TOWN OF DAYTON RICHLAND COUNTY WI HANDBOOK

Drug And Alcohol Policy

POLICY STATEMENT

The Town of Dayton is a drug free township.

Since the Township of Dayton has only one driver to be tested, his/her name can be placed in a consortium. By being placed in a consortium, his/her name may be picked as a random selection to be tested. Presently this test is done on a quarterly basis.

The Town of Dayton recognizes drug and alcohol as a serious health, safety and productive problem. It is the responsibility of the Town of Dayton to provide our citizens with safe and reliable service.

New employees will be required to pass the drug program as part of their employment with the Town of Dayton.

Note: The drug testing form must go with employee at time of Drug test which is done at the Richland Hospital/Clinic.

Created 11/21/2010; 3/19/2019-updated drug testing company and added form carry information; modified 03/12/25 – Remove membership with Richland County

Health Insurance Policy

Health, Dental, and Term Life Insurance

The town will pay for 95% of the premium with the employee paying 5% of an HSA single coverage policy, that includes health and dental for the patrolman. The town will reserve the right to change the plan percentage at any time.

The town will not pay for a family policy. If an employee wishes to have family coverage, he/she will have to pay the difference of the single to the family coverage.

NOTE: There may be a waiting period for the dental insurance to take effect. Please review your policy for guidelines on effective dates and what is covered for dental care.

Created 2/13/08; modified 03/12/25 – Revise Towns portion

Training, Meetings and Mileage Reimbursement Policy

TRAINING OR MEETINGS.

1.0 Elected officials will receive an annual salary (see annual meeting minute on even years for set salary),. Clerk will receive a monthly wage clerk of $675.00, annual $8,100.00 effective 1/1/2025.

1.1 Elected officials, treasurer and elected or appointed clerks will get reimbursed for expenses and mileage incurred for training.

1.2 Elected officials will receive a per diem of $90.00 based on attended/participated, plus mileage reimbursement at the IRS rate per mile to and from the occurrence for any town related training,.

2.0 Hourly employees will receive their hourly rate plus IRS rate per mile reimbursement if their private vehicle is used.

3.0 The town officials, the town clerk, or treasures cost of training will be paid for by the town. The clerk and the treasure will receive mileage for travel to and from these sessions if their private vehicle is used.

4.0 If training or meeting travel is shared by employees/official, only one person will be reimbursed.

Created 2/15/2008; modified 03/12/25 – Revise salaries and mileage reimbursement

Compensation Time and Pay Policy

1.0 The town will provide the opportunity for hourly employees to select compensation time in lieu of overtime pay when it is necessary to work more than 40 hours per week. The employee has the option of being paid overtime or accumulating up to 50 hours of comp time. Comp time cannot be carried over to the following year and must be paid out 12/31 of the year earned

2.0 In lieu of paying time and a half for overtime the Town of Dayton will give one and a half-hour of compensatory time off for each hour of overtime worked. The comp time may be used during the week it is earned, or it can be used at a later time if there is no necessary work to be done.

3.0 The employee will need to include the amount of compensation time they have earned on their timecard when turned into the town clerk. The town clerk will record this time. Timecards must be provided as documentation for payroll.

4.0 When the employee uses their comp time, he/she will need to write "comp time" and how many hours were used on his timecard. The employee should keep a record of his comp time earned and used so that can be crossed-referenced with the weekly timecard.

5.0 Payroll for hourly employees is provided bi-weekly.

Created 1/14/2008; Rev 3/15/2019 – changed hrs. from 40 to 50; modified 03/12/25 – Added pay out of Compensation Time. Add timecard documentation with payroll, payroll increments

Overtime and Holiday Policy

1.0 Regular paid holidays for employees of the Town of Dayton are as follows:

News Years Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Day following Thanksgiving

Christmas Eve

Christmas Day

2.0 An employee shall be paid the straight time hourly rate for regularly scheduled hours on a holiday.

2.01 The paid holiday will be included as part of the 40 hours worked that week.

2.02 If an employee works on a holiday, they will be paid time and a half for the hours worked in addition to the regular holiday pay.

2.03 When a holiday falls on Sunday, the succeeding Monday will be treated as the holiday.

3.0 Employees will not work on holidays unless the weather requires them to do so. If there is a major storm, they will go out using their own judgement or by request of the Town Chairman. If no major storm is occurring, then it will be up to the Town Chairman or Supervisors to send them out if needed.

4.0 Time and one-half rate. Employees will be paid this rate for work in excess of 40 hours per week. See Compensation Time and Pay Policy.

Created 1/09/1998; modified 03/12/24 – Add holidays

Vacation Policy

The vacation year runs from anniversary date to anniversary date.

1.0 Employees receive 40 hours vacation after their 1st year of employment.

1.1 Employees will receive 80 hours of vacation after their 2nd year of employment, and they will receive 120 hours of vacation after their 8-year of employment. If vacation is not used, it shall be paid out as a separate check.

1.2 If only one patrolman is on the payroll when vacation is used, the patrolman and the town board shall insure that there is a backup person on call during vacation time in case of emergency situations.

1.3 Should the employee get called in while they are on vacation, the work day or days will not count as vacation and the employee will not receive time and ½ and the vacation will added back to the earned benefits.

Created 2/9/2006; Rev 3/15/2019 – converted days to hours & added 3rd week of vacation; modified 03/12/25 – Modify days to hours, added is called out

Funeral Leave Policy

1.0 In the event employees miss work due to the death of a member of their immediate family (see A. below) they will be granted up to 3 days bereavement pay.

1.1 Employees will be granted 1 day's pay for other family members listed under Item B.

A. Immediate family consists of employee's spouse, child, mother, father, brother, sister, registered domestic partner or grandchild.

B. Other family members include father-in-law, mother-in-law, brother-in-law, sister-in-law, son or daughter-in-law, grandmother grandfather or aunts and uncles.

C. Should this happen while the employee is on vacation, the funeral day or days will not count as vacation and the employee will not receive double pay.

Created 2/0/9/2006; modified 03/12/25 – modified eligible family members

Standard Work Hours Policy

SUMMER WORK HOURS.

1.0 The summer work hours are 6:00 A.M. to 4:30 P.M. Monday through Thursday, beginning the first Monday in April. These hours will be in effect until the first Monday in October.

WINTER WORK HOURS.

2.0 The winter work hours, which are 8:00 A.M. to 4:30 P.M. Monday through Friday, will begin the first Monday in October. These hours will be in effect until the first Monday in April.

2.01 Emergency conditions may require road patrolman to work other than these scheduled hours.

2.02 Refer to Compensation and Pay Policy for extra hours worked.

Rev 11/09/2005 – modified winter hours; modified 03/12/25 – modified seasonal hours

Adopted this 12 day of March 2025.
By the Town Board:

Cheryl Dull, Chairman
Kurt Monson, Supervisor
James Lingel, Supervisor

Attested by Town Clerk:
Michele Brown
(Post in 3 places within 30 days of adoption pursuant to s. 60.80, Wis. Stat.)

Resolution #101211

Adopting Employee Grievance Procedure

Whereas s. 66.0509(1m), Wis. Stat. requires local governmental units to adopt an employee grievance procedure;

Whereas the Town of Dayton, Richland County, Wisconsin has thoughtfully considered this requirement and prepared an employee grievance procedure that contains the required elements;

Now, therefore be it resolved, that the town board of the Town of Dayton, Richland County, Wisconsin adopts the attached employee grievance procedure pursuant to s. 66.0509(1m), Wis. Stat.

Adopted this 12 day of October 2011.

By the Town Board:

Richard G Wastlick Chairman
Kurt Monson Supervisor
James Lingel Supervisor

Attested by Town Clerk:
Betty J Havlik
(Post in 3 places within 30 days of adoption pursuant to s. 60.80, Wis. Stat.)

Town of Dayton, Richland County, Wisconsin

Employee Grievance Procedure

Purpose: This grievance procedure is adopted pursuant to s. 66.0509(1m), Wis. Stat, and is intended to provide a timely and orderly review of disputes regarding: a) employee terminations, b) employee discipline, and c) workplace safety.

Note: That employee must discuss any town related grievance or issue with the employee's immediate supervisor prior to filing a formal written grievance in order to informally resolve the issue.

Exempt Employees

The following employees are exempt from this procedure: Elected or appointed town officers, Town of Dayton planning commission, elected or appointed clerk and treasurer.

Definitions for terms used in this document:

"Days": means calendar days.

"Discipline": means any employment action that results in disciplinary suspension without pay, disciplinary reduction in pay or other benefits, disciplinary demotions and terminations. The term "discipline" does not include verbal notices or reminders, written reprimands, performance evaluations, documentation of employee acts and/or omissions in an employment file, non-disciplinary demotions, non-disciplinary adjustments to compensation or benefits, actions taken to address job performance such as establishment of a performance improvement plan or job targets; placing an employee on paid leave pending an internal investigation; or other personnel actions taken by the employer for non-disciplinary reasons.

"Hearing Officer": means the impartial hearing officer required pursuant to s. 66.0509(1m)(d)2, Wis. Stat. The hearing officer selected by the town board is such as: a lawyer, a professional mediator/arbitrator, a retired judge, or other qualified individual. The hearing officer shall not be an employee of the town).

"Termination": means a discharge from employment for rule violations, poor performance, acts detrimental to the employer or other acts of misconduct. The term "termination" does not include: a voluntary quit, completion of seasonal employment, completion of temporary assignment, completion of contract, layoff or failure to be recalled from layoff at the expiration of the recall period; retirement, job abandonment ("no call, no show" or other failure to report to work); or termination of employment due to medical condition, lack of qualification or license, or any other cessation of employment not involving involuntary termination.

"Workplace Safety": means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety.

Process and Timelines:

1. The employee must file a written grievance with the town clerk within 10 days of the termination, discipline or actual or reasonable knowledge of the alleged workplace safety issue. So that an earnest effort can be made to resolve the matter informally, the grievant must discuss the issue with his/her immediate supervisor prior to filing the written grievance. However, in the case of a termination, such a meeting is not required. *Grievance* forms may be obtained from the clerk. The town clerk shall inform the employee's immediate supervisor and the town chair about receipt of the written grievance as soon as practicable.

2. The employee's immediate supervisor will meet with the grievant within 10 days of receipt of the written grievance. The supervisor will provide the grievant with a written response within 10 days of the meeting. A copy of the supervisor's response shall be filed in the clerk's office. If no one has been designated the employee's immediate supervisor, the employee will meet with the town chair who shall then provide the written response.

3. The employee may request an appeal to the hearing officer by filing a written request with the town clerk within 10 days of receiving the written response. The town clerk shall notify the town chair and employee's supervisor about the filing of the request for a hearing as soon as practicable. The town will work with the hearing officer and grievant to schedule a mutually agreeable hearing date.

4. The hearing officer shall provide the employee and employee's supervisor with a written decision no later than 30 days after the hearing date. The hearing officer shall also provide the town clerk with a copy of the decision for filing in the clerk's office.

5. The non-prevailing party may file a written request with the town clerk for an appeal to the town board within 10 days of receipt of the hearing officer's decision. The clerk shall notify the town chair about the request as soon as possible. The town board shall decide the matter and issue a written decision within 45 days of the filing of the appeal. The town board may sustain, deny or modify the recommendation of the impartial hearing officer. The decision of the town board shall be final and binding. A copy of the board's decision shall be provided to the employee and filed in the town clerk's office.

6. All timelines may be extended by mutual written agreement of the town board and employee. Without such agreement, a failure of the employee to adhere to any of the specified timelines shall preclude any further consideration of the grievance.

7. If the last day on which an event is to occur is a Saturday, Sunday, or legal holiday, the time limit is extended to the next day which is not a Saturday, Sunday or legal holiday. A grievance or request for an appeal is considered timely if received by the town clerk during normal business hours or if postmarked by 11:59 p.m. on the due date.

8. If the grievance is not answered within the time limits, at any stage, the employee may proceed to the next available step within 7 days.

9. The grievant and town board may mutually agree in writing to waive a step or multiple steps within the procedure.

10. Granting the requested or agreed upon remedy resolves the grievance.

Grievance Requirements:

The written grievance must contain:

1. A statement of the pertinent facts surrounding the nature of the grievance.
2. The date the incident occurred or the date the alleged workplace safety concern was discovered.
3. The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion.
4. The specific remedy requested; and
5. A description of the workplace safety rule alleged to have been violated, if applicable.

Supervisor's Response:

The supervisor's written response to the employee's written grievance must contain:

1. A statement of the date the meeting between the employee and supervisor was held.
2. A decision as to whether the grievance is sustained or denied.

Procedure Before the Hearing Officer: The hearing officer shall define the issues, identifying areas of agreement and identifying the issues in dispute and hear evidence and arguments. The hearing officer will determine whether the town acted in an arbitrary and capricious manner. A decision will not have been arbitrary or capricious if it was made in the best interest of the town. In all cases, the grievant shall have the burden of proof to support the grievance. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be strictly followed. However, no factual findings may be based solely on hearsay evidence.

The hearing officer may require the employee and town to submit materials related to the grievance and witness lists in advance of the hearing in order to expedite the hearing. The hearing officer shall sustain or deny the decision of the employee's supervisor. The hearing officer is not given authority to modify the decision made by the employee's supervisor. The bearing officer is not given authority to grant in whole or in part the specific request of the grievant. Within 30 days after the hearing, the hearing officer will issue a decision in writing indicating the findings and reasons for the decision.

If the hearing officer's decision on any grievance is appealed, only the issues raised in the hearing may be appealed. Issues are not subject to modification in the appeal process.

Hearing Officer's Decision:

The hearing officer's written decision must contain:

1. A statement of pertinent facts surrounding the nature of the grievance.
2. A decision as to whether the grievance is sustained or denied, with the rationale for the decision.
3. A statement outlining the timeline to appeal the decision.

Representation: Both the employee and the town may be assisted by a representative of their own choosing in person or by teleconference at any point during the grievance process.

Consolidation: The employee's immediate supervisor and/or the hearing officer may consolidate grievances where a reasonable basis for consolidation exists.

If more than one employee is grieving the same issue or circumstance, a single grievance form may be used. A group grievance must be signed by all grieving employees and must indicate that it is a group grievance at the first step in the grievance process.

Costs: Any expense incurred by an employee in investigating, preparing, or presenting a grievance shall be the sole responsibility of the employee. Each party (employee and employer) shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees. The fees of the impartial hearing officer shall be divided equally between the parties with the employee(s) paying half and the employer paying the other half. The fees of the hearing officer will be determined at the time of the hearing by the Town Board.

Created 10/12/2011, Res 101211; modified 03/12/25 – Updated definitions

Town of Dayton, Richland County Employee Grievance Form

Employee Name: _____

Job Title: _____

Employee Contact Information: (provide phone numbers, mailing address, etc.)

_____

Grievance Level (check one):

☐ (Step 1) Meeting with Immediate Supervisor

☐ (Step 2) Request for Impartial Hearing

☐ (Step 3) Appeal to Town Board

_____

<u>This section to be completed for Step 1 only:</u> Describe the grievance: state all relevant facts, including time, place of incident being grieved, names of persons involved, steps taken to informally resolve the grievance, etc. Attach additional sheets if needed.

☐ Additional sheets attached

_____

Describe relief sought:

_____ _____.

Employee's Signature Date Submitted

_____

Adopted this 3/12/2025

By the Town Board
Cheryl Dull, Chairman
Kurt Monson, Supervisor
James Lingel, Supervisor

Attested by Town Clerk: Michele Brown
(Post in 3 places within 30 days of adoption pursuant to s. 60.80, Wis. Stat.)
Created 10/12/2011; modified 03/12/2024 – moved Road Patrolman job description to Job Description Manual, combined to one document;