnson Street, from the Rubicon River to West Sumner Street unless duly authorized by the Chief of Police in accordance with municipal ordinance. First shift employees may park in any other street parking or public parking areas in the downtown area.

Employees working from City Hall or the Hartford Police Department on all other shifts, and employees using personal vehicles for City business during a specific work day, may park in any public parking lot or street parking area except the municipal parking area immediately behind City Hall within lawful posted restrictions.

Employees parking in any regulated parking spaces are subject to the posted restrictions applying to those spaces.

LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT ("FMLA")

This policy outlines the provisions of the federal and Wisconsin Family and Medical Leave Acts and the rights and obligations of employees and employers under both laws. The Family and Medical Leave Acts provide eligible employees with up to 12 workweeks of unpaid protected leave each calendar year for specified family and medical reasons. The eligibility and entitlements are defined differently under federal and state law.

A. Eligibility

Employees are entitled to FMLA benefits if they:

- *Federal* - Have been employed by the City of Hartford for at least 12 months (not necessarily consecutive); and have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave. Time spent on paid or unpaid leave does <u>not</u> count in determining the 1,250 hour eligibility.
- *State* – Have been employed by the City of Hartford for at least 52 consecutive weeks and have worked for at least 1,000 hours during the 52 weeks prior to the start of the FMLA leave.

B. Qualifying Event and Amount of Leave

1. Eligible employees may take up to a total of 12 work weeks of unpaid FMLA leave in a calendar year [or other designated period for federal leave] for the following qualifying events:
   a. The birth or placement of a child for adoption or, under the federal FMLA, for foster care;
      i. State law provides for up to 6 workweeks of unpaid leave for any one child
      ii. Federal law requires that leave conclude within 12 months after the birth
   b. To care for the employee's spouse, child, domestic partner (under Wisconsin FMLA), or parent (includes a parent-in-law and domestic partner's parents under the Wisconsin FMLA) with a serious health condition;
      i. State law provides eligible employees up to 2 workweeks of FMLA family leave.

ii. Care for a child does not include the children of the employee's domestic partner.

c. Family leave due to an employee's spouse, child or parent being on exigent active duty or having been notified of an impending call or order to exigent active duty as a member of the reserve components of the Armed Forces or a retired member of the regular Armed Forces or Reserve, in support of a contingency operation.

d. For the employee's own serious health condition that renders the employee unable to perform his/her job.

i. State law provides eligible employees up to 2 workweeks of FMLA medical leave.

2. Eligible employees may take up to a total of 26 work weeks of unpaid FMLA leave during a single 12 month period (beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the employer to determine the employee's 12 workweeks of leave entitlement for other FMLA-qualifying reasons) to care for a spouse, child, parent, or next of kin who is a member of the Armed Forces who suffered an injury or illness while on active duty that renders the person unable to perform the duties of the member's office, grade, rank, or rating.

3. During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 work weeks of leave under federal law.

4. Leave qualifying for both Wisconsin and federal FMLA leave will count against the employee's entitlement under both laws and will run concurrently. When the reason(s) for qualified leave differ, the leave may not run concurrently under federal and state law, and an employee may be entitled to more than 12 weeks of leave in a calendar year. This type of leave occurrence will be evaluated and reviewed with the employee at the time of the leave. Qualified leave taken under Worker's Compensation also will run concurrently with Wisconsin and federal FMLA leave.

Under the federal FMLA, spouses employed by the City are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law) who has a serious health condition.

C. Non Continuous or Intermittent Leave

Employees are permitted to take leave on an intermittent (blocks of time) or reduced work schedule:

1. When it is medically necessary to care for a family member with a serious health condition or because of the employee's serious health condition.

2. When it is necessary to care for a family member or next of kin who suffered an injury or illness while on active duty.

3. To care for a newborn, adopted or foster child. Federal FMLA leave for the birth or placement of a child for adoption or foster care may not be taken in non-continuous increments unless approved by the City. Under the Wisconsin FMLA, the last increment of leave for the birth or placement of a child for adoption must begin within 16 weeks of that birth or placement.

Medical or family caretaking leave should be planned so as not to unduly disrupt the City's operations. Employees requesting non-continuous federal FMLA leave that is foreseeable based on planned medical treatment for purposes of providing care to a child, spouse or parent with a serious health condition or for the employee's own serious health condition may be required to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the regular employment position of the employee. An employee temporarily transferred will receive the same pay and benefits, but may be assigned different duties.

The City generally allows for intermittent leave to be taken in no less than one hour increments. The employee may not take, or be required to take, more leave than medically necessary to address the circumstances that caused the need for the leave.

D. Payments on FMLA Leave

In general, both Wisconsin and federal FMLA leaves are unpaid. The City may require employees, or employees may choose, to substitute paid leave for which they are eligible (such as vacation days, personal leave, compensatory time or sick leave) for unpaid leave available under the federal FMLA; or employees may choose to substitute available accrued leave for unpaid Wisconsin FMLA.

The City will require that any leave provided by a City collective bargaining agreement be substituted for federal FMLA leave.

E. **HOW TO APPLY FOR FMLA LEAVE**:

1. The employee must submit a Request for Leave form to the Administration Department at least 30 days, or as soon as practicable, in advance of taking a leave. If circumstances do not permit an employee to give notice in advance of taking leave, the employee must notify the Administration Department and submit the Request for Leave form as soon as possible, but no later than two working days after learning of the need for FMLA leave. Failure to give timely notice may result in the delay or denial of FMLA leave and may subject you to discipline under City policies.
2. If the leave is for a family member's or the employee's serious health condition, the employee must submit a medical certification form from the employee's or the family member's health care provider within 15 days. If an employee does not provide the required certification by the designated deadline, or if the City determines that an employee's absence is not covered as FMLA leave, the leave may not be designated as Wisconsin and/or federal FMLA leave, and the employee may be subject to discipline under City attendance policies unless he or she uses accrued paid leave (like vacation) and/or is granted a non-FMLA leave of absence.
3. Second or third certifications at the City's expense and periodic re-certifications at the employee's expense may be required under certain circumstances. The City requires periodic reports during federal FMLA leave regarding the employee's status and intent to return to work.
4. Forms are available through the Administration Department.

F. Health Insurance Benefits

Group health insurance coverage will be maintained for employees while they are on FMLA leave, on the same terms as if the employee continued to work. If applicable, the employee will be required to pay his/her regular portion of health insurance premium payments on a schedule determined by the City's Finance Department.

The City may recover its share of health insurance premiums paid during a period of unpaid FMLA leave from an employee if the employee fails to return to work (for a minimum of 30 calendar days) after the expiration of the leave. The City may not collect the premiums if the reason the employee does not return is due to continuation, recurrence or onset of a serious health condition that would entitle the employee to leave under FMLA, or other circumstances beyond the employee's control.

The City may discontinue health insurance benefits if the employee fails to make a premium payment within 30 days of the due date after providing written notice to the employee of the cancellation of coverage for non-payment.

G. Other Benefits

Benefits that accumulate based upon hours worked shall not accumulate during the period of FMLA leave. Qualified FMLA leave will not be counted as an absence under the City's attendance policy.

Other City benefits (dental insurance, mutual funds, income continuation, etc.) may be continued during periods of unpaid FMLA leave, and arrangements should be made for employee's portion of the payments with the City's Finance Department.

H. **Worker's Compensation and Light Duty**

Federal FMLA will run concurrent with worker's compensation provided that the injury meets the criteria for a "serious health condition", as defined by law. Substitution of accrued paid leave is not allowed for Worker's Compensation absences unless an applicable labor agreement provides otherwise.

If an employee accepts a light duty assignment while on worker's compensation, that time may not count against the employee's family or medical leave entitlement. If the light duty position is declined and the employee elects to stay on FMLA leave, the employee may give up their worker's compensation benefits.

Light duty may not supplant the duties of other employees, and the city will not create light duty assignments.

I. **Return to Work**

Any employee returning from FMLA for their own serious health condition must provide a "Fitness for Duty" statement signed by their treating physician. Upon return from FMLA leave, an employee shall be restored to his or her original position or, if the position is not vacant, to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. An employee will not be restored to their original or equivalent position if they are unable to perform the functions of their job because of a mental or physical condition.

DEFINITIONS

A. Child: Biological, adopted, or foster child, stepchild, legal ward or, under the federal FMLA, the child of a person having day-to-day care of the child, or a child of a person standing "in loco parentis," who is under 18 years of age or 18 years of age and older and incapable of self-care because of a serious health condition.

B. Covered Service member (Federal FMLA): A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

C. Domestic Partner (Wisconsin FMLA): Same-sex couples who register in their county of residence and same-sex and opposite-sex couples who are not required to register.

1. To qualify as registered domestic partners, two individuals must meet the following criteria: at least 18 years of age and capable of consenting to the relationship, not married to, or in a domestic partnership with another individual, not more closely related than second cousins (whether of the whole or half blood or by adoption), they must share a common residence, and be members of the same sex.

2. To qualify as domestic partners without registration, two individuals must meet the following criteria: at least 18 years of age and capable of consenting to the relationship, not married to, or in a domestic partnership with another individual, they must share a common residence, they must not be related by blood in a way that would prohibit marriage under Wis. Stat. 763.03, they must consider themselves to be members of each other's immediate family; and they must agree to be responsible for each other's basic living expenses.

D. Incapable of Self-Care: The individual requires active assistance or supervision to provide daily self-care in three or more of the *activities of daily living* (i.e. grooming, hygiene, bathing, dressing, eating) or *instrumental activities of daily living* (i.e. cooking, cleaning, shopping, utilizing public

transportation, paying bills, maintaining a residence, using telephones and directories, and using a post office).

E. Next of Kin: The nearest blood relative other than the covered service member's spouse, parent, son or daughter, in the following order of priority: Blood relatives who have been grated legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's' next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.

F. Parent: Biological parent, foster parent, adoptive parent, stepparent or legal guardian of an employee or parent-in-law or domestic partner's parents under the Wisconsin FMLA. Under the federal FMLA, "parent" includes an individual who provided day-to-day care to the employee when the employee was a child.

G. Serious Health Condition: An illness, injury, impairment or physical or mental condition that involves:

1. Inpatient care in a hospital, hospice or residential medical care facility; or
2. Under Wisconsin FMLA, outpatient care that requires continuing treatment or supervision by a health care provider (generally defined as requiring two direct, continuous and first-hand contacts by a health care provider); or
3. Under the federal FMLA:
   - A period of incapacity of more than 3 consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves:
     - Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (i.e., physical therapist) under the orders of, or on referral by, a health care provider; or
     - Treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
       1. The first or only in person treatment visit must take place within seven days of the first day of incapacity.
       2. Whether additional visits or a regimen of continuing treatment is necessary within the 30-day period shall be determined by the health care provider.
   - Any period of incapacity due to pregnancy or for prenatal care;
   - Chronic conditions requiring periodic treatment (defined as at least twice a year) by or under the supervision of a health care provider that continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.);
   - Permanent/long term conditions requiring supervision for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, or the terminal stages of a disease);

- Multiple treatments by or under the supervision of a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy), severe arthritis (physical therapy), or kidney disease (dialysis).

H. Workweek: The employee's usual or normal schedule (hours/days per week) prior to the start of FMLA leave.

I. Covered Service member: A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness.

LEAVE OF ABSENCE WITHOUT PAY

Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal Leave of Absence without pay. However, employees must be employed for at least three months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and it will be reviewed on a case-by-case basis by the employee's supervisor and the Administration Department. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires. Leaves of absence will be considered only after all vacation and personal time have been exhausted. Unpaid leaves of absence within the police department will be administered according to existing labor agreements at the discretion of the Chief of Police.

While on a personal unpaid leave of absence employee's medical coverage will end on the 1st day of the month following the start of such leave. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.

The City of Hartford cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, the City will attempt to reinstate the employee to his/her former position or to one with similar responsibilities. If the position or a similar position is not available, the City will search for a suitable position for 30 days from the date the unpaid leave was to officially end. The employee will not be paid for this time. If the employee has not been placed by the end of this period, he/she will be terminated.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies his/her supervisor/manager he/she is not returning, whichever is sooner. Such employees may be considered for reemployment.

INCLEMENT WEATHER

In an emergency, as determined by the Police Chief or the Chief's designee, any police department employee may be picked up at home (anywhere within the City of Hartford corporate limits, or in the case of any employee living outside the City of Hartford as of December 10, 1984, at the employee's address as of that date) at the start of the shift, and dropped off at the end of the shift. The city shall incur no overtime as a result of this provision in accordance with existing labor agreements.

EMERGENCY CLOSINGS

When an emergency, such as severe weather, fires, power failures, etc., requires the closing of a City facility, you may elect to use accrued leave time to cover lost hours. If you choose not to use accrued leave time, or if you do not have any accrued leave time, the hours missed will be unpaid. If you are not able to report to work due to weather conditions, you may substitute vacation pay, holiday, or compensatory time to compensate for hours not worked, otherwise the time off will be unpaid. Employees in essential operations may be asked to work on a day when operations are officially closed.

EMPLOYEE BENEFITS

The City of Hartford has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. This portion of the Employee Handbook contains a very general description of the benefits to which you may be entitled as an employee of the City. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents available on-line. All official plan documents are also available for your examination in the Administration Department. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases. The benefits enumerated in this handbook do not abridge additional specific benefits granted in existing labor agreements.

As in the past, the City of Hartford reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, the City of Hartford reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which were provided to you separately or contact the Administration Department. If you lost or misplaced those descriptions, please contact the Administration Department for another copy.

HEALTH INSURANCE

The City of Hartford currently offers a self-insured PPO health insurance plan administered by a third-party administrator. The City currently provides 100% premium coverage (single or family) for full-time employees. Coverage is effective the first of the month coincident with or following completion of thirty (30) days of employment. The City also provides an employee wellness program offering up to $300 per employee and $300 per spouse annually for the Recreation Center Wellness Program.

The PPO network plan provides comprehensive hospital and major medical insurance coverage. Under the PPO plan, participants can choose to go in-network or out-of-network at any point in time. In-network services are fully covered and no claim forms need to be completed. Out-of-network services are generally subject to a higher annual deductible, as well as coinsurance payments.

Health Risk Assessment: The Health Risk Assessment Program is administered through a medical consultant hired by the City offering health risk assessments, testing services, and confidentiality. The administrator of the Health Risk Assessment Program does not release any individual names or individual information to the City, any other employer, or any third party without the express written authorization of the individual involved. An employee or retiree may elect to have the Health Risk Assessment performed by a medical practitioner of his/her choosing, but must then provide the assessment results to the administrator of the Health Risk Assessment. Assessments performed by private medical practitioners will be covered under the group health insurance plan subject to all provisions of that plan.

The cost of Health Risk Assessments performed by the City's medical consultant is fully paid by the City, and is not included in any deductible. The City makes arrangements to have Health Risk Assessments performed during working hours for all employees of the City.

The City pays the tuition cost for attending and completing smoking cessation classes, up to a total of $250. The smoking cessation payment maximum of $250 is a one-time payment per individual. Smoking cessation classes are not to be taken on City time.

Employees should refer to the most current City of Hartford Summary of Benefits and Coverage (SBC) for annual deductibles, copays, and benefit limits.

When an employee suffers from an illness of long duration, the City will continue to pay the premium of the hospital and surgical insurance plan for sixty (60) days beyond the date of expiration of the employee's sick leave, vacation, or any other payment due him/her by the City. After such sixty (60) day period, the employee may continue the group policy by paying the monthly premium to the City.

Employees hired prior to 1/1/2007 and retiring after age fifty-five (55 or 53 for protective service, or as specified in existing labor agreements) with a minimum of fifteen (15 or as specified in existing labor agreements) years of City service, may retain single (or family, if applicable) health insurance coverage until age sixty-five (65) under the same health insurance group plan that is in effect for active City employees, provided the retired employee is living. The City shall pay the premium cost of such insurance coverage, with deductibles and co-payments made by employee as may be required by the plan. The retired employee (and his/her spouse and/or qualified dependent(s), if applicable) may retain single (or family, if applicable) health insurance coverage after reaching age sixty-five (65), provided the employee is living. The retired employee shall pay one hundred percent (100%) of the premium cost of such insurance coverage, with deductibles and co-payments made by employee as may be required by the plan, after reaching age sixty-five (65).

Employees hired after 1/1/2007 will have post-retirement health insurance coverage provided on a defined contribution basis, with monthly deposits made by the City into an Individual Defined Contribution Account of $225 single/$450 family during the employment period of the employee. Employees eligible for the Defined Contribution Account will be 100% vested after five years of service with the City. The Individual Defined Contribution Account can be used to purchase the City's post-retirement health insurance plan as described above, with the retiree paying 100% of the premium cost.

If a retired employee dies before reaching age sixty-five (65), the insurance coverage afforded his/her spouse and/or any qualified dependent(s), if applicable, shall continue for a three (3) year period from the date the retired employee dies, with the City paying the full cost of the applicable plan unless the spouse and/or any qualified dependent(s) reach age sixty-five (65) prior to the expiration of the three (3) year period. If the spouse and/or any qualified dependent(s) reach age sixty-five (65) prior to the expiration of the three (3) year period, the surviving spouse and/or any qualified dependent(s) will be responsible for one hundred percent (100%) of the premium cost of the insurance coverage, with deductibles and co-payments made by employee as may be required by the plan, from that time until the end of the three (3) year period. At the termination of the three (3) year period, the surviving spouse and/or any qualified dependent(s) may retain coverage under the applicable plan at the spouse and/or any qualified dependent(s)' expense, subject to a maximum annual benefit equal to thirty-five thousand dollars ($35,000) per person or the maximum per person annual retention amount (if a self-funded insurance program), whichever is higher.

If a retired employee, as defined above, and his/her spouse divorce at any time after the employee retires, single plan coverage shall be available to the spouse. If the retired employee is required under the terms of a Qualified Domestic Order issued by the court to provide health insurance coverage to his/her ex-spouse, the City shall pay the premium cost of such coverage consistent with the terms of Section 16.01(c). If the retired employee is not required under the terms of a Qualified Domestic Order to provide health insurance coverage to his/her ex-spouse, single plan coverage under this Section will be available to the

ex-spouse, subject to prevailing COBRA regulations and payment of one hundred percent (100%) of the premium cost of such insurance coverage.

If a retired employee marries or remarries after a post-retirement health insurance benefit has commenced, the retired employee may not change his/her health insurance coverage to a family plan.

Health Appraisal Program

The Health Appraisal Program is a voluntary program offered to insured employees and spouses to reduce out-of-pocket health care costs by demonstrating a pro-active approach to personal health care. All program participants are required to submit annually to a confidential Health Risk Assessment, including the provision of a blood sample. Participants also agree that the total of their Health Risk Assessment scores may be accessed by City personnel/payroll staff for the purpose of determining appropriate health incentives under the program. All other Health Risk Assessment data specific to individual insured employees and spouses is provided only to them, and cannot be accessed by other City employees. (Cumulative group data is provided to the City of Hartford to determine program effectiveness and direction.)

The City of Hartford offers a series of incentives which are coordinated with the City's health insurance plan and wellness program. If an employee (single plan) or employee and spouse (family plan) achieve 75 or more health points (the Moderate Risk threshold), or a 10 point increase over the previous year, or attend four health coaching sessions, the deductible level can be reduced or in some cases cut in half.

DENTAL INSURANCE

The City of Hartford offers a self-insured dental insurance plan. The City pays seventy-five percent (75%) of the premium for single coverage or seventy-five percent (75%) of the premium, up to a maximum of one hundred dollars ($100) per month for family coverage.

VISION INSURANCE

The City of Hartford offers an indemnity vision insurance plan. The City pays fifty percent (50%) of the premium for single and family coverage.

FLEXIBLE SPENDING ACCOUNT

The City of Hartford currently offers an employee-funded Flexible Spending Account to regular full-time and part-time employees. Just before the beginning of the calendar year, plan participants may elect an annual amount of flexible dollars (which will be deducted on a pre-tax basis from each paycheck) to pay for eligible health care expenses. Eligible health care expenses may include medical or dental insurance deductibles, co-payments, and your out-of-pocket costs for visions care, etc.

According to IRS regulations, if eligible expenses that you incur during the calendar year are less than your elected annual amount of flex dollars for that year, you may roll over the balance, up to $500, to the following year.

GROUP LIFE INSURANCE

The City of Hartford provides life insurance through the Wisconsin Retirement System in the amount of annual salary rounded to the next highest even thousand. Contact the Finance Department to purchase additional coverage for spouse and dependents which are available at employee cost.

LONG-TERM DISABILITY

The City provides a group income continuation insurance plan for all employees participating in the Wisconsin Retirement System. Coverage provides, at employer cost, 75% of average monthly earnings, subject to a 180 day waiting period. Any additional premiums for elimination periods of less than 180 days are paid by the employee. Employees should use all earned vacation, floating holiday, and sick leave (PTO) prior to the end of any elimination period.

RETIREMENT PLAN

The City of Hartford provides a retirement pension through the Wisconsin Retirement System. The employer and employee contribution percentages are published annually by the Wisconsin Retirement System.

WORKERS' COMPENSATION BENEFITS

The City of Hartford is covered under statutory state Workers' Compensation Laws. Should you sustain a work-related injury, you must immediately notify your department supervisor. In the case of an emergency, you should go to the nearest hospital emergency room for treatment.

ON THE JOB

ATTENDANCE, PUNCTUALITY AND DEPENDABILITY

Because the City of Hartford depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify his/her supervisor as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

DRUG & ALCOHOL ABUSE

Manufacture, distribution, dispensation, possession, or use of any illegal drug, alcohol, or controlled substance while on City premises is strictly prohibited. These activities constitute serious violations of City rules, jeopardize the City and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, the City of Hartford reserves the right to require an employee to undergo a medical evaluation under appropriate circumstances.

The City of Hartford has an established drug-free awareness program that is available from the Administration Department which informs employees about the dangers of drug abuse in the workplace, the City of Hartford’s policy of maintaining a drug-free workplace, and the City’s Employee Assistance Program.

The City is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at our work sites. The purpose of this program is to improve job safety on all projects. This program is designed solely for the benefit of our employees to provide reasonable safety on the job and protection from offending individuals. In addition, this program attempts to meet our responsibility to the public, whom we serve.

Drugs and alcohol tests will be administered under the following conditions:

- when an employee shows signs of impairment on the job;
- after any accident or occurrence that results in an injury on the job as defined by the Occupational Safety and Health Administration;
- after any vehicular accident when it appears that the employee might reasonably have avoided the accident or minimized the consequences, but did not do so; and
- at hiring time, when all new hires will be required to pass a preemployment drug-screening test as a condition of employment.

Employees who refuse to submit to drug and alcohol testing will be terminated.

Progressive Discipline:

- First-time offenders who test or screen positive shall be suspended for at least one calendar month (four work weeks) without pay. During that time, the employee is expected to examine his or her continued working relationship with the City and seek appropriate rehabilitative assistance.
- At the end of the suspension and before returning to work, the employee must be retested with negative results. Failure to test negative at this point will result in termination.
- Employees who test positive for the first time and complete their period of suspension, rehabilitation (if required), and subsequent negative testing shall be offered an opportunity to return to work as an at-will employee. These employees will be subject to unscheduled completion of this two-year probation period, the basic provision of the employee testing program will still apply.
- Second-time offenders and/or those subject to unscheduled random retesting who test positive will be discharged.

  Commercial Driver's License holders and transit workers should refer to the City of Hartford Substance Free Workplace Policy for prohibited conduct and a range of consequences for drug and alcohol-related offenses.

  Discipline within the police and fire departments will be in accordance with state statute and departmental rules and regulations, and shall be overseen by the Police and Fire Commission.

REPORTING OF DRUG CONVICTION

Pursuant to the Drug Free Workplace Act of 1988, any employee who is convicted of any violation of a criminal drug statute occurring while on or off duty must notify the City of said conviction on or before the start of the next scheduled shift after the conviction. Failure to provide such notification will subject the employee to disciplinary action.

When the Federal government requires a City to notify the Federal contracting office of an employee's drug conviction in the workplace, the City of Hartford will provide such notification to the contracting office within ten (10) days of receiving notice of conviction.

PRESCRIPTION MEDICATION

The burden falls on each employee to make sure they come to work completely fit for duty capable of performing all job duties safely for the protection of themselves and others. Employees are to notify their Department Head immediately, and no later than the first day after which the employee began using a prescription drug, when taking any medication which could potentially interfere with the safe and effective performance of their duties or operation of City equipment. Said information will be kept in complete confidentiality as expressed in HIPAA laws.

SMOKING POLICY

All employees have the right to a healthy, comfortable, and productive work environment. In keeping with this commitment, the City prohibits smoking or vaping or the use of a vaporizer in its buildings, on certain City owned properties and in City owned vehicles by employees unless doing so in specifically designated secluded areas. When not in a designated area or performing a specific work-related task and wearing clothing or operating machinery identifying the individual as a City employee, all effort should be made to ensure that when smoking or using other smoking materials, to do so in a place that is out of the public view.

This policy is in conformance with State Statutes 101.123. The policy is intended to promote the health and safety of all individuals who work in or visit City indoor and outdoor facilities.

EMPLOYEE ASSISTANCE PROGRAM ("EAP")

The City of Hartford offers a voluntary and professional service that provides information, counseling, and referral services to all full-time and part-time employees and their dependents who may be experiencing personal stress in their lives.

The Aurora Employee Assistance Program is currently contracted to provide this confidential service. A counselor can be reached at 1-800-236-3231.

The EAP provides the following services without cost to employees:

Supervisory and management training sessions
3 assessment/referral interviews
Unlimited telephone consultations
One workshop presentation
Brief information/articles of interest to all employees
Referral services to community resources

APPEARANCE AND CONDUCT

The City of Hartford expects employees to maintain a neat, well-groomed appearance at all times. Employees should avoid extremes in dress.

The City requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations of the City require that employees maintain proper standards of conduct at all times.

Employees who fail to maintain proper standards of conduct toward their work, their co-workers or the City's customers, or who violate any of the City's policies, are subject to appropriate disciplinary action, up to and including discharge.

All instances of misconduct by non-police department employees should be referred to the Administration Department immediately.

Police department employees who have committed alleged acts of misconduct will be referred to the Chief of Police for investigation.

ANTI-NEPOTISM POLICY

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

(i) Create a supervisor/subordinate relationship with a family member;

(ii) Have the potential for creating an adverse impact on work performance; or

(iii) Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, grandparent, grandchild, members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within the City to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, the City will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the City will decide in its sole discretion who will remain employed.

ROMANTIC RELATIONSHIPS

If a romantic relationship between a supervisor/manager and an employee supervised or managed by that supervisor/manager should develop, it shall be the responsibility of the supervisor/manager to promptly disclose the existence of the relationship to the Administration Department. The employee and supervisor/manager will not thereafter be permitted to work together on City business (including City business pending at the time disclosure of the relationship is made), and the supervisor/manager must withdraw from participation in any activities or decisions that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship.

Any person who believes he/she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his/her views about the matter known to the Administration Department. The Administration Department shall take all necessary steps to prevent the relationship from adversely affecting other employees and the business of the City of Hartford.

This policy shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

VIOLENCE IN THE WORKPLACE

The City strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor. All complaints will be fully investigated by the Administration Department and may be referred to the Police Department for criminal charges.

The City of Hartford will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including immediate discharge.

ACCIDENTS AND EMERGENCIES

Maintaining a safe work environment requires the continuous cooperation of all employees. The City strongly encourages employees to communicate with fellow employees and their supervisor regarding safety issues.

All employees will be provided care, first aid and emergency service, as required, for injuries or illnesses while on the City of Hartford premises. Employees should contact their supervisor, the nearest supervisor, and/or 911 in the event of an accident or emergency.

If an employee is injured on the job, the City provides coverage and protection in accordance with the Worker's Compensation Law. When an injury is sustained while at work, it must be reported immediately to the employee's supervisor, who in turn will notify the City Clerk’s Department of the incident.

Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

INTERNAL COMPLAINT PROCEDURES

To foster sound employee-employer relations through communication and reconciliation of work-related problems, the City of Hartford provides employees with an established procedure for expressing employment related concerns.

In situations where employees feel a complaint is in order, the following steps should be taken:

If an employee believes that he/she has a legitimate work-related complaint, the employee is encouraged to first attempt to resolve the issue(s) through discussions with his/her immediate supervisor.

If the situation is not resolved within five working days from the time the complaint is discussed with the employee's immediate supervisor, barring extenuating circumstances, it should be brought to the attention of the next level supervisor or the Administration Department with written documentation. The

City will attempt to resolve the complaint within a reasonable period of time while preserving the confidentiality and privacy of those involved to the extent feasible.

Departmental grievances within the police department will be dealt with via the procedures outlined in the existing labor agreement.

SOLICITATIONS, DISTRIBUTIONS, AND USE OF BULLETIN BOARDS

Employees may not solicit any other employee during working time, nor may employees distribute literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

Persons not employed by the City of Hartford may not solicit City employees for any purposes on City of Hartford premises.

Employee Bulletin boards maintained by the City of Hartford are to be used only for posting or distributing material of the following nature:

- notices containing matters directly concerning City business;
- announcements of a business nature which are equally applicable and of interest to employees.

Community bulletin boards, meant to get public information out to all residents not just employees, will be maintained and monitored by staff.

All posted material for Employee boards must have authorization from the Administration Department. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the employee bulletin boards unless approved

EMPLOYEE CONCEALED CARRY POLICY The purpose of this Concealed Carry Policy is to provide for the implementation of 2011 Wisconsin Act 35, Wisconsin's Concealed Carry Law. This policy shall be effective and apply to all City of Hartford employees except sworn law enforcement officers of the Hartford Police Department.

A City of Hartford employee may carry a concealed weapon in the course of employment if the employee holds a valid license to carry a concealed weapon (CCW) issued by the Wisconsin Department of Justice (DOJ), or (b) if an employee is a bona fide resident of another state, and who holds a CCW from the employee's state of residence, if DOJ has granted reciprocity to CCW licensees of the employee's state of residence.

A. Employees may carry a concealed weapon on their person while operating a vehicle owned by the City of Hartford or any of its departments.

B. No employee may carry a concealed weapon under this policy, in the course of employment, unless the employee has notified the employee's supervisor in writing that the employee holds a CCW license and intends to carry the weapon in the course of employment. The Supervisor shall acknowledge the notice in writing and provide the employee with a copy of this City of Hartford Employee Concealed Carry Policy. A copy of the employee notice and the supervisor's acknowledgement shall be forwarded to the Administration Department for filing in the employee's personnel file. An employee whose license is suspended, or who is otherwise prohibited by a court from carrying a weapon, shall immediately notify the employee's supervisor of that fact, in writing.

C. Nothing in this policy shall be interpreted or applied as waiving the right of the City of Hartford to prohibit any individual employee from carrying a concealed weapon in the course of employment, whether permanently or temporarily, whether for cause or for any non-discriminatory reason.

D. Nothing in this policy shall be interpreted or applied as an acknowledgement that any employee carrying a concealed weapon in the course of employment (other than sworn Hartford Police Officers) are acting in the scope of his or her employment.

E. Employees exercising their right to carry a concealed weapon are expected to maintain efficient work performance without interruption or interference.

Prohibited Areas:

Department heads and supervisors shall make reasonable accommodation for employees choosing to carry concealed weapons during work hours, including the opportunity for employees to secure concealed weapons in personal vehicles per Section V. (C.) in the event the employee is required to work in a site where concealed weapons are banned. Nothing in Section III of this policy shall be interpreted or applied to allow an employee who holds a CCW license to carry a concealed weapon in any building or area where doing so is posted as prohibited in accordance with Act 35, whether public or private, and whether owned by the City of Hartford or any person. Nothing in this policy shall be interpreted to authorize any employee to carry a concealed weapon in any area proscribed by Wis. Stats. § 175.60 (16). This policy does not enable any employee to carry a concealed weapon in the course of employment in any private vehicle or on private property owned by another person over the objections of the owner. Wis. Stat. § 175.60(16)(a)1 prohibits the carrying of a concealed weapon in any portion of a building that is utilized by the Hartford Police Department as a police station and the Common Council chambers when Municipal Court is in session.

Storage of Concealed Carry Weapons:

It is the sole responsibility of the employee to maintain control of the employee's concealed weapon and ammunition (if any) at all times.

A. An employee who chooses to carry a concealed weapon during the course of employment shall have the weapon concealed and on the employee's person, carried in a holster or other appropriate carrying device, at all times, unless lawfully using the weapon.

B. An employee who chooses to carry a concealed weapon may not store that weapon in any fashion in a vehicle owned by the City of Hartford or any of its departments.

C. An employee who stores a concealed weapon in a vehicle owned by the employee in a parking lot owned or controlled by the City of Hartford during the course of employment must place the weapon out of plain view from the exterior of the vehicle.

D. An employee who chooses to carry a concealed weapon may not store that weapon in any building owned by the City of Hartford or any of its departments.

E. The City of Hartford will not provide secure storage for weapons or otherwise retain weapons belonging to employees.

F. The City of Hartford maintains the right to inspect all municipal property including municipal vehicles, lockers, desks, and toolboxes in connection with the enforcement of this policy.

Threatening or Violent Behavior in the Workplace:

The mere carrying of a concealed weapon shall not be interpreted as a violent, threatening or intimidating act on the part of the employee. Nothing in this policy shall be construed to support or permit violent, threatening or intimidating behaviors related to the possession of a concealed weapon. Any employee engaging in behavior that is threatening or intimidating may be subject to discipline (see Section VIII). This behavior may include openly discussing or making comments regarding carrying, possessing, or transporting firearms or other deadly weapons which can be interpreted as threats or acts of intimidation, regardless of whether the employee is licensed to carry a weapon.

Notice of Prohibition for Specific Hearings:

When sending notice for depositions, disciplinary hearings or other potentially contentious hearings as determined by the Mayor and conducted at City of Hartford facilities, the following language or similar language may be included in the notice:

"In order to preserve the decorum of the hearing, no weapons of any kind will be allowed in the hearing room. You, and any person accompanying you, must either not bring a weapon to the building, or be prepared to store the weapon outside the building in a secure manner. The City of Hartford will not store the weapon for you."

Penalties for Violation:

Conduct in violation of this policy is punishable by discipline, up to and including discharge. Violations of this policy which also constitute a criminal act may be referred to the Hartford Police Department.

E-MAIL AND INTERNET POLICY

Refer to Electronic Communication & Information Systems Policy attached.

Email and internet usage policies within the police department are determined by the Chief of Police.

EMPLOYER INFORMATION AND PROPERTY

The protection of the City's business information, property and all other assets are vital to the interests and success of the City. No City related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of the City) may, therefore, be removed from City premises. In addition, when an employee leaves City employment, the employee must return all City related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including discharge.

CELL PHONE POLICY

The City of Hartford acknowledges that occasional use of personal or City-provided cell phones may be necessary, whether for work or for personal reasons (i.e., family emergencies). The purpose of this policy is to address safety issues related to the use of cell phones when driving a City vehicle or when driving personal vehicles for City work, and to ensure that City employees do not neglect their work duties. This policy applies to cell phone use in any City vehicle or on any City property.

1. DEFINITIONS

Use: Use is defined as talking or listening on a cell phone, checking, writing, or reading emails, viewing social networking sites, accessing apps or Internet websites, playing video games, and writing, sending or reading text messages.

Cell Phone: A cell phone is defined as any mobile device where phone calls can be made or received; this includes any type or brand of phone, Blackberries and PDAs.

Personal Use: Personal use is defined as any use not directly related to the City of Hartford, or the duties and/or responsibilities of the employee in accordance with his/her employment with the City. Also, any prolonged use that will impede the employee from doing his/her job.

2. POLICY

Personal cell phones may be used for emergency situations or used during approved break and lunch periods. If personal cell calls are necessary, the number and length of calls should be kept to a minimum. Also, any personal calls taken or sent using City-owned cell phones should be done with the understanding that any information transferred in that call or text can become public record.

Use of a cell phone while operating a motor vehicle that is in motion, unless the cell phone is equipped and used with a hands-free device, is prohibited subject to the following exceptions:

- A call made in an emergency, such as a call to “911” or a similar emergency number.
- Employees may receive and respond to cell phone calls while driving with the understanding that driving safely and obeying the rules of the road is their primary responsibility. Whenever possible, employees should pull to the side of the road for any call.

Text messaging while driving is absolutely prohibited and against State Law. Writing, reading, or viewing messages is prohibited while driving City-owned vehicles or equipment.

The City reserves the right to review and inspect any and all calling messages and all associated information, texts, emails, apps or websites that are accessed or viewed, created, or sent on City-owned phones.

Any employee who violates the policy shall be subject to discipline at the discretion of the Department Head, up to and including termination of the employee.

Employees may not use cell phones or other devices to publish or post pictures or information regarding City business without proper authorization from their Department Head.

Anyone who is approved to be reimbursed for their use of a personal cell phone for City use is allowed to be reimbursed up to $30 per month unless a higher amount is approved by City Council. Any request for reimbursement needs to be accompanied by a detailed billing statement. It should also be understood that reimbursement for City use of a personal phone is considered as an employee benefit via IRS standards and will be taxed as such.

Public Records: It should be understood that as a City-owned phone or as a personally owned phone reimbursed with City funds, all data records received or sent from this phone are considered public record. The request for public records may include the confiscation of said phone. The intentional destruction of those records that does not comply with the City’s retention policy may subject the violator to disciplinary action.

An employee’s misuse of City services, telephones, vehicles, equipment or supplies may result in disciplinary action, up to and including termination.

VOICE MAIL POLICY

Every City employee is responsible for using the Voice Mail system properly and in accordance with this policy. The Voice Mail system is the property of the City of Hartford. It has been provided by the City for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are City records and property of the City of Hartford. The Voice Mail system is to be used for City of Hartford purposes only. Use of the Voice Mail system for personal purposes is prohibited.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the City’s Voice Mail system.

The City of Hartford, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason without the permission of any employee and without notice.

Even if employees use a password to access the Voice Mail system, the confidentiality of any message stored in, created, received, or sent from the City’s Voice Mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish the City’s rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any

password used by employees must be revealed to the City as Voice Mail messages may need to be accessed by the City in an employee's absence.

Even though the City reserves the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of City management.

The City's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law. The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on City letterhead.

Employees should also use professional and courteous greetings on their Voice Mail boxes to properly represent the City of Hartford to outside callers.

Because Voice Mail records and messages are public records and may be subject to discovery in litigation, City employees are expected to avoid making statements in Voice Mail that would not reflect favorably on the employee or the City if disclosed in litigation or otherwise.

Any employee who discovers misuse of the Voice Mail system should immediately contact the Administration Department. Violations of the City's Voice Mail policy may result in disciplinary action up to and including discharge.

USE OF CITY VEHICLES

Only employees with an unrestricted, current driver's license may operate City vehicles or use a vehicle to conduct City business. City vehicles may only be used for authorized City business. Any employee operating a City vehicle must do so in a safe manner. Any employee operating a City vehicle under the influence of drugs or alcohol or in an unsafe or negligent manner will be immediately terminated. The City has the right to search any City vehicle at any time. Therefore, employees have no reasonable expectation of privacy with respect to City vehicles. Smoking is strictly prohibited in City vehicles. Cell phones may not be operated while operating a City vehicle.

TELEPHONE USE

Because a large percentage of our business is conducted over the phone, it is essential to project a professional telephone manner at all times. Although the City of Hartford realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls. Additionally, no long distance personal calls may be made on City phones.

REFERENCE CHECKS

All inquiries regarding a current or former City of Hartford employee must be referred to the Administration Department. Should an employee receive a written request for a reference, he/she should refer the request to the Administration Department for processing. No City of Hartford employee may issue a reference letter to any current or former employee without the permission of the Administration Department.

Under no circumstances should any City of Hartford employee release any information about any current or former City employee over the telephone. All telephone inquiries regarding any current or former employee of the City must be referred to the Administration Department.

In response to an outside request for information regarding a current or former City of Hartford employee, the Administration Department will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former City employee, or his/her employment with the City, will be furnished unless the employee authorizes the City to furnish this information in a writing that also releases the City of Hartford from liability in connection with the furnishing of this information.

PROTECTIVE CLOTHING

The City shall provide protective clothing it deems necessary. For purpose of illustration, such protective clothing shall include coveralls, insulted overalls, foul weather jacket, plastic rain suit and gloves. Clothing (nonsynthetic material, 100 percent cotton or wool preferred, at least 11 ounces per yard, single thickness) and an electrical safety hat shall be worn when working on or near live parts where the possibility of an electric arc exists. Clothing made of acetate, polyester, nylon or rayon (either alone or in blends) may not be worn unless it has been adequately treated or is worn in such a manner as to eliminate the hazard. Protective clothing shall be worn when required by the City. The purchase and issuance of protective clothing shall be at the discretion of the City, except as noted below. The City shall also provide, at its sole discretion, additional safety equipment such as rubber gloves, rubber sleeves, leather gloves, rubber boots, rubber knee-high boots and a hard hat which shall be worn whenever work conditions, in the determination of the City, shall warrant it. In addition, uniform-type clothing such as a standard shirt with the Hartford logo and a normal outer jacket with a Hartford logo may be provided by the City at its sole discretion and likewise shall be worn whenever, in the opinion of the City, such is warranted. In order to obtain replacements for the above protective clothing, the worn items must be turned in.

CLOTHING ALLOWANCE

Any clothing allowance is subject to federal, state and FICA taxes as benefits of the job.

EQUIPMENT

All new employees shall provide their own professional equipment consisting of no less than a set of climbing hooks, belt and a full set of small hand tools necessary to perform their duties. The City may in its sole discretion pay for replacements as needed, provided that there be no excessive loss or damage.

IDENTIFICATION CARDS

Employees working with the public will be provided picture identification cards which identify them as employees of the City of Hartford if required by the department head.

COMMERCIAL DRIVER'S LICENSE

The City will reimburse employees required to possess a Commercial Driver's License (CDL) for the different between the cost of a regular driver's license and the cost of the original and renewal license and examination fees for CDL and any required endorsements.

TUITION REIMBURSEMENT POLICY

If an employee is a regular, full-time non-union employee and has worked for the City at least one (1) year, he or she may be eligible to participate in the City's tuition reimbursement program, subject to budgetary restrictions. In the event that the City agrees to support an employee's academic efforts, and believes that the employee's general job performance warrants such belief, the City of Hartford will partially reimburse the employee for tuition for certain courses that it believes are job-related. Eligible courses must be directly and substantially related to an employee's improving productivity in his or her current job. The amount an employee receives will depend on budget availability, City approval, and the grade received.

To receive tuition reimbursement, an employee must apply and be approved before the course begins. This is how the program works:

1. Complete a Tuition Reimbursement Form (Attachment).
2. If the City of Hartford approves the form, return the signed form to the Administration Department.
3. The employee pays the initial course fees.
4. Once the employee receives his or her grades, the employee should attach the tuition bill and the final grades to a copy of the initial Tuition Reimbursement Form and send them to the Administration Department.
5. Within thirty (30) days, the employee will receive a reimbursement. For 90 percent reimbursement, the employee must receive a grade of "A" or points in the range of 4.0-3.5. Reimbursement of 70 percent is offered for a "B" (3.4-3.0). Fifty perfect of the costs of the program is reimbursed for a "C" (2.5-2.9/pass). No reimbursement is provided for a grade below 2.5.

If an employee resigns or is terminated before receiving a grade, the employee will not be reimbursed for tuition expenses. If an employee resigns or is terminated within twelve (12) months after receiving reimbursement, the employee must repay the City in full.

Tuition reimbursement within the police department is controlled by existing labor agreements, and administered by the Chief of Police.

LEAVING CITY EMPLOYMENT

RESIGNATION

When an employee decides to leave for any reason, his/her supervisor and the Administration Department would like the opportunity to discuss the resignation before final action is taken. After full consideration, if the employee decides to leave, it is requested that the employee provide the City with a written two-week advance notice period (bear in mind that vacation days or personal days may not be included in the two-week notice period). The City will only compensate employees for unused PTO when the employee works throughout the notice period, and is not terminated for gross misconduct or cause; otherwise, unused PTO will be forfeited. If, as sometimes happens, the employee's supervisor wishes for the employee to leave prior to the end of the employee's two-weeks' notice, the employee may be paid for the remainder of that period.

DISMISSALS

Every City employee has the status of "employee-at-will," meaning that no one has a contractual right, express or implied, to remain in the City's employ. The City of Hartford may terminate an employee's employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of the City (except the Common Council, Mayor, and City Administrator) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

Any employee whose conduct, actions or performance violates or conflicts with City policies may be terminated immediately and without warning. The following are some examples of grounds for immediate dismissal of an employee:

- Breach of trust or dishonesty
- Conviction of a felony
- Willful violation of an established policy or rule

- Falsification of City records
- Gross negligence
- Insubordination
- Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
- Time card violation
- Undue and unauthorized absence from duty during regularly scheduled work hours
- Deliberate non-performance of work
- Larceny or unauthorized possession of, or the use of, property belonging to any co-worker, visitor, or customer of the City of Hartford
- Possession of dangerous weapons on the premises
- Unauthorized possession, use or copying of any records that are the property of the City
- Unauthorized posting or removal of notices from bulletin boards
- Excessive absenteeism or lateness.
- Marring, defacing or other willful destruction of any supplies, equipment or property of the City
- Failure to call or directly contact your supervisor when you will be late or absent from work
- Fighting or serious breach of acceptable behavior
- Violation of the Alcohol or Drug Policy
- Theft
- Violation of the City's Conflict of Interest/Outside Employment Policy
- and/or Confidentiality Policy
- Gambling, conducting games of chance or possession of such devices on the premises or during work hours
- Leaving the work premises without authorization during work hours.
- Sleeping on duty

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the City of Hartford. In the event of dismissal for misconduct, all benefits end at the end of the month.

All employees are expected to meet the City's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with the City's policies and procedures. If an employee does not meet these standards, the City may, under appropriate circumstances, take corrective action, other than immediate dismissal. The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the City's policies and procedures and/or other disciplinary problems.

Sworn and Non-sworn employees of the Hartford Police Department will follow the disciplinary process established by the Chief of Police and overseen by the Police & Fire Commission.

WRITTEN WARNINGS

The supervisor should discuss the problem and present a written warning to the employee in the presence of an Administration Department representative. This should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and include any additional comments of his/her own before signing it. A record of the discussion and the employee's comments should be placed in the employee file in the Administration Department.

Exit Interview

The Administration Department is responsible for scheduling an exit interview with a terminating employee on the employee's last day of employment and for arranging the return of City property including:

Picture Identification Card

Office keys

City-issued credit cards

City manuals

Any additional City-owned or issued property

Employees may choose the continuation or waiver of comprehensive medical coverage and dental coverage under COBRA. Specific information will be provided at the exit interview.

Benefits

Medical and dental benefits end at the last day of the month in which your last day of employment falls. An employee, unless dismissed for gross misconduct, has the option to continue Medical/Dental Benefits in accordance with the COBRA regulations.

In the event of a separation agreement, the terms and conditions of that arrangement will prevail in all regards specified within the agreement.

Final Paycheck

Employees leaving the City must return office keys, corporate credit cards, etc., before their final paycheck can be issued. This final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the City, the final paycheck will reflect the appropriate deductions.

AMERICANS WITH DISABILITIES ACT (ADA)

EMPLOYEE ACCOMMODATION REQUEST

Protection is afforded under the ADA to a qualified individual with a disability, who can perform the essential functions of the position, *with or without reasonable accommodation*. "Disability" is defined as a) a physical or mental impairment that substantially limits one or more of the major life activities of the individual; b) the individual has a record of such impairment; c) the individual is perceived as having impairment.

Instructions: Please complete the form and attach supporting documentation from your physician and a return to work authorization (as appropriate). Submit completed form to your direct supervisor.

Name:		
Address:		
Department:	Position	
Supervisor:		
Telephone Numbers: Work:	Home:	Other:
I. Accommodation Request: Please list accommodations requested and reason for request:		
Signature:	Date:	

AMERICANS WITH DISABILITIES ACT (ADA)
RESPONSE TO ACCOMMODATION REQUEST

Date:	Department:
1. Accommodation Requested By:	
2. Is this individual covered by ADA? YES NO	
3. Was the requested accommodation approved? YES NO	
If yes, the following accommodations and/or modifications will be implemented:	
Approximate cost of accommodation and/or modification: $	
If the accommodation is denied, list the reasons for the denial*:	
* The Department must consult with the Administration Department prior to a denial of any accommodation request.	
4. Date of action:	
5. Response by individual requesting accommodation:	
Signature:	Date:

Health Insurance Privacy Policy
Participant Authorization Form

Participant Name: _____
Birth Date: _____/_____/____
Social Security Number: _____

Address: _____

_____

Home Telephone Number: _____ E-mail: _____

By signing this authorization form I authorize the person(s) and/or organization(s) described below to use and/or disclose my health information (information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996) in the manner described below. I understand that I am under no obligation to sign this form. The person(s) and/or organization(s) described below who I am authorizing to use and/or disclose my information may not condition treatment, payment, enrollment in a health plan or eligibility for health care benefits on my decision to sign this authorization, except as follows:

A health plan may condition enrollment in the health plan or eligibility for benefits on this authorization if I am not yet enrolled in the health plan, the purpose of this authorization is to allow the health plan to obtain the information it needs to make an eligibility, enrollment, underwriting or risk rating determination and psychotherapy notes are not requested. If I refuse to sign this authorization I may be denied enrollment in the health plan or eligibility for health care benefits.

I have signed this form voluntarily to document my wishes regarding the use and/or disclosure of the health information described below in Section 1 of this form.

1. Description of Health Information I Authorize to be Used or Disclosed. The following is a specific description of the health information I authorize be used and/or disclosed: (Specify and provide a meaningful description.)

_____

_____

2. Organizations Authorized to Use and/or Disclose My Health Information. I authorize the following organization to use and/or disclose the health information described above in Section 1 of this form. (UMR)

_____

_____

3. Person Authorized to Receive and/or Use My Health Information. I authorize the following person to receive my health information from the organization in Section 2 above and to use or disclose such information for the purposes listed below in Section 4 of this form. (Julie Hanrahan)

_____

_____

4. Description of Each Purpose for the Requested Use and/or Disclosure. I authorize my health information to be used and/or disclosed for the following specific purposes:

_____

_____

5. Your Rights with Respect to This Authorization. I understand that I have the right to revoke this authorization at any time. I also understand that my revocation of this authorization must be in writing. I understand that if I agree to sign this authorization, which I am not required to do, I must be provided with a signed copy of it. I understand that the following person(s) and/or organization(s) will be receiving direct or indirect remuneration in connection with the use or disclosure of my health information.

6. Expiration of Authorization. This authorization will expire (choose and complete one):

☐ On _____/_____/_____.
MM / DD / YR

☐ Upon the occurrence of the following event(s) related to my health care or to the purpose(s) for which I have authorized the use and/or disclosure of my health information described in Section 4 of this form:

_____

I, _____ (please print name), have had an opportunity to review and understand the contents of this form. By signing this form, I am confirming that it accurately reflects my wishes.

_____ _____/_____/_____
Participant Signature Date

Health Insurance Privacy Policy
Request for Restrictions on Use and/or
Disclosure of Protected Health Information

Participant Name: _____
Birth Date: ____/_____/____

Address: _____
_____

Home Telephone Number: _____ E-mail: _____

Participant Identification Number and/or Social Security Number: _____
_____

I am requesting a restriction on the City of Hartford's use and/or disclosure of my health information (information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996) in the manner described below. I understand that the City of Hartford may deny this request for any reason. I also understand that if agreed to, the City of Hartford may not be able to honor this request if I require emergency treatment and that the City may remove this restriction in the future, if I am notified in advance.

Description of Restriction of the Health Information to be Used or Disclosed. The following is a description of the specific health information I wish to restrict:

_____

_____

Persons/Organizations Restricted from Use and/or Disclosure of Health Information. I request that the following person(s) and/or organization(s) not be allowed to use, receive and/or disclose the health information described above.

_____

By signing this form, I am confirming that it accurately reflects my wishes.

_____ _____/_____/_____
Signature Date

Health Insurance Privacy Policy

Request for Confidential Communications

Participant Name: _____

Birth Date: ___ /_____/___

Address: _____

_____

Home Telephone Number: _____ E-mail: _____

Participant Identification Number and/or Social Security Number: _____

I am requesting that the City of Hartford communicate with me in the alternative manner and/or location described below regarding my health information (information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996). Such restriction is necessary to prevent a disclosure that could endanger me. I understand that the City of Hartford may deny this request if it imposes an unreasonable administrative burden.

Description of the Health Information that Must be Communicated Confidentially. The following is a description of the specific health information to which this request applies:

_____

_____

Alternative Manner and/or Location. I request that the City of Hartford only communicate with me in the following manner and/or at the location described below:

_____

_____

By signing this form, I am confirming that it accurately reflects my wishes.

_____ _____/_____/_____

Signature Date

Health Insurance Privacy Policy

Request for Access to Protected Health Information

Participant Name: _____

Social Security Number: _____

I hereby request a copy of my health information from the City of Hartford for the following dates: _____.

I request the health information contained in the following records (please check one or more):

☐ enrollment
☐ premium/contribution payment
☐ case or medical management
☐ claims, billing and EOB information relating to the following service or claim: (specify date of service and/or medical condition) _____
_____
☐ customer service
☐ all of the above
☐ other (please specify) _____

I understand that I may access my health information through any of the following methods (please check the desired method):

☐ I prefer to inspect and/or copy the requested information in person and will arrange for a mutually convenient time to come to the Administration Department by calling 262-673-8204.
☐ I prefer to have the requested information copied and mailed to me at the following address: _____.
☐ I prefer to receive a written summary of the requested information, instead of the complete records, for the fee of $_____.

_____ _____ Signature of Requestor Date

Tuition Reimbursement Request

Date: _____ Account to be Charged: _____

Name: _____

Department: _____

Name of School: _____

Start Date of Course: _____ End Date: _____

Reason for Taking Course: _____

Course Title	*Credits*	*Tuition*	*Fees (Books, etc.)**	*TOTAL*

*Detail other fees: _____

Signed: _____** Date: _____
Employee's Signature

Pre-Approval **Reimbursement Approval**

_____ _____
Department Head Department Head

_____ _____
City Administrator City Administrator

**My signature here indicates my desire to have this reimbursement approved, AND my agreement to the repayment schedule in the policy, including deduction from my final pay as necessary.

ELECTRONIC COMMUNICATION & INFORMATION SYSTEMS POLICY

I. *ELECTRONIC COMMUNICATION*

A. PURPOSE

To better serve our citizens and give our workforce the best tools to do their jobs, the Common Council of the City of Hartford (the City) continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, social networks, the Internet, text messaging, and the World Wide Web.

The City encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City should remember that electronic media and services provided by the City are City property and their purpose is to facilitate and support City business. No expectation of privacy in regards to use of the City's electronic communication systems should be anticipated by the employee in any respect related to accessing, transmitting, sorting or communicating information via the system.

This policy cannot lay down rules to cover every possible situation. The purpose of this policy is to express the City's philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the City's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the City. Where the policy notes "unless authorized by the City Administrator", it should be understood that the City Administrator will delegate such authority in most instances to the Information Services Director; consequently, requests should be sent to both individuals for consideration.

1. The following procedures apply to all electronic media and services used by City officers or employees that are:
   a. Accessed on or from City premises on City work time;
   b. Used in a manner that expressly or implicitly states that the individual as acting for or on behalf of the City.
   c. Provided or owned by the City.

2. Organizations affected
   This policy applies to all of the City of Hartford's departments, offices, boards, commissions, committees, City employees and contracted and consulting resources.

B. POLICY

It is the policy of the City to follow this set of procedures for the use of electronic communication media and services.

1. References:

Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats. §947.0125.

C. PROCEDURES

1. Access and Authority
   a. Each Department Head shall determine which employees in their department shall have access to the various media and services, based on business practices and necessity and which shall have authority to communicate on behalf of the City.
   b. The provisions of this Policy shall apply to the use of City-owned/provided equipment from home or other locations off City premises. City-owned equipment (e.g. laptops, cell phones, etc.) may be removed from City premises solely for City work related purposes pursuant to prior authorization from the Department Head.

2. Prohibited Communications
   a. Electronic media cannot be used for knowingly transmitting, retrieving or storing any communication that is:
      i. Personal business on City time (e.g. sports pools, games, shopping, correspondence or other non-business-related items/documents), except as otherwise allowed under #3 below;
      ii. Discriminatory or harassing;
      iii. Obscene as defined in Wis. Stats. § 944.21;
      iv. Defamatory or threatening; or
      v. Engaged in for any purpose that is illegal or contrary to the City's policy or business interests.

   b. For the protection, integrity and security of the City's electronic communications systems, electronic media shall not be used to download or transfer software, unless authorized by the City Administrator. No one covered by this policy shall take, alter, forge, copy, tamper with, disseminate or delete any kind of City electronic media or record without proper authorization.

3. Personal Use
   a. Except as otherwise provided, electronic media and services are provided by the City for employees' business use during City time. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal non-business purposes is permitted as set forth below:
      i. Brief, limited personal use is permitted during the work day; however, personal use should be limited largely to breaks, lunch or immediately before/after work;
      ii. Personal use must not interfere with the productivity of the employee or that of his or her co- workers;
      iii. Personal use does not involve any prohibited activity (see Section I.C.2);
      iv. Personal use does not consume system resources or storage capacity on an ongoing basis;
      v. Personal use does not involve large file transfers or otherwise deplete system resources available for business purposes.
   b. City telephones and cellular phones are to be used for City business during the employee's standard work day. However, brief, limited personal use is permitted during the workd a y . Personal long distance calls are only permitted within the limits of the City's phone service plan. Calls made outside the limits of the City's plan shall be reimbursed to the City.
   c. Employees shall not have any expectation of privacy with respect to personal use of the City's electronic media or services.

4. Access to Employee Communications
   a. Electronic information created or communicated by an employee using e-mail, word processing, utility programs, spreadsheets, voice mail, telephones, internet and bulletin board systems, desktop faxes, text messaging, and similar electronic media may be accessed and monitored by the City. The City reserves and intends to exercise the right, at its discretion, to review, monitor, intercept, access and disclose all messages created, received or sent over its electronic communication systems for any purpose including, but not limited to: cost analysis; resource allocation; optimum technical management of information resources; and detecting use which is in violation of City policies or may constitute illegal activity. Disclosure will not be made except when necessary to enforce the policy, as permitted or required under the law, or for business purposes.
   b. Any such monitoring, intercepting and accessing shall be performed in compliance with federal and state law.

5 Security/Appropriate Use
   a. Except in cases in which explicit authorization has been granted under the authority of the City Administrator, employees are prohibited from engaging in, or attempting to engage in (except for law enforcement pursuant to a court order, search warrant, search warrant exception, exception to the Wisconsin Electronic Surveillance Control Law, or as otherwise permitted by law for official police investigations):
      i. Monitoring or intercepting the files or electronic communications of other employees or third parties;
      ii. Hacking or obtaining access to systems or accounts they are not authorized to use;
      iii. Using other people's log-ins or passwords; and
      iv. Breaching, testing, or monitoring computer or network security measures.
   b. No e-mail or other electronic communications shall be sent that attempt to hide the identity of the sender or represent the sender as someone else.
   c. Electronic media and services shall not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
   d. Anyone obtaining electronic access to materials belonging to other organizations, businesses, companies, municipalities or individuals must respect all copyrights and shall not copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

   e. The unauthorized use or independent installation of non-standard software or data may cause computers and networks to function erratically, improperly, or cause data loss. Therefore, before installing any new software or data, users should seek assistance of the Information Services Department. Users must never install downloaded software to networked storage devices without the assistance and approval of appropriate personnel.

   f. Most of the City's computing facilities automatically check for viruses before files and data which are transferred into the system from external sources are run or otherwise accessed. On computers where virus scanning takes place automatically, the virus scanning software shall not be disabled, modified, uninstalled, or otherwise inactivated. When uncertain as to whether a workstation is capable of detecting viruses automatically, or whether the data has been adequately checked for viruses, the user

shall contact the Information Services Department.

Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be privileged, confidential or exempt from disclosure under applicable law. Such privilege and confidentiality shall be respected.

6. Encryption
Employees shall not assume electronic communications are totally private. Employees with a business need to encrypt messages (e.g. for purposes of safeguarding sensitive or confidential information) shall submit a written request to their supervisor and the City Administrator's office. When authorized to use encryption by their supervisor and the City Administrator's office, employees shall use encryption software supplied to them by the Information Services Department. Employees who use encryption on files stored on a City computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

7. Participation in on-line forums
   a. Messages or information sent on City-provided facilities to one or more individuals via an electronic network (for example: Internet mailing lists, bulletin boards, and on-line services) are statements identifiable and attributable to the City.

   b. The City recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a newsgroup devoted to the technical area.

   c. A connection with the City exists with respect to all communications transmitted with City provided equipment or facilities and any such statements could be imputed legally to the City. Instead, employees should seek to limit their discussion to matters of fact and avoid expressing opinions while using the City's systems or City provided account unless such expression is necessary to fulfill the legitimate objectives of the communication. Communications shall not reveal confidential information or otherwise violate this or other City policies.

   d. Employees must receive authorization from their Department Heads prior to participating in an on-line forum on City equipment or on standard City work time. Employees shall be required to review the provisions of this section before they receive such authorization.

8. Policy Violations

Employees who abuse the privilege of City-facilitated access to electronic media or services risk having the privilege removed for themselves and possibly other employees and are subject to discipline, up to and including termination, and may be subject to civil liability and criminal prosecution.

II. *E-MAIL POLICY*

A. PURPOSE

The City provides certain employees with systems to send and receive electronic mail (e-mail) so they can work more productively. E-mail gives employees a useful way to exchange ideas,

share files, and keep in touch with colleagues, whether they are located in the next room, another City building, or thousands of miles away.

The City's e-mail system is a valuable business asset. The messages sent and received on the e-mail system, like memos, purchase orders, letters, or other documents created by employees in the use of City equipment or during the employee's work hours, are the property of the City and may constitute public records. This policy explains rules governing the appropriate use of e-mail and sets out the City's rights to access messages on the e-mail system. No expectation of privacy in regards to use of the City's e-mail system exists in any respect related to accessing, transmitting, sorting or communicating information via the system.

1. Organizations affected:

This policy applies to all City departments, divisions, offices, boards, commissions, committees, and City employees. It also applies to emails sent to or received from contracted and consulting resources.

B. POLICY

It is the policy of the City to follow this set of procedures for the use of the City's e-mail system.

1. References:

Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats. §19.21; Wis. Stats. §947.0125.

C. PROCEDURES

1. Access to employee e-mail
   a. Employees should not have any expectation of privacy with respect to messages or files sent, received, or stored on the City's e-mail system. E-mail messages and files, like other types of correspondence and City documents, can be accessed and read by authorized employees or authorized individuals outside the City. The City reserves the right to monitor, review, audit, intercept, access and disclose all messages created, received or sent over the e-mail system. Information contained in the e-mail system will only be disclosed to the extent permitted by law, for business purposes, or as needed to enforce the policy. Authorized access to employee e-mail by other employees or outside individuals includes, but is not limited to, the following:
      i. Access by the City Administrator's Office during the course of system maintenance or administration;
      ii. Access approved by the employee, the employee's supervisor, the City Administrator's office or the City Attorney when there is an urgent business reason to access the employee's mailbox - for example, if an employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business is located in the employee's mailbox;
      iii. Access approved by the employee's supervisor, the City Administrator's office or the City Attorney when there is reason to believe the employee is using e-mail in violation of the City's policies;
      iv. Access approved by the City Administrator's office or the City Attorney in response to the City's receipt of a court order or request from law enforcement officials for disclosure of an employee's e-mail messages.
   b. Except as otherwise noted herein or as authorized by a department head and City

Administrator, e- mail should not be used to communicate sensitive or confidential information Employees should anticipate that an e-mail message might be disclosed to or read by individuals other than the intended recipient(s), since messages can be easily forwarded to other individuals. In addition, while the City endeavors to maintain the reliability of its e-mail system, employees should be aware that a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of e-mail messages.

c. The confidentiality of any message shall not be assumed. Even when a message is deleted, it is still possible to retrieve and read that message.
d. Employees should understand that electronic mail is a written form of communication, just like a paper letter. Though electronic mail is relatively spontaneous compared with regular mail, employees should take care to use the same level of discretion and forethought before executing electronic messages.

2. Passwords

Each user accesses the e-mail system by means of a personal login name and password, which will be selected by the employee per established guidelines.

a. Passwords are intended to keep unauthorized individuals from accessing messages stored on the system. From a systems perspective and from the perspective of an e-mail recipient, passwords also establish the identity of the person sending an e-mail message. The failure to keep passwords confidential can allow unauthorized individuals to read, modify, or delete e-mail messages; circulate e-mail forgeries; and download or manipulate files on other systems.
b. The practice of using passwords is not cause for employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality. (See "Access to Employee E-mail").
c. Passwords shall not be given out over the phone, included in e-mail messages, posted, or kept within public view.
d. Employees are prohibited from disclosing their password, or those of any other employee, to anyone who is not an employee of the City. Employees also should not disclose their password to other employees, except when required by an urgent business matter (see Section II C. 1. a. ii. of this policy).

3. Personal Use

a. The City allows limited, occasional, or incidental personal use of its e-mail system during lunch, breaks or immediately before or after work, subject to the following conditions and restrictions:
b. Personal use must not:
   i. Involve any prohibited activity (see #4 below);
   ii. Interfere with the productivity of the employee or his or her co-workers;
   iii. Consume system resources or storage capacity on an ongoing basis; or
   iv. Involve large file transfers or otherwise deplete system resources available for business purposes.
c. Employees shall have no expectation of privacy with respect to personal e-mail sent or received on the City's e-mail system. Employees should delete personal messages as soon as they are read or replied to. Employees should not store copies of the personal messages they have sent. Because e-mail is not private, employees should avoid sending personal messages that are sensitive or confidential. Employees should not erase or delete any emails where City business or City affairs are referenced. However, the

aforementioned deletion prohibition does not apply to auto archiving.

Personal use on City equipment and the history and logs of that use, residual email trails, and not fully erased or deleted emails that remain on City equipment after use are the City's property and are subject to disclosure to City staff and officials and may be subject to public disclosure pursuant to Wisconsin's Public Records Law. If personal e-mails on a City electronic communications system are determined to be public records they shall not be deleted except upon expiration of the applicable retention period. For such electronic records as public records, the City typically must retain such documents for long as seven (7) years.

4. Prohibited Activities
    a. Employees are strictly prohibited from sending e-mail or otherwise using the e-mail system in connection with any of the following activities:
        i. Engaging in personal business or entertainment on City time except as permitted under Section 3 above;
        ii. Engaging in illegal, fraudulent, or malicious activities;
        iii. Engaging in the unlawful use of the e-mail system as set forth in Section 947.0125 of the Wisconsin Statutes (Unlawful use of computerized communication systems);
        iv. Sending or storing offensive, disruptive, obscene, or defamatory material. Materials which are considered offensive include, but are not limited to: any materials which contain sexual implications, racial slurs, or any other comment that offensively addresses someone's age, race, creed, color, sex, ancestry, religious or political beliefs, marital status, national origin or disability;
        v. Annoying or harassing other individuals;
        vi. Using another individual's account or identity without explicit authorization;
        vii. Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
        viii. Accessing, retrieving or reading any e-mail messages sent to other individuals, without prior authorization from the City Administrator's office; or
        ix. Permitting any unauthorized individual to access the City's e-mail system.

5. Confidential Information
    a. All employees are expected and required to protect the City's confidential information. Employees shall not transmit or forward confidential information to outside individuals or companies without the permission of their supervisor and the City Administrator's office. See #7 Encryption.
    b. The City also requires its employees to use e-mail in a way that respects the confidential and proprietary information of others. Employees are prohibited from copying or distributing copyrighted material - for example, software, database files, documentation, or articles using the e-mail system.

6. Record Retention
    a. The same rules which apply to record retention for other City documents apply to e-mail. As a general rule, e-mail is a public record whenever a paper message with the same content would be a public record.
    b. The specific procedures to be followed with respect to the retention of e-mail records is contained in Section III, E-Mail Record Retention Policy.

7. Encryption

Encrypting e-mail messages or attached files sent, stored, or received on the City's e-mail system is prohibited except where explicitly authorized. Employees are prohibited from using or installing any encryption software without prior permission from the City Administrator's office. Employees with a business need to encrypt messages should submit a written request to their supervisor and the City Administrator's office. When authorized to use encryption by their supervisor and the City Administrator's office, employees shall use encryption software supplied to them by the City Administrator's office. Employees who use encryption on e-mail stored on a City computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all the passwords and/or encryption keys necessary to access the e-mail.

8. E-mail Policy Violations

Employees violating the City's e-mail policy are subject to discipline, up to and including termination. Employees using the e-mail system for defamatory, illegal, or fraudulent purposes and employees who break into unauthorized areas of the City's computer system also are subject to civil liability and criminal prosecution.

III. E-MAIL RECORD RETENTION POLICY

A. PURPOSE

The purpose of this policy is to emphasize that certain types of e-mail as defined in Wis. Stats. §19.32(2) are public records. The same rules which apply to record retention and disclosure for other City documents apply to such records.

1. Organizations affected:

This policy applies to all of the City of Hartford's divisions, offices, boards, commissions, committees, employees and contracted and consulting resources.

B. POLICY

It is the policy of the City to follow this set of procedures for e-mail record retention.

1. References:

Wis. Stats. §16.612, 19.21 et. seq., 19.32 and 19.33.

C. PROCEDURES

1. Nature of e-mail records

As a general rule, e-mail is a public record whenever a paper message with the same content would be a public record. See Wis. Stats. §19.32(2) for definition of a record.

2. Components of an e-mail record

The e-mail record is defined to include the message, the identities of the sender and all recipients, the date, and any non-archived attachments to the e-mail message. Any return receipt indicating the message was received by the sender is also considered to be part of the record.

3. Saving and indexing e-mail records

Initially the custodian (that officer, department head, division head, or employee of the City who keeps or is in possession of an e-mail) bears the responsibility for determining whether or not a particular e- mail record is a public record which should be saved and ensuring the record is properly indexed and forwarded for retention as a public record. E-mail which is subject to records retention must be saved and should be indexed so that it is linked to the related records in other media (for example,

paper) so that a complete record can be accessed when needed. E-mail records to be retained shall be archived to an archivable media, network drive or printed out and saved in the appropriate file. Any officer, department head, division head, or employee of the City may request assistance from the Legal Custodian of records (the City Clerk or the Clerk's designee, except that the Chief of Police is Legal Custodian of Police Department records) in determining whether an e-mail is a public record.

4. Responsibilities for e-mail records management
   a. Legal Custodian. E-mail records of a City authority having custody of records shall be maintained by the designated Legal Custodian, pursuant to City policy.
   b. Information Services Manager. If e-mail is maintained in an on-line database, it is the responsibility of the City's network service provider to provide technical support for the Legal Custodian as needed. When equipment is updated, the City Administrator's office shall ensure that the ability to reproduce e-mail in a readable form is maintained. The City Administrator's office shall assure that e-mail programs are properly set up to archive e-mail.

5. Public access to e-mail records

If a Department receives a request for release of an e-mail public record, the Legal Custodian of the record shall determine if it is appropriate for public release, in whole or in part, pursuant to law, consulting the City Attorney, if necessary. As with other records, access to or electronic copies of disclosable records shall be provided as soon as practicable and without delay.

6. Violation

Employees violating this policy are subject to discipline up to and including dismissal. In addition, violations of this policy may be referred for civil or criminal prosecution, where appropriate.

E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES EMPLOYEE NOTICE

As an employee of the City of Hartford (the "City"), I recognize and understand that the City's electronic communication systems are provided for conducting the City's business. However, City policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the City. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the City. I agree not to use pass codes, access a file or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the City Administrator's office.

I am aware that the City reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the City's electronic communications systems at any time. I am aware that the City may exercise these rights with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a login name and password do not guarantee confidentiality, guarantee privacy, or restrict the City's right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil and/or criminal liability.

I acknowledge that I have read and that I understand the City's policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.

_____ _____
Signature of Employee Date

_____ _____
Signature of Supervisor Date