

The logo for Cedarburg School District features a black rectangular background on the left and an orange triangular background on the right, separated by a white diagonal line. The word "Cedarburg" is written in white serif font on the black background.

Cedarburg

School District

Challenging Students to Achieve Their Goals and Dreams

Support Staff Employee Handbook

Approved by the Cedarburg School Board on: July 20, 2016

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PURPOSE OF THE HANDBOOK

This *Employee Handbook* is intended to provide employees with information regarding policies, procedures, ethics, expectations and standards of the District; however, this *Handbook* is not all-inclusive. This Handbook has been prepared for informational purposes only. None of the statements, policies, procedures, rules, or regulations contained herein constitutes a guarantee of any other rights or benefits, or a contract of employment, expressed or implied. Copies of Board Policies and Administrative Regulations are available on the District website at www.cedarburg.k12.wi.us. It is important that each employee is aware of the policies and procedures related to his/her position. The rights and obligations of all employees are governed by all applicable laws and regulations, including, but not limited by enumeration to the following: Federal laws and regulations, the laws of the State of Wisconsin, Wisconsin State Administrative Code and the policies of the Cedarburg Board of Education.

The District reserves the right to modify, revoke, suspend, terminate or change any or all such plans, policies or procedures, in whole or in part, at any time with or without notice. Employees will be notified of any substantive changes to the Handbook, typically as an overview at the start of the school year. If substantive changes are made during the year, employees will be notified as soon as practicable thereafter.

The District also retains the right to exercise all managerial and administrative functions, responsibilities and prerogatives including, but not limited to, the right to exercise its judgment to establish and administer the policies and benefits outlined in this Employee Handbook, to direct and discipline its employees, and to take whatever act it deems appropriate and in the best interests of the District.

This *Employee Handbook* shall become effective immediately upon adoption by the Board and shall remain in full force and effect at all times. This *Employee Handbook* is subservient to, and does not supersede the provisions set forth in District policies.

Eligible Employees: This *Handbook* is provided as a reference document for the Cedarburg School District's (hereinafter referred to as "District") "Support Staff" (hereinafter referred to as "Support Staff" or "Staff" or "Employees") which includes aides, custodians, maintenance staff, para-professionals, secretarial/clerical positions and any position that is considered an "hourly" or classified employee as defined under the Fair Labor Standards Act. The District may, at its discretion, contract out for such services when deemed necessary and appropriate. Employees under this *Handbook* are considered "at-will" and employment is not considered renewing or continuing. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the School District or the employee or as otherwise provided.

- **Full-time 12-month Employees** are defined as employees with an assignment of 8 hours or more per day, 5 days per week, 12 months per year.
- **Full-time School Year Employees** are defined as employees with an assignment of 8 hours or more per day, 5 days per week, who work the approximately 10 months of the school year.
- **Part-time Employees** are defined as employees with an assignment of less than 30 hours per week, most of whom work just during the school year or are seasonal employees. Part-time employees may not, under any circumstance, exceed their assigned work hours unless explicitly authorized to do so in writing by their supervisor. Even with authorization, part-time employees may not work more than 29 hours per week. It is the responsibility of the employee to monitor all hours worked. Working unauthorized hours and/or exceeding the 29 hour weekly limit will result in disciplinary action up to and including termination.

DEFINITIONS & EXPECTATIONS

Absence Reporting: Employees who are unable to report to work shall report absences using the current electronic absence reporting system and/or follow their individual building protocol for absence reporting prior to the start of the school day. Any time spent not working during an employee's scheduled day must be accounted for in the current

absence reporting system using the appropriate reasons. The *Handbook* section on Leaves provides further information. The District monitors attendance and absence patterns. Theft of time and/or improper modification of time worked records will be investigated and will result in disciplinary action up to and including termination. Failure to notify the District of an absence and failure to report to work could result in disciplinary action up to and including termination. Failure to return to work the day following the expiration of an authorized leave of absence may result in termination of employment.

When an employee needs to be absent from school and a substitute is needed, it is the responsibility of the employee to notify the District using the appropriate District software program. If possible, such notification should be made the evening prior to the time of absence, or before 6:00 AM. In the event an employee is not able to access the District's software for recording absences, the employee is responsible for contacting his/her building secretary and supervising Administrator to notify them of the absence prior to the start of the workday.

All custodial staff must report an absence in the following manner:

- A. First shift staff should call the secretary to the Director of Buildings & Grounds (376-6219) between 5:30 AM and 6:00 AM.
- B. Second shift staff should call the head custodian no later than noon.

Accident/Incident Reports: All accidents/incidents occurring on District property, school buses or during the course of school-sponsored activities, including field trips and other away events, are to be reported to the building principal or supervisor immediately. Reports should cover property damage as well as personal injury. A completed accident report form must be submitted within twenty-four (24) hours or the next scheduled District workday. Forms are available in the school offices.

Adherence to Terms, Rules & Policies: Employees are expected to comply with the standards of conduct set out in Board policies, this *Handbook*, administrative regulations, work rules, job descriptions, state law, federal law and any and all guidelines that impose duties, requirements or standards attendant to their status as District employees. Violation of any policies, regulations and guidelines may result in disciplinary action, including termination of employment.

Anti-Retaliation: An employee is protected from retaliation only if the employee brings the alleged unlawful policy, practice, or activity to the attention of the District and provides the District with a reasonable opportunity to investigate and correct the alleged unlawful policy, practice, or activity pursuant to the District's chain of command or complaint policies. The protection described is only available to employees who comply with this requirement. Protection against retaliation does not limit the District from taking disciplinary or other employment action, including termination, against an employee where that discipline or employment action is not based on the employee's filing of a good faith complaint under this policy. The District will not retaliate against an employee who in good faith has made a protest or raised a complaint against some policy, practice, or activity of the District, or of another individual or entity with whom the District has a business relationship, on the basis of a reasonable belief that the policy, practice, or activity is in violation of law or a clear mandate of public policy. The District will not retaliate against an employee who discloses or threatens to disclose to a principal or supervisor or a public body any policy, practice, or activity of the District that the employee reasonably believes is in violation of law or a rule or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment. Nothing herein shall limit or diminish an employee's protections against retaliation for filing a complaint, or participating in an investigation or legal proceeding, if such actions are protected by state and/or federal law.

Attendance: For schools to operate effectively, employees are expected to make every effort to be present for their assigned schedule and work to the best of their abilities to perform all assigned duties and work all scheduled hours. Work schedules are established by the administration. High attendance rates are an expectation of the District. Employees who must be absent, for whatever reason, will communicate the need to be absent with their supervisor as far in advance as possible. Excessive absences, as determined by the administration, will be cause for disciplinary action up to and including immediate termination.

Breaks: Daily Work Breaks are not mandatory or required by law and will be at the discretion of the individual supervisors. No more than two 15-minute breaks shall be allowed. Breaks and meal periods may only be taken during times designated by the employee's principal or supervisor and as further specified in other parts of this *Handbook*. Any deviation from assigned hours must have prior approval from the employee's principal or supervisor.

Cancellation of School: Should inclement weather or other emergency situations require the District to cancel school, a phone call, email, text or other form of electronic communication will be made to a phone number or email account provided by employees as soon as practicable. Staff may also monitor the District's webpage or local television and radio stations. Previously submitted and approved leave days submitted to be off from work on a day that is canceled will be deducted from an employee's available leave balance unless the employee provides verifiable evidence that the reason for the leave was also canceled due to the inclement weather or other emergency.

All Full-time custodial and maintenance personnel are expected to report for work as scheduled. The supervisor may, at his/her discretion, change the hours of work or authorize vacation days as s/he deems appropriate.

For other support staff, cancelled school days are simply unpaid days. Unused vacation days can be used if available. The employee's supervisor may allow the missed time to be made up, preferably within the current pay period, but no later than within two weeks of the canceled days. Such approval is not guaranteed and is at the sole discretion of the supervising administrator. The District shall, at a minimum, make up all days/hours necessary to guarantee the receipt of state aids and/or necessary to meet the minimum annual school year requirements (days and hours) of the State of Wisconsin.

Child Abuse Reporting: Employees under the provisions of this *Handbook* must make the safety of students the top priority and be diligent in recognizing signs of suspected child abuse or neglect. Employees who have reasonable cause to suspect that a child, seen by the employee in the course of professional duties, has been abused or neglected or who has reason to believe that a child, seen by the person in the course of professional duties, has been threatened with abuse or neglect, and that abuse or neglect of the child will occur, shall report the suspected abuse or neglect to the most appropriate professional educator, administrator, counselor, therapist, school nurse, or police liaison officers. A person required to report shall immediately inform, by telephone or personally, the appropriate District administrative personnel and the county department or, of the facts and circumstances contributing to a suspicion of child abuse or neglect or of unborn child abuse or to a belief that abuse or neglect will occur.

Complaint Procedure: If any employee of the District reasonably believes that some policy, practice, or activity of the District is in violation of law, a written complaint must be filed by that employee with the Superintendent. If the complaint is about a practice or activity of the Superintendent, the complaint must be filed with the Board President.

Confidentiality: Pupil information, employees obtain as the result of their employment with the District, is confidential and protected by law unless such information has been designated as pupil directory data as set forth in Board policy 347 and 347R. The law and respect for our students require that student issues are only discussed with employees and parents who need to know the information. In addition to student information, confidentiality is expected in other areas, including employee or District business information. Any requests for District records shall be referred to the appropriate administrator. BOARD POLICY 347, 347R

Conflict of Interest: A conflict of interest is defined as any judgment, action or relationship that may benefit an employee or another party the employee is affiliated with because of the employee's position with the District. Employees are to avoid outside activity that may compete or be in conflict with the best interests of the District. Employees must disclose to their principal or supervisor information of any transaction that may be considered a conflict of interest as soon as they become aware of a potential conflict. No employee may use his or her position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. No employee may negotiate or bid for, or enter into a contract in which the employee has a private pecuniary interest, direct or indirect, if at the same time the employee is authorized or required by law to participate in the employee's capacity as an employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on the employee's part. No employee may, in the employee's capacity as an employee, participate in the making of a contract in which the employee has a

private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the employee's part. See Wis. Stats. § 946.13(1)(a) and (b).

Conformity to Law: If any provision of this *Handbook*, or addendum thereto, is held to be invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any sections, or addendum thereto, should be restrained by such tribunal, the remainder of this agreement shall not be affected thereby.

Cooperation with Investigations: In the event of a District investigation or inquiry, every District employee has an affirmative duty to provide to his/her principal, supervisor(s) or any other District official assigned to investigate all relevant and factual information about matters inquired except as provided in other sections of this *Handbook*. Employees failing to volunteer such information shall receive a directive from an administrator to provide a statement. The employee's failure to comply with the directive may constitute insubordination, a violation that will be grounds for disciplinary action up to and including termination.

Copyright Infringement: A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments are available to staff in both the school and home setting. Infringement on copyrighted material, whether prose, poetry, graphic images, music audiotapes, video or computer-programmed materials, is a serious offense against federal law, a violation of Board policy and contrary to ethical standards required of staff. All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form. Employees are further advised that copyright provisions apply to all forms of digital media. Questions regarding copyright shall be directed to your principal or supervisor. BOARD POLICY CROSS REF.: 771.1

Criminal Record - Obligation to Report: All District employees shall notify his/her principal or supervisor as soon as possible, but no more than three (3) calendar days after any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

- A. crimes involving school property or funds;
- B. crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- C. crimes that occur wholly or in part on school property or at a school-sponsored activity;
- D. a misdemeanor which involves moral turpitude [e.g. an act or behavior that gravely violates moral sentiments or accepted moral standards of the community]; or
- E. a misdemeanor which violates the public trust.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. Failure to report under this section may result in disciplinary action, up to and including termination. Such report shall be made as soon as possible, but in no circumstance more than three calendar days after the event giving rise to the duty to report. The District may conduct criminal history and background checks on its employees. An arrest, indictment or conviction of a crime shall not be an automatic basis for termination. The District shall consider the following factors in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with the District:

- A. the nature of the offense;
- B. the date of the offense;
- C. the relationship between the offense and the position to which the employee is assigned.

Nothing herein shall prohibit the District from placing an employee on administrative leave based upon an arrest, indictment or conviction.

Disaster Preparedness: All employees must be familiar with building procedures in the event of emergency such as fire, tornado, intruders, extruders, etc. When drills are staged, every staff member and student must follow proper procedures.

Discipline: The primary purpose of employee discipline is to correct unacceptable, inappropriate or unsatisfactory conduct. Disciplinary measures are designed to modify and improve the performance and behavior of employees. Discipline measures include verbal warnings, written warnings, suspensions and termination/discharge.

District Property - Use of: The District may supply an employee with equipment or supplies to assist the employee in performing his/her job duties. All employees are expected to show reasonable care for any equipment issued and to take precautions for theft. Employees cannot take District property for personal use or gain. Any equipment, unused supplies, or keys issued must be returned prior to the employee's last day of employment, including, but not limited to: laptops, employee identification badges and the key card for building entry.

Non-Discrimination and Anti-Harassment: The District is committed to providing fair and equal employment opportunities and to providing a professional work environment free of all forms of illegal discrimination, including harassment. The District shall not tolerate harassment of any type. Harassment and other unacceptable activities that could alter conditions of employment, or form a basis for personnel decisions, or interfere with an employee's work performance are specifically prohibited. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is unlawful and also specifically prohibited. In addition, the District shall not tolerate acts of non-employees (volunteers, vendors, visitors, etc.) that have the effect of harassing District employees in the workplace. Harassment can occur as a result of a single incident or a pattern of behavior where the purpose or effect of such behavior is to create an intimidating, hostile, or offensive working environment. Harassment encompasses a broad range of physical and verbal behavior that can include, but is not limited to, the following:

- A. unwelcome sexual advances, comments or innuendos;
- B. physical or verbal abuse;
- C. jokes, insults or slurs directed toward the protected groups set forth above (*Such comments are unacceptable whether or not the individual within the protected class is present in the workplace to overhear them and whether or not a member of a class professes to tolerate such remarks*);
- D. taunting based on personal characteristics described above intended to provoke an employee; and/or
- E. requests for sexual favors used as a condition of employment or affecting any personnel decisions such as hiring, promotion, compensation, etc.

All employees are responsible for ensuring that discrimination and harassment do not occur. It is the intent of the District to comply with both the letter and spirit of the law in making certain illegal discrimination does not exist in its policies, regulations and operations. Anyone who believes that he or she has been the subject of discrimination or harassment or has knowledge of violations of this policy shall report the matter in accordance with established complaint procedures as outlined in Board policy. All reports regarding employee discrimination or harassment shall be taken seriously, treated fairly and promptly and thoroughly investigated. Individual privacy shall be protected to the extent possible. There shall be no retaliation against any person who files a complaint under this policy. The District shall take appropriate and necessary action to eliminate employee discrimination or harassment. Actions that result in discrimination on a basis not related to an employee's job performance or those that are determined to be harassment shall be subject to disciplinary action, up to and including dismissal.

All employees have a duty to report incidents of potential discrimination or alleged harassment to their principal, immediate supervisor or designated District Compliance Officer. Reports of inappropriate conduct should be provided directly to one of the District's Compliance Officers:

Conrad D. Farner

Director of Human Resources

262-376-6106

W68 N611 Evergreen Blvd.
Cedarburg, WI 53012

cfarner@cedarburg.k12.wi.us

Kirstin Rose

Director of Technology & Assessment

262-376-6107

W68 N611 Evergreen Blvd.
Cedarburg, WI 53012

krrose@cedarburg.k12.wi.us

Employees who fail to report incidents of potential discrimination or alleged harassment, as described above, may be subject to disciplinary action, up to and including dismissal. In addition, supervisory employees who fail to respond to discrimination or harassment complaints or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including dismissal.

Drug, Alcohol and Tobacco-Free Workplace: The District seeks to provide a safe, drug-free workplace for all employees.

- A. **Prohibited Acts - Drugs and Alcohol:** Therefore, the manufacture, distribution, dispensation, possession, use of or presence under the influence of alcohol, inhalants, controlled substances or substances represented to be such, or unauthorized prescription medication, is prohibited on school premises or at school activities. In addition, the District will not condone the involvement of any employee with illicit drugs, even where the employee is not on District premises. Employees of the school system shall not possess, use, or distribute any illicit drug or alcoholic beverage as defined in Wisconsin Statutes while on school premises or while responsible for chaperoning students on school-sponsored trips. Any employee who possesses, uses, or distributes any illicit drug or alcoholic beverage on school premises, or while responsible for chaperoning students on a school-sponsored trip may be disciplined, up to and including discharge. All school employees shall cooperate with law enforcement agencies in investigations concerning any violation of this provision. 41 U.S.C. 702(a) (1) (A)
- B. **Tobacco Products:** Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students at school or school-related activities. Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment. §120.12(20), Wis. Stats.
- C. **Drug-Free Awareness Program:** The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and (if applicable) employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. §702(a) (1)
- D. **Reasonable Suspicion Testing:** All employees shall be required to undergo alcohol and drug testing at any time the District has reasonable suspicion to believe that the employee has violated the District's policy concerning alcohol and/or drugs. Reasonable suspicion alcohol or drug testing may be conducted when there is reasonable suspicion to believe that the employee has used or is using drugs or alcohol prior to reporting for duty, or while on duty, or prior to or while attending any District function on or off District property. The District's determination that reasonable cause exists must be based on specific, contemporaneous, accurate observations concerning the appearance, behavior, speech or body odors of the employee. A trained supervisor must make the observations. Refusal to consent to testing will result in disciplinary action, up to and including termination of employment.
- E. **Additional Testing and Requirements:** Employees required to possess a commercial driver's license may be required to undergo additional drug testing in accordance with relevant law, Board policy, and administrative

rules. Furthermore, before working for the District, a driver must complete and turn in the “Acknowledgement and Acceptance of Driver Alcohol and Drug Testing Policy/Procedures”.

- F. Consequence for Violation: Employees who violate the District’s policies and rules regarding alcohol or drug use shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, discipline or discharge from employment with the District, and referral to appropriate law enforcement officials for prosecution. [41 U.S.C. 702(a)(1)(A)] Compliance with the District’s policies and rules is mandatory and is a condition of employment.
- G. Notification of Conviction: As a further condition of employment, an employee who is engaged in the performance of a federal grant shall notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than three days after such conviction. Within ten days of receiving such notice – from the employee or any other source – the District shall notify the federal granting agency of the conviction. 41 U.S.C. 702(a)(1)(D). After receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703 [This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702)]. BOARD POLICY 831, 831R

Employee – Student Relations: All District personnel will recognize and respect the rights of students, as established by local, state, and federal law. Employees shall, at all times, maintain a professional relationship and exhibit a professional demeanor in their interactions with students. Further, employees shall refrain from engaging in any actions or conduct of a sexual nature (verbal or physical) directed toward a student, including, but not limited to, sexual advances, activities involving sexual innuendo, or requests for sexual favors or sexually explicit language or conversation. Employees shall not form inappropriate social or romantic relationships with students, regardless of whether or not the student is 18 years old. Employees shall not use profane or obscene language or gestures in the workplace. BOARD POLICY 522

Equal Opportunity: It is the policy of the District that no person may be illegally discriminated against in employment by reason of their age, race, creed, color, disability, pregnancy, marital status, sex, citizenship, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, membership in the National Guard, state defense force or any other reserve component of the military forces of Wisconsin or the United States, political affiliation, use or nonuse of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, or any other factor prohibited by state or federal law.

Reasonable accommodations shall be made for qualified individuals with a disability, unless such accommodations would impose an undue hardship on the District. A reasonable accommodation is a change or adjustment to job duties or work environment that permits a qualified applicant or employee with a disability to perform the essential functions of a position or enjoy the benefits and privileges of employment compared to those enjoyed by employees without disabilities.

Requests for accommodations under the Americans with Disabilities Act or under the Wisconsin Fair Employment Act from current employees must be made in writing in accordance with District policy. BOARD POLICY 511, 511R

Equal Opportunity Complaints: The District encourages informal resolution of complaints under this policy. A formal complaint resolution procedure is available, however, to address allegations of violations of the policy in the District. BOARD POLICY 511, 511R

Evaluation: Performance of educational support personnel shall be evaluated in writing before the end of the employees first year and then minimally once every other year by the employee's administrative supervisor. The purpose of the evaluation shall be to help the employee identify areas of strengths in job performance as well as to identify areas that need improvement. Salary changes must be recommended by the employee's immediate supervisor and approved by the Director of Business Services. Evaluation should be viewed as a positive process.

False Reports: Employees may be disciplined for filing false reports or statements including but not limited to the following: accident reports, attendance reports, insurance reports, physician's statements, pre-employment statements, sick leave requests, student records, tax withholding forms and work reports.

Financial Controls and Oversight: Employees shall adhere to all internal controls that deter and monitor all fraud or financial impropriety in the District. Any person who suspects fraud or financial impropriety in the District shall report the suspicions immediately to any supervisor, the Director of Human Resources or designee, the Board President, or local law enforcement. Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. Each employee who supervises or prepares District financial reports or transactions shall set an example of honest and ethical behavior and shall actively monitor his or her area of responsibility for fraud and financial impropriety. Neither the Board nor any District employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety. (BOARD POLICY 522, 522.2)

Fraud and Financial Impropriety: The District prohibits fraud and financial impropriety, as defined below, in the actions of its Board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the District. Fraud and financial impropriety shall include but is not be limited to the following:

- A. forgery or unauthorized alteration of any document or account belonging to the District;
- B. forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- C. misappropriation of funds, securities, supplies, or other District assets, including employee time;
- D. impropriety in the handling of money or reporting of District financial transactions;
- E. profiteering as a result of insider knowledge of District information or activities;
- F. unauthorized disclosure of confidential or proprietary information to outside parties;
- G. unauthorized disclosure of investment activities engaged in or contemplated by the District;
- H. accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District, except as otherwise permitted by law or District policy (*See Gifts section of Handbook*);
- I. inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
- J. failure to provide financial records required by state or local entities;
- K. failure to disclose conflicts of interest as required by law or District policy;
- L. disposing of District property for personal gain or benefit and,
- M. any other dishonest act regarding the finances of the District.

If an employee is found to have committed fraud or financial impropriety, the Director of Human Resources shall take or recommend appropriate disciplinary action, which may include termination of employment. When circumstances warrant, the matter may be referred to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the District, the District may seek to recover lost or misappropriated funds.

Gambling: Gambling on District-owned or leased premises is prohibited at all times. Gambling during the workday on or off District property is prohibited.

Gifts: An employee or a member of the employee's immediate family may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the District that a reasonable person would understand was intended to influence official action or judgment of the employee in executing decision-making authority affecting the District, its employees or students. It shall not be considered a violation of this policy for an

employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of school board officials or by an umbrella or affiliate organization of such statewide association of school board officials. Exceptions to this policy are acceptance of minor items, which are generally distributed to all by companies through public relations programs. Employees should accept only gifts of token value from students. Note: Immediate family shall have the same definition as used in Bereavement Section.

It is the District's policy for individuals to decline gifts, gratuities or favors from any outside organization or individual doing business or seeking to do business with the District. Gifts that are intended for the benefit of the District should be referred to the Superintendent for proper processing under the District's policy on gifts and solicitations and the terms of §118.27, Wis. Statutes. Gifts of nominal or of insubstantial value and services offered for a reason unrelated to the employees' position and which could not reasonably be expected to influence a decision could be accepted. Larger gifts to employees as an individual and gifts of more than a nominal or insignificant value should be graciously declined. Please refer to for information on conflicts of interest and for gifts and solicitations and §19.59, Wis. Stats.

Identification Badges: The District provides employees with an identification badge. Employee identification badges are an important part of employee work attire and are critical to providing a secure environment for students. Employee identification badges must be worn in a visible spot while working for the District during work time.

Investigation interplay with potential criminal conduct: If the alleged misconduct may constitute criminal conduct by the employee, the employee may be provided a Garrity warning. Garrity v. New Jersey, 385 U.S. 493 (1967).

Licensure/Certification: Each employee who is required to be licensed or certified by law must provide the District with a copy of the current license or certificate to be maintained in his or her personnel file. Personnel files can be found in Human Resources Department.

Loss, Theft of or Damages to Personal Property: The District does not assume any responsibility for loss, theft or damages to personal property. In order to minimize risk, the District advises employees not to carry unnecessary amounts of cash or other valuables. If employees bring personal items to work, they are expected to exercise reasonable care to safeguard them. The District is not liable for vandalism, theft or any damage to cars parked on school property.

Lunch Periods: Support staff working five (5) hours per day or more will generally have a half-hour unpaid lunch period as assigned by the employee's supervisor. Breaks cannot be substituted for an unpaid lunch period. Night custodial personnel receive a half-hour (.5) paid lunch as part of a shift differential. Due to evening activities, high school and middle school custodial staff will be required to stagger their lunch periods to maintain continuous coverage.

No Expectation of Privacy - Work Spaces, Desks, etc.: Employees shall have no expectation of privacy with respect to any item or document stored in or on any District-owned property, which includes, but is not limited to: desks, filing cabinets, mailboxes, lockers, tables, shelves, and other storage spaces in or out of the classroom. Accordingly, the District may at any time and in its sole discretion conduct a search of such property, regardless of whether the searched areas or items of furniture are locked or unlocked within any parameters required by state and/or federal law.

Operators of District Vehicles, Mobile Equipment and Persons Who Travel: All employees who drive a District vehicle, operate mobile equipment, or receive a District travel allowance or mileage reimbursement must hold a valid driver's license and abide by the following expectations and procedures:

- A. Notice of Traffic Violations: All employees who drive a District vehicle, operate mobile equipment, or receive a District travel allowance or mileage reimbursement must notify their principal or supervisor immediately of any driving citation or conviction of a traffic violation. Supervisors receiving such notice will immediately notify Director of Business Services. Payment for any citations received while driving a District vehicle is the

responsibility of the driver. The reporting provision applies to citations or convictions as a result of operating either a District vehicle or personal vehicle.

- B. **Mileage Reimbursement:** The District shall reimburse employees an amount equal to the Internal Revenue Service (IRS) business travel rate per mile to each employee required by the District to drive his or her personal vehicle during the course of performing duties for the District.
- C. **Transporting Students:** The Authorization to Transport Students in Personal/Rental Vehicles form must be completed and returned to principal or supervisor for approval and forwarded to the Director of Business Services for approval at least five (5) days prior to event.

Outside Employment: Outside employment is regarded as employment for compensation that is not within the duties and responsibilities of the employee's regular position with the school system. Personnel shall not be prohibited from holding employment outside the District as long as such employment does not interfere with assigned school duties as determined by the District. The Board of Education expects employees to devote maximum effort to the position in which employed. An employee will not perform any duties related to an outside job during regular working hours or for professional employees during the additional time that the responsibilities of the District's position require; nor will an employee use any District facilities, equipment or materials in performing outside work. When the periods of work are such that certain evenings, days or vacation periods are duty free, the employee may use such off-duty time for the purposes of non-school employment.

Personal Appearance/Dress Code: District employees are judged not only by their service but also by their appearance. Employees are expected to maintain a professional appearance that is consistent with the high standards that exist in the Cedarburg School District. Employees are expected to be neat, clean, well-groomed wear appropriate clothes that are in good taste and practice good personal hygiene. The Administration will not allow attire from employees that is considered unprofessional, disruptive, inappropriate or which adversely affects the educational atmosphere. Employees represent the District and their appearance creates important impressions for student, parents and the Cedarburg community.

Personnel Files: Employees have the right, upon request and consistent with the timelines and content limitations specified in state law, to review the contents of their personnel file, at least two times per calendar year, while in the presence of an administrator or a designee. Employees may have a representative accompany them during such review. This examination must be accomplished in the presence of the Human Resources Director or his/her designee. The removal of this file from the safekeeping place will be done by the Human Resources Director or his/her designee and the file, in part or in its entirety, may not be removed from the visual presence of the Human Resources Director or his/her designee. An employee shall have the right, upon request, to receive copies of any documents contained in the personnel file except those delineated in §103.13(6), Wisconsin Statutes, upon payment of the actual cost for making such copies.

If the request to review personnel records is pursuant to an active grievance filed by that employee, the District will provide copies of the records to the employee, at the employee's expense, and the employee and his or her representative may examine the copies outside of the presence of the administrator/records custodian.

After reviewing personnel records, employees may request that records believed to be inaccurate or obsolete be removed from the file. If the District denies the request, the employee has the right to file a written rebuttal statement and have that rebuttal attached to the disputed record. If the District intends to release the disputed record to a third party, the District must also release the attached employee rebuttal statement to the third party. §103.13(4) Wis. Stats.

Political Activity: Employees may exercise the rights and privileges of any citizen in matters of a political nature consistent with the following restrictions:

- A. No school employee shall, during hours for which pay is received, use any time for the solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action.

- B. No school employee shall use in any way the classrooms, buildings, or pupils for the purpose of solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action.
- C. No school employee shall make use of school equipment or materials for the purpose of solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action. BOARD POLICY CROSS REF.: 522.2
- D. No school employee shall attempt to pressure, intimidate, ridicule or otherwise embarrass a student for the appropriate expression of a political viewpoint in an appropriate setting.

Professional Demeanor: Employees are expected to produce quality work, maintain confidentiality, work efficiently, and exhibit a professional and courteous attitude toward other employees, parents and students. Being a positive, cooperative and honest team member is a core value of the District.

Requirement to Remain Current: All employees shall engage in independent and active efforts to maintain high standards of individual excellence. Such efforts shall include keeping current in each specific and applicable area of instruction, Board established curriculum, as well as continuing study of the art of pedagogy.

Sale of Goods and Services: No District employee may receive for his or her personal benefit anything of value from any person other than his or her employing District to sell, promote the sale of or act as an agent or solicitor for the sale of any goods or services to any public school pupil while on the property of his or her employing District or at an activity of his or her employing District. §118.12, Wis. Stats. BOARD POLICY CROSS REF.: 525

Staff Development: Full-time employees seeking professional improvement opportunities outside their normal workday may be eligible to receive up to 50% tuition reimbursement (maximum of \$50 per class; \$100 per year) for approved courses. Requests must be initiated with an administrator or building principal before the course begins. Approval will be based on course appropriateness to current position, funds available and impact to the building. There will be no reimbursement for the employee's time or travel expenses unless the District requests the employee's attendance.

Supervision at School Events: Support staff members are not to accept paid assignments in other capacities as their total hours cannot exceed their regularly assigned hours (up to a maximum of either 40 hours per week for full-time staff or 29 hours per week for part-time staff). Violation of this expectation will result in discipline and possible termination.

Termination: Termination is defined as an involuntary dismissal of an employee, whether for an infraction of the rules or policies of the District, abandonment of the position, unsatisfactory performance, incompetence or other reason deemed sufficient by the Board and/or its designee. Termination results in involuntary separation and with prejudice to the employee. A termination will result in the loss of length of service and other employment benefits. For the purposes of this document, "termination" shall not include voluntary retirement or voluntary resignation.

Violence/Bullying in the Workplace: Violent behavior of any kind or threats of violence, either direct or implied, are prohibited on District property and at District sponsored events. Such conduct by employees, former employees, contractors or visitors is not tolerated. An employee who exhibits violent behavior shall be subject to disciplinary action up to and including termination and may also be referred to law enforcement.

A. Definitions as Used Under this Section

1. **Workplace Violence:** Behavior in which an employee, former employee, contractor or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the District or under the direct supervision of the District.
2. **Threat:** A communicated intent to inflict physical or other harm on any person or property.
3. **Intimidation:** Behavior or communication that comprises coercion, extortion, duress, or putting in fear.

4. **Court Order:** An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including temporary restraining orders.
5. **Prohibited Behavior:** Violence in the workplace may include, but is not limited to, the following list of prohibited behaviors directed at or by an employee, supervisor or visitor:
 - i. Assault or battery.
 - ii. Blatant or intentional disregard for the safety or well-being of others.
 - iii. Commission of a violent felony or misdemeanor.
 - iv. Dangerous or threatening horseplay or roughhousing.
 - v. Direct threats or physical intimidation.
 - vi. Loud, disruptive, profane or obscene language or gestures that are clearly not part of the typical school district learning environment.
 - vii. Physical restraint, confinement.
 - viii. Possession of weapons of any kind on District property
 - ix. Stalking.
 - x. Any other act that a reasonable person would perceive as constituting a threat of violence.

B. Reporting Procedure: An employee who is the victim of violence, believes he/she has been threatened with violence, or witnesses an act or threat of violence towards anyone else shall take the following steps:

1. If an emergency exists and the situation is one of immediate danger, employees shall contact the local law enforcement by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect themselves from immediate harm, such as leaving the area.
2. If the situation is not one of immediate danger, employees shall report the incident to the appropriate principal or supervisor or his/her designee as soon as possible.
3. An employee who has received a restraining order, temporary or permanent, against an individual, who may impact the employee at work [e.g. verbal or physical contact or proximity has been prohibited or restricted], shall immediately supply a copy of the signed order to his/her principal or supervisor. The principal or supervisor shall provide copies to the other appropriate supervisors and inform other employees on an as-needed basis.

C. Investigation and Investigation Findings: The District will investigate all complaints filed and may investigate in other situations where no complaint was filed but was brought to the District's attention. Retaliation against a person who makes a good-faith complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

In appropriate circumstances, the reporting individual may be informed of the investigation results. To the extent possible, the District will maintain the confidentiality of the reporting employee and the investigation, but may need to disclose results in certain circumstances; (e.g., in order to protect individual safety or to conduct an adequate investigation). The District will not tolerate retaliation against any employee who in good faith reports workplace violence.

Worker's Compensation Coverage and Reporting Responsibilities: Any employee who is injured on the job shall report the injury to the building principal or supervisor immediately. An accident report form must be submitted within twenty-four (24) hours after the occurrence of the injury or as soon as practicable. Forms are available in the school office.

Workplace Safety: All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

- A. **Fire Procedures:** Employees need to take precautions to prevent fires from occurring. In the event of a fire, the most important task is to sound the alarm and clear the building. Employees should not risk their safety in

fighting fires. Fire safety is an essential element of having a safe working environment. Employees should know the location of fire alarms, fire extinguishers, evacuation routes and whom to notify in case of fire.

- B. Notification of Safety and Health Standards: Wisconsin Statute §101.055 requires the Wisconsin Department of Commerce to adopt and enforce safety and health standards that will provide protection to public employees at least equal to that provided to private sector employees under standards promulgated by federal Occupational Safety and Health Administration (OSHA). A District employee who believes that a safety or health standard is being violated, or that a situation exists which poses a recognized hazard likely to cause death or serious physical harm, may request the District to conduct an internal review of the matter. Furthermore, the employee may request the Wisconsin Department of Commerce to conduct an inspection.
- C. No Discrimination: The District shall not discriminate against or discharge any employee for exercising any right afforded by this Section. An employee may file a grievance under the Part I, section 5 of this *Handbook* and District policy 720 and 720R to address the workplace safety issues as defined in this *Handbook*. The employee may, in his/her discretion also file a complaint with the state Division of Equal Rights within thirty (30) days if the employee believes a violation of the first sentence of this paragraph occurred. See WIS. STAT. §101.055; Public Employee Safety and Health, available at <http://commerce.wi.gov/sb/docs/SB-PubSectSafEmployeePoster9301.pdf>
- D. Protection of Staff: An employee shall report all cases of assault or injury suffered in connection with employment in the performance of duties to the Director of Human Resources, who shall acknowledge receipt of such report and keep the staff involved informed of action taken.
 - 1. “Injury” means physical harm to an employee caused by accident or disease in the performance of duties by the employee.
 - 2. “Performance of duties” means duties performed within the employee’s authorized scope of employment and performed in the line of duty.
- E. Weapons Prohibition: Firearms and dangerous weapons are prohibited on all property of the District. The prohibition includes firearms in vehicles on school property. Licensed peace officers who are serving in their official capacities are the only persons excepted from this prohibition. Firearms and dangerous weapons have the definitions set forth in the following statutory provisions: WIS. STAT. §§ 119.25, 120.13(1), 941.235, 948.60, 948.605, 948.61.

Workplace Safety Definition for Grievance Procedure: In accordance with relevant state law, the grievance procedure established by the District permits employees to file grievances over workplace safety. For purposes of that procedure, the following guidelines shall apply (BOARD POLICY 720, 720R):

- A. A grievance can be filed over workplace safety only if the safety of at least one employee is involved (as opposed to the safety of students or visitors).
- B. The issue must concern the safety of a person (e.g., not the “safety” of one’s vehicle or other personal possessions).
- C. The grievance must be filed by the affected employee(s) (i.e., one employee may not file on behalf of another).
- D. The individual(s) filing the grievance must propose a specific remedy.
- E. The issue and proposed remedy must be under the reasonable control of the District.

Work Stoppage: Employees of the District shall not engage in, condone, assist or support any strike, slowdown, or sanction, or withhold in full or in part any services to the District. In the event of a violation of this Section, the District may take whatever disciplinary action it deems appropriate up to and including termination.

ASSIGNMENTS

Assignment Determination: Employees will be assigned by the building/department administrator, under the direction of the Superintendent or his/her designee, according to the best interests of the students. Schedules for the upcoming school year shall be established and communicated as soon as practical each year. When an employee is assigned to a different position, the employee will be notified as far in advance as is practical and the rationale for the re-assignment will be provided.

Assignment Preference Consideration: Employees may request in writing their preference for a certain assignment. Such requests may be granted at the discretion of the supervising building/department administrator, under the direction of the Superintendent or his/her designee. Employees always have the option to apply for a posted position via the Wisconsin Education Career Access Network (WECAN).

Job Posting: Vacant positions will be posted on the Wisconsin Educator Career Access Network (WECAN) website. Vacant positions may be filled temporarily at the discretion of the Superintendent or his/her designee during the posting and selection period. Qualified employees are welcome to apply to any vacancy that interests them. Candidates are selected for interviews based on the merits of the application, experience, certification, education, similar training, demonstrated excellence and references.

Reduction in Positions & Hours: In the event the Board determines to reduce the number of positions or the number of hours in any position, individual employees may, at the discretion of the District, be selected for full or partial reduction. Staffing reductions and assignments are always made according to the best interest of the students and will not be arbitrary or capricious. Attrition and volunteers will be considered. Employees will be provided with an explanation for the reduction and as much advance notice as is practical.

BENEFITS – INSURANCE

(All benefits are subject to change.)

Benefits Eligibility: Except for life insurance, only full-time employees who work at least 222 days and 8 hours per day, or employees who qualify as full-time under the ACA look-back measurement rule, are eligible for insurance benefits. Eligibility as a full-time employee is based on the regularly assigned hours of work for the employee. Contribution rates are determined annually by the School Board.

Both Spouses Employed by the District: If both spouses are employed by the District and are eligible for insurance, the employees shall be eligible for two single plans or one family plan, based on cost to the District.

Change of Insurance Carrier: The District may, from time to time, change the insurance carrier, subject to board approval.

Dispute Resolution: It is understood that any disputes regarding coverage must be resolved with the insurance carrier and the District is not liable if coverage is not afforded by the carrier.

Premium Contributions

Dental Insurance Premium Contributions

For employees who are eligible for and select coverage, the District shall pay no more than 87.4% of the single or family premium of the lowest cost dental insurance plan.

Short term unpaid leave coverage: For instances of unpaid leave that are less than a full month, the equivalent premium contribution will be deducted from the employee's pay on a per diem basis for the duration of the unpaid leave.

Health Insurance Premium Contributions

For employees who are eligible for and select coverage, the District shall pay no more than 87.4% of the single or family premium of the lowest cost health insurance plan. Employees shall be responsible for the remaining portion of the premium.

Short term unpaid leave coverage: For instances of unpaid leave that are less than a full month, the equivalent premium contribution will be deducted from the employee's pay on a per diem basis for the duration of the unpaid leave.

Liability Insurance: The School Board carries liability insurance, which provides coverage for the acts of employees performed in accordance with their duties and within their scope of employment. Employees are covered for liability in accordance with the terms of the District's liability insurance policy.

Life Insurance: The School Board provides a group life insurance policy for support staff who work 880 hours or more per year. Individual coverage and the premium the School Board will pay shall be based on the eligible individual employee's total annual wages.

Long-term Disability: The School Board shall pay the dollar amount equal to the full premium for long-term disability insurance for full-time employees who work at least 222 days and 8 hours per day. The coverage includes:

- Qualifying period - 60 calendar days of continuous total disability are required before benefit payments may begin.
- Monthly benefit – 66.67% of monthly salary will be payable up to the maximum monthly benefit as indicated in the current policy.

Wisconsin Retirement System (WRS) Contributions: The District pays the employer's share of the WRS contribution. Employees pay the employee's required WRS contribution as required by state statute. Under no circumstances shall the District pay the employee's required WRS contribution.

Benefits – Other

Cafeteria Plan/Flexible Spending Account: The District will provide an Internal Revenue Service authorized cafeteria plan/flexible spending account [FSA] under applicable sections of the Internal Revenue Code (§105, §106, §125 and §129) to permit employees to reduce their salary and contribute to an FSA to cover the following expenses:

- A. Payment of insurance premium amounts (IRC §106).
- B. Permitted medical expenses not covered by the insurance plan (IRC §105) subject to the limitations set forth in the Internal Revenue Service Code.
- C. Dependent care costs (IRC §129) subject to the limitations set forth in the Internal Revenue Service Code.

Payments and the designation of amounts to be contributed to the employee's account will be subject to the procedures, rules and regulations of the plan's administrating agency. The provision of this plan shall be contingent upon the continuance of this benefit under the applicable Internal Revenue Code Sections (§105, §106, §125 and §129).

COBRA Continuation of District Health Plan Participation: The District, pursuant to the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and state law, offers employees the opportunity to remain on the District's health and dental insurance plan at the group rate in certain instances where coverage under the plan would otherwise end.

Tax Sheltered Annuities (TSA): Employees shall have the opportunity to participate in the District's Internal Revenue Service (IRS) Code 403(b) Savings Program and invest their money through salary deferral in annuities and other qualifying IRS Code 403(b)(7) investment vehicles (collectively referred to as an "Investment Vehicle").

COMPENSATION

Compensatory Time: The District abides by the Fair Labor Standards Act (FLSA) for issues related to compensatory time. As a general rule, employees are to work their regularly scheduled hours without deviation. Any changes in a work schedule or hours worked must be approved in advance by the supervising school or department administrator. There is little to no flexibility when it comes to employee work hours and there should be no such expectation. Requests for compensatory time are strongly discouraged, but must be made as far in advance as possible. Compensatory time, if any, must be accommodated for during the pay period in which it occurs and cannot be accumulated past the end of the pay period. Compensatory time cannot be carried over two fiscal terms.

Direct Deposit Payment Method: All employees shall participate in a direct payroll deposit plan. Employees shall have access to electronic records indicating time off information.

Overtime: Overtime is to be avoided by advance planning, asking for help on large projects, readjusting schedules during the day, and/or by doing the work the following day. Only an administrative supervisor can authorize overtime and then only with the final approval of the Director of Business Services or Human Resources Director. If overtime is unavoidable, selected personnel may be approved to work overtime.

- A. The employee's supervising administrator or building principal will schedule overtime hours.
- B. Overtime will be paid at one and one-half (1½) times the regular hourly rate for all hours worked in excess of forty (40) hours per week excluding Sundays and holidays. Double time will be paid for all hours worked on Sundays and designated holidays. A minimum of one (1) hour shall be paid for a call to work after working hours.
- C. Overtime must be reported accurately and must be paid during the pay period in which it is earned and cannot be accumulated past the end of the pay period. Overtime cannot be carried over two fiscal terms.
- D. Notwithstanding the above provisions, any employee subject to the terms of this *Handbook* who is assigned to multiple jobs for the District separated by multiple job classifications and works in excess of forty (40) hours per week as a result of the aggregated hours worked performing duties under such multiple assignments will be considered to have worked overtime hours. Overtime described only in this section of the *Handbook* shall be granted at a rate equivalent to the compensation rate associated with the job worked which caused the employee to work in excess of forty (40) hours per week.
- E. Employees are not to work from home under any circumstance unless explicitly authorized to do so in writing by their supervising administrator. Unauthorized work conducted at home will result in disciplinary action up to and including immediate termination.

Payroll Dates: Pay periods are determined by the Business Office with the goal of ensuring the most efficient and accurate operations. Payroll dates may be on the 15th and the last day of each month or may be on a bi-weekly basis. If a payday falls on the last day of the month or on a weekend or holiday, the payroll date will be the preceding business day. Once established by the Business Office, payroll dates will be communicated to staff.

Recording Hours Worked/Timesheets: All support staff employees are required to accurately and timely submit their hours for each pay period using the District's procedures for recording time worked. Hours worked must be approved by the employee's immediate supervisor. Any hours worked in addition to the regular schedule must have prior approval of the employee's immediate supervisor and be reported to the payroll office during the appropriate pay period.

Wages: Rates of pay are established annually by the School Board. Employees shall receive notification of any change in their hourly rate upon approval from the School Board.

LEAVES

Administrative Leave: The District may place an employee on administrative leave, paid or unpaid, during an investigation into alleged misconduct by the employee.

Allotment of Sick Days: Sick days will be granted each year only to full-time support staff who work the school year or the entire year. The table below outlines the allotted days per year and the total number of days that can be accumulated.

EMPLOYEE GROUP	ALLOTTED SICK DAYS PER YEAR	MAXIMUM ACCUMULATIVE TOTAL
<u>Full-Time 12-month Employees</u> (custodians & year-round administrative assistants working 8 hours per day)	Ten (10) Days	Seventy Five (75)
<u>Full-Time School Year Employees</u> (school year administrative assistants working 8 hours per day)	Eight (8) Days	Fifty (50)
<u>Part-Time Employees</u> (paraprofessionals, aides & support staff working less than 30 hours per week)	No days are allotted. When employees do not work, they do not get paid.	Twenty-Five (25) (Applies only to employees who accumulated days prior to 2014-15.)

Sick days become available for use at a rate of one day per month. Beginning with the first month of employment, employees will have 1 sick day added to the employee's available sick day "bank" on the 16th of each month, up to the maximum yearly allotment. Examples: an employee working the full year and using no sick/personal days will have accumulated 10 sick days by the end of the school year; an employee who is on an approved unpaid leave for any two months of the year will earn 8 sick days that school year. Exceptions to this may be granted in extenuating circumstances, but any employee terminated or resigning will be credited only with those days earned at the time employment is severed, and a sum equal to the sick days not earned will be deducted from any remaining pay. Deductions will be based on one (1) paid sick day earned per month of employment to the maximum days allotted per year.

Employees with an accumulation greater than the limits identified below as of June 30, 2011 shall not lose accumulated days. Additional days shall not be credited until accumulated days drop below the limit as of June 30th each year.

The following definitions and terms apply under this section.

A. **Appropriate Use** - Sick leave shall be paid for any absence from work due to:

1. personal illness, injury or serious health condition of the employee;
2. illness or injury of an employee's child under the age of eighteen (18); or eighteen (18) or older if the child has a handicapping condition as set forth in Wisconsin Administrative Code section PI 11.02(23) (Examples of a handicapping condition are: Cognitive disability, learning disability, autism, etc.);
3. serious health condition of a spouse, child, or parent;
4. medical or dental appointments for the employee and/or child that cannot be scheduled outside of the employee's regularly scheduled work hours.

B. **Child** - a natural, adopted, foster or treatment foster child, a stepchild or a legal ward who is less than eighteen (18) years of age or the individual is eighteen (18) years of age or older and cannot care for himself or herself because of a serious health condition. For the purposes of section 8.02, A (3), all definitions in this paragraph apply except for age eighteen (18).

- C. Increments - Sick leave may be allowed in increments of one-half day.
- D. Parent - A natural parent, foster parent, treatment foster parent, adoptive parent, stepparent, or legal guardian of an employee or an employee's spouse or domestic partner.
- E. Spouse - An employee's legal husband or wife.
- F. Serious Health Condition - A disabling physical or mental illness, injury, impairment or condition involving Inpatient care in a hospital, nursing home, or hospice or Outpatient care that requires continuing treatment or supervision by a health care provider.
- G. Questionable Use - The Board and Administration may question or investigate the use of sick leave. A doctor's certificate may be required after three (3) consecutive days of absence or at any time there is a concern about sick leave day usage. Employees shall not receive sick leave benefits for any day that the employee abuses sick leave benefits. In addition, abuse of this provision shall subject the employee to discipline or discharge.

Doctor's Certificate: Employees shall inform their principal or supervisor prior to, or within the twelve (12) hours of their normal daily starting time of any need to be absent for one of the reasons stated above. Whenever the supervisor deems it necessary, the employee may be required to present the District with a certificate of illness signed by either a licensed physician or a nurse practitioner. Such certificate should include a statement releasing the employee to return to work and a statement as to whether any limitations or restrictions are placed upon the work which may be performed. Nothing in this section shall be interpreted as limiting the District's ability to discipline or discharge employees for excessive absenteeism or misrepresentation of sick leave use.

Family Medical Leave Act: The District complies with all aspects of the state and federal versions of the FMLA. Information is available on the District webpage under Board Policies and the Human Resources Department link. Employees who do not work a minimum of 1,250 hours in the previous year are not eligible for FMLA leave.

Funeral/Bereavement Leave for Death in the Immediate Family: In the event of a death in an employee's immediate family, full-time 12-month and full-time school year (222 day) employees may be allowed per occurrence, up to three (3) day(s) off work with pay. Immediate family includes the spouse, parents, children, brother, sister, grandchildren, grandparent, step-relatives of the same relationship as provided herein of the employee and his or her spouse. Part-time employees are not eligible for funeral/bereavement leave, but may take unpaid leave to attend such funerals. Bereavement leave may be allowed in increments of one-half day.

Funeral/Bereavement Leave for Death of an Individual Outside of the Immediate Family: Full-time 12-month and full-time school year (222 day) employees may be granted up to three (3) day(s) with pay per occurrence to attend funerals of aunts, uncles, nieces, nephews, first cousins and other individuals residing in the employee's household. Such days shall be deducted from the employee's accumulated sick leave. Part-time employees are not eligible for funeral/bereavement leave, but may take unpaid leave to attend such funerals. Bereavement leave may be allowed in increments of one-half day.

Funeral/Bereavement Leave – Additional Days: In extenuating circumstances, additional days may be granted by the Director of Human Resources. Such additional days, at the option of the employee, shall be deducted from the employee's accumulated sick leave if the employee wants paid leave.

Holidays:

- A. Full-time 12 Month Employees are granted the following ten (10) paid holidays:

Fourth of July	Labor Day
Thanksgiving Day	Day after Thanksgiving
Christmas Eve	Christmas Day
New Year's Eve	New Year's Day

Good Friday

Memorial Day

- B. 222 Day and Part-time Employees are not granted any paid holidays.
- C. The Administration will designate the paid holiday when the holiday falls on a weekend date.
- D. Holidays During Sick Leave: In the event that a paid holiday falls within a period when an employee is on accumulated sick leave, it shall be charged as a paid holiday and not deducted from the employee's earned sick leave.

Jury Duty: Subject to the provision on “Payment for Time Out on Jury Duty” (see below), a non-accumulative paid leave for as much time as is required will be provided to an employee to serve on a jury for which he or she is summoned by the court when such duty occurs during the employee’s work hours. No paid leave will be provided for jury duty that occurs outside of the employee’s regular work hours or work days.

- A. Employee Notice: An employee must notify his/her principal or immediate supervisor as soon as notice of jury duty is received. In addition, the employee is expected to contact his or her principal or supervisor immediately upon termination of jury duty or when temporarily relieved of jury duty.
- B. Payment for Time Out on Jury Duty: An employee who is unable to report for work because of jury duty will be paid the regular hours he or she is scheduled to work. Upon receipt of the check received for jury duty, the employee will send a copy of the check to the Business/Payroll Office along with a personal check to the District for that amount (less any travel expenses received). The employee will not suffer any loss of benefits that would be accrued during this time (i.e. sick leave, health insurance, vacation, etc.) or loss of any salary adjustment to which the employee is entitled. The time required for any employee to serve on jury duty will not be deducted from sick leave or vacation time the employee has earned or will earn in the future.

Long-Term Disability: In the event an employee becomes eligible for benefits under the District's long term disability insurance program, the employee will no longer receive paid sick leave.

Reporting Absences & Securing Substitutes: When an employee is to be absent from duty and a substitute is needed, it is the responsibility of the employee to notify the District using the District's electronic software program for reporting absences and notifying substitutes. If possible, such notification should be made the evening prior to the time of absence, or between 5:30 AM and 6:00 AM the day of the absence. If for some reason an employee is unable to enter the absence using the usual software program, it is the employee's responsibility to contact the building secretary and Administrator to notify them of the absence prior to the start of the school day.

All custodial staff must report an absence in the following manner:

- A. First shift staff should call the secretary to Director of Maintenance and Facilities (262-376-6219) between 5:30 AM and 6:00 AM.
- B. Second shift staff should call the head custodian no later than noon.

Uniformed Services Leave: Employees performing duty, whether on a voluntary or involuntary basis, in a uniformed service shall be granted a leave of absence without pay in accordance with the provisions of federal law, state law, and this *Handbook*. The “uniformed services” consist of the following [20 CFR §1002.5(o)]: Army, Navy, Marine Corps, Air Force and Coast Guard Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard and Air National Guard as well as Commissioned Corps of the Public Health Service and any other category of persons designated by the President in time of war or emergency. When time permits, the request for a reserve military leave should be as far in advance as possible so the employer can adequately plan for the absence. Whenever possible, the request should be accompanied by a copy of the reservist's military orders. The request shall be submitted to the Director of Human Resources.

The employee's absence shall not be construed as a break in service for any purpose. Reemployment rights extend to persons who have been absent from a position of employment because of "service in the uniformed services". "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:

- active duty and active duty for training;
- initial active duty for training;
- inactive duty training;
- full-time National Guard duty;
- absence from work for an examination to determine a person's fitness for any of the above types of duty
- funeral honors duty performed by National Guard or Reserve members;
- duty performed by intermittent employees of the National Disaster Medical System (NDMS), which is part of the Department of Health and Human Services, when activated for a public health emergency, and approved training to prepare for such service (added by Pub. L. 107-188, June 2002). See 42 U.S.C. § 300hh-11(d).

Unpaid Short-term Leave: Employees are expected to report to work for every hour of every day that is part of their calendar work year. It is not fair to students or other staff members when employees make personal plans that require them to be absent from work. Requests for short-term unpaid leaves to extend holidays, breaks or weekends are not appropriate and are strongly discouraged. Such requests will generally be denied unless the circumstances surrounding the request are extremely unusual and out of the employee's control. Employees shall notify their immediate supervisor of the relevant information related to the request, including the requested dates for the unpaid leave and the extenuating circumstances, as far in advance as possible. The supervisor will consult with the Human Resources Director to determine the appropriate course of action.

EXTENDED LEAVES FOR CHILD REARING, MEDICAL REASONS OR OTHER NEEDS

(FOR EMPLOYEES WHO EXHAUST OR ARE NOT ELIGIBLE FOR FMLA LEAVE)

Application Procedures: The employee shall make written application for an extended leave to the Director of Human Resources at least forty-five (45) days in advance unless the employee is unable to provide such notice due to reasons outside the employee's control. The application for an extended leave shall include acceptable medical or legal (for adoption) verification and the anticipated start date for the leave and the anticipated date of return to work. Such application will be reviewed and processed by the Director of Human Resources and shall be granted or denied in his/her sole discretion.

Benefits during an Extended Leave: If the employee has sick leave days available, the extended leave may be considered paid until the available sick leave days are exhausted. Upon exhaustion of sick leave days, during an extended leave, the employee may continue participation in insurance programs at his/her own expense subject to approval of the carrier. If the premium is not received by the first of the month, the employee's insurance coverage shall be terminated. The employee shall retain accumulated paid leave, but shall not accrue any additional paid leave during the extended leave. Employees eligible for paid holidays do not receive any holiday pay while on an unpaid leave of absence.

Duration of Extended Leave: The maximum length of the leave shall be limited as follows:

- A. for a child born or adopted during the summer vacation – the following two semesters;
- B. for a child born or adopted during the first semester – the balance of that semester plus the second semester;
- C. for a child born or adopted during the second semester – the balance of that semester plus the first semester of the following school year;

- D. for other reasons, the duration of the leave will be based on the needs of the employee balanced against the needs of the District; unpaid medical leave of absence shall not exceed one (1) calendar year, unless the employee is eligible for long-term disability benefits. If the employee is eligible for long-term disability benefits, the District may grant an unpaid medical leave due to disability for up to a total leave period of twenty-four (24) months.
- E. shorter leaves and/or an early return from the leave shall only be upon the mutual agreement of the employee and the Director of Human Resources.

Return from Extended Leave: The employee shall notify the Director of Human Resources of the intent to return to work at least forty-five (45) days prior to the expiration of the leave or as soon as is reasonable based on the need for the leave. A medical practitioner’s clearance to return to work is required for extended leaves due to medical reasons. The District reserves the right to designate another physician to verify or refute the employee’s physician's certification. If the two physicians' certifications are in conflict, a third mutually agreed to physician will issue a physician's certification. The third physician's certification will be binding on the parties. The District will pay all costs associated with the second and third physician’s certification. The employee may be returned to his or her former position, if available. If the former position is not available as determined by the District, the employee may be returned to a similar position in terms of work time unless the employee’s work time was reduced or increased due to the needs of the District.

Failure to Notify of Return to Work in a Timely Manner: Failure to provide timely notice may be considered the employee’s termination from his/her position with the District as of the end of the leave or at such time the District deems appropriate.

VACATION

Only Full-Time 12-Month employees are eligible to take paid vacation. Employees may not use vacation they have not yet earned. Vacation shall be prorated during the first year of service as of June 30th. Full-time 12-month employees are eligible to take paid vacation days per the following schedule:

Years one (1) through three (3) of full-time service	2 weeks
Years (4) through seven (7) of full-time service	3 weeks
After seven (7) years of service	4 weeks

- A. The minimum increment to be deducted for vacation is one-half (.5) day.
- B. All vacation requests should be entered in *Skyward* at least thirty (30) calendar days in advance. Granting of vacation dates will be based on the submission date of request and the needs of the school district. Vacation days may not accumulate from year to year. All vacation days must be used within the current fiscal year.

APPENDIX – GRIEVANCE PROCEDURES

Employees shall use the following procedure for resolving disputes regarding employee termination, employee discipline, or workplace safety issues.

A. Timelines

1. **Informal Grievance Submission:** The employee must discuss any grievance related to discipline or workplace safety with the employee’s principal or immediate supervisor prior to filing a formal written grievance in order to informally resolve the issue. Grievances related to termination may proceed straight to the written grievance step.
2. **Formal Grievance Submission:** The employee must file a written grievance within fifteen (15) working days of the termination, discipline or actual or reasonable knowledge of the alleged workplace safety issue. “Working day” is defined as any day that the District Business Office is open. The grievance must be in writing.
3. **Administrative Response:** The Director of Human Resources (or designee) will meet with the grievant within fifteen (15) working days of receipt of the written grievance. The Administration will provide a written response within five (5) working days of the meeting.
4. **Impartial Hearing:** The grievant may file an appeal to the Impartial Hearing Officer by giving written notice to the Director of Human Resources within ten (10) working days of the Administrative Response. The Administration will work with the Impartial Hearing Officer and grievant to schedule a mutually agreeable hearing date.
5. **Impartial Hearing Officer Response:** The Impartial Hearing Officer shall file a written response within thirty (30) working days of the hearing date.
6. **School Board Review:** The non-prevailing party may file a request for School Board review within ten (10) working days of receipt of the Impartial Hearing Officer Response. The School Board shall make a decision regarding whether or not a hearing will be held within twenty-five (25) working days of the appeal. A written decision will be made within sixty (60) working days of the filing of the appeal.
7. All timelines may be extended by mutual agreement.

B. General Requirements

1. An employee may only initiate a grievance in writing regarding employee termination, employee discipline or alleged workplace safety issues.
 - i. The term "employee termination", as used in this section, shall **not** include the following:
 - ii. workforce reduction;
 - iii. voluntary termination including, without limitation, quitting or resignation;
 - iv. job abandonment;
 - v. end of employment due to disability;
 - vi. retirement;
 - vii. non-renewal under Wisconsin Statute Section 118.22;
 - viii. any other cessation of employment involving the completion of a temporary or seasonal assignment, conclusion of a specific daily assignment, substitute assignment, conclusion of a limited-term position or the conclusion of a part-time or replacement employment relationship.
2. The term "employee discipline," shall include any employment action that results in disciplinary suspension without pay, disciplinary reduction in pay or other benefits, or disciplinary demotion. The term "employee discipline", as used in this section, shall **not** include the following:
 - i. plans of correction or performance improvement;

- ii. performance evaluations or reviews;
 - iii. documentation of employee acts and/or omissions in an employment file;
 - iv. oral or written reprimands;
 - v. administrative suspension with pay;
 - vi. administrative suspension without pay pending investigation of alleged misconduct or nonperformance;
 - vii. non-disciplinary wage, benefit or salary adjustments; or,
 - viii. other non-material employment actions.
3. The term "workplace safety" as used in this section means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety. The written grievance must contain:
- i. a statement of the pertinent facts surrounding the nature of grievance;
 - ii. the date the incident occurred;
 - iii. the steps taken to informally resolve the grievance;
 - iv. the individuals involved in the attempted resolution, and the results of such discussion;
 - v. the specific requested remedy; and
 - vi. the workplace safety rule alleged to have been violated, if applicable.
 - vii. The Administration's written response to the grievance must contain:
 - viii. a statement of the date the meeting between the Administration and grievant was held;
 - ix. a decision as to whether the grievance is sustained or denied;
 - x. in the event the grievance is denied, a statement outlining the timeline to appeal the denial.

C. Impartial Hearing Officer (IHO)

1. IHO Selection: The Administration shall select the Impartial Hearing Officer (IHO). The IHO shall not be an employee of the district. The IHO may be an employee of another district, a retired school administrator, a lawyer, a professional mediator/arbitrator, or other qualified individual. The cost of the IHO will be the responsibility of the district.
2. IHO Standard of Review: The IHO will adhere to specific guidelines set forth by the District regarding hearing procedures. The standard of review for the IHO is whether the decision of the Administration was arbitrary or capricious. A decision will not have been arbitrary or capricious if it was made in the best interest of the district. If the decision was not arbitrary or capricious then the IHO is required to find on behalf of the Administration. The Rules of Evidence will not be strictly followed, but no factual findings may be based solely on hearsay evidence. The Impartial Hearing Officer's written recommendation to the grievance must contain:
 - i. a statement of the pertinent facts surrounding the nature of the grievance;
 - ii. a recommendation as to whether the grievance is sustained or denied, with the rationale for the recommendation;
 - iii. a statement outlining the timeline to appeal the recommendation;
 - iv. the IHO must sustain or deny the decision of the Administration. Authority is not given to modify the decision made by the Administration. Authority is not given to grant in whole or in part the specific request of the grievant.

D. Appeal to the School Board: The School Board may decide, in each situation, whether it will review the record and make a decision, assign an independent hearing officer to create a recommendation for the School Board's review, or hold a new hearing and make an independent decision. The manner of review is the sole choice of the School Board.

E. The School Board's written decision regarding the grievance must contain a decision as to whether the grievance is sustained, denied or modified.

F. Grievance Process

1. Grievances will be processed per the provided timelines.
2. An employee may advance a grievance to the next step if a response is not provided within the designated timeframes.
3. An employee may not file or advance a grievance outside of the designated timeframes.
4. The Director of Human Resources may advance a grievance to the next step at the written request of either the employee or the supervisor.
5. Failure of the employee to adhere to any of the specified timelines within the process shall result in the grievance being denied. The School Board in its discretion may, however, consider an otherwise untimely grievance at the School Board level of the grievance procedure.
6. Grievance meetings/hearings held during the employee's off-duty hours will not be compensated.
7. Granting the requested or agreed upon remedy resolves the grievance.
8. The decision of the School Board is final and not subject to further review.

G. Consolidation of Grievances & Group Grievances

1. Grievances of the same type, and with similar fact situations, may be consolidated at the discretion of the Administration.
2. Group grievances may involve more than one employee and include any of the following:
 - i. more than one work site;
 - ii. more than one supervisor; or
 - iii. an administrator other than the immediate supervisor.
3. Such grievances may be initially filed at Formal Grievance Submission (Timelines Paragraph A.1.B).