

CITY OF STEVENS POINT

PERSONNEL COMMITTEE AGENDA

Monday, December 14, 2015 – 7:20 p.m.

(or immediately following previously scheduled meeting)

Lincoln Center – 1519 Water Street

[A quorum of the City Council may attend this meeting]

Discussion and action on:

1. Amendment to Administrative Policies 2.11 (Discipline) and 2.12 (Employment Terminations).
2. Request for out of state travel, Comptroller-Treasurer.
3. Adjourn into closed session (approximately 7:35 p.m.) pursuant to Wisconsin State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session for:
 - A) Update date on bargaining with AFSCME Local 309 – Transit and IAFF Local 484 – Fire.
 - B) Approval of Closed Session Minutes from September 14, 2015.
4. Reconvene into open session (approximately 10 minutes after adjourning into closed session).
5. Recommendation of the 2016 – 2018 IAFF Local 484 Tentative Agreement.
6. Adjournment.

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during normal business hours from 7:30 a.m. to 4:00 p.m.

appropriate and not arbitrary and capricious, given the circumstances associated with the discipline. To determine whether discipline meets these standards, the following shall be considered:

- (1) Whether a reasonable person in the employee's position could be expected to have had knowledge of the probable consequences of his or her alleged conduct.
- (2) Whether the City, before disciplining the employee, made a reasonable effort to discover whether the employee did in fact violate a rule or order.
- ~~(3) Whether the investigation described under section 3 was fair and objective.~~
- ~~(4)~~(3) Whether the City discovered substantial evidence that the employee violated the rule or order as described in the discipline action filed against the employee.
- ~~(5)~~(4) Whether the City is applying the rule or order fairly and without discrimination to the employee.

Comment [AB1]: After conferring with Atty. Dietrich, he suggested the removal of this provision based upon the relatively vague meaning of "objective." Rather than rewrite it, I would argue that the "fairly and without discrimination to the employee" language under the renumbered part (4) essentially covers what this provision means to convey.

- D. Some actions are so severe and damaging to the City or its employees that a supervisor may feel it is warranted to override the normal progressive discipline process and immediately proceed to a higher level of corrective action. If a supervisor feels more severe action is warranted, it is recommended that he/she discuss the case with his/her supervisor, the City Attorney, and/or the Personnel Office prior to administering the disciplinary measure.
- E. An employee has the right to representation at all steps of discipline; however, he/she may waive that right if they wish.

2. Progressive Discipline

A. Verbal Warnings

A verbal warning is given for a less serious offense or performance problem. A verbal warning is a discussion with the employee of the specifics of the problem, including what performance or behavior is expected in the future. The supervisor should make a note of the warning and see that a copy is given to the Personnel Office for placement in the personnel file. The note should clearly indicate this is a verbal warning and should include the employees name, the date, time, place, and reason for the warning.

NOTE: As in all steps of progressive discipline, formal documentation is extremely important. Documentation is used to establish a pattern of behavior upon which to proceed to a higher level of discipline.

B. Written Reprimands

- (1) A written reprimand is issued when verbal warnings prove unsuccessful or when an employee's behavior or conduct requires something more serious than a verbal warning.
- (2) A written reprimand should include the following information:
 - (a) A description of the specific problem or offense and when it occurred.
 - (b) What actions and/or previous disciplinary measures have been taken to correct the problem?
 - (c) What behavior or performance expectations must be met in order to correct the problem?
 - (d) A warning that further unsatisfactory behavior or performance may result in additional discipline, up to and including dismissal.
 - (e) A notation that a copy has been placed in the employee's permanent personnel file. NOTE: If the employee is represented by a union, a copy of the reprimand should be forwarded to the union steward.
- (3) The Division Head or Department Head will review and sign the reprimand to ensure that it is consistent, fair and proper. The supervisor should then formally discuss the reprimand with the employee. Both the supervisor and employee should sign the reprimand to indicate it has been discussed and reviewed. The employee may attach a brief written comment to the reprimand if he/she chooses. A copy of the reprimand (including any attachments) should be kept by the supervisor and the employee. The original document should be sent to the Human Resource Manager for placement in the personnel file.

C. Suspensions

- (1) If an employee receives a written reprimand and engages in similar conduct within a period of twelve months, or engages in serious

misconduct, he/she will be suspended without pay for a minimum of one day. Notice of the suspension (including the dates) should be given in a written document. NOTE: It is recommended that three (3) day suspensions do not begin on Monday nor end on Friday.

- (2) In certain instances a supervisor may feel it necessary to remove an employee from the work environment pending further investigation of the details surrounding a suspected violation. In cases such as this, the employee will be given an indefinite suspension (leave) immediately without pay until an investigation has been made and the action to be taken determined. Should the investigation reveal no violation or negligence existed on the part of the suspended employee, he/she will be immediately reinstated with full back pay. Should the investigation reveal circumstances requiring disciplinary action, the supervisor may opt to reinstate the employee with full, partial, or no back pay depending upon the seriousness of the offense. The supervisor may also determine that certain actions warrant additional suspension or termination.

D. Termination

- (1) An employee may be subject to termination based on his/her conduct, or based on conduct and prior instances of conduct.
- (2) Letter of Intent

The supervisor must issue a letter explaining his/her intent to terminate employment. This letter of intent must have the signed approval of the department head and City Attorney. A copy of the letter must be placed in the employee's permanent personnel file. The letter must:

- (a) Explain the reason(s) for the termination and detail specific dates and times, if appropriate.
- (b) Make clear the fiscal conditions of the termination including the last day for which the employee will receive pay and the amount of accrued annual leave to be paid.
- (c) Inform the employee of his/her rights under the Grievance Procedure described in Policy 2.10.

* * CITY OF STEVENS POINT * *
ADMINISTRATIVE POLICY

Policy Title: Employment Terminations

Policy No. 2.12

Date of Issuance: December 18, 1989

Revision Date: February 19, 1990; February 18, 2002

Description: This policy describes the various types of employment terminations including the procedures related to each. The rights of employees as they relate to terminations are also discussed. All employee terminations shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, layoff, disability, death, retirement, dismissal, and completion of assignment.....

F. Dismissal

~~Dismissal or discharge for cause is discussed in the Policy on Discipline and Discharge.~~

PROPOSED LANGUAGE CHANGE:

For terminations based on disciplinary matters, refer to Administrative Policy 2.11 – Discipline Procedures.

I had sent an e-mail inquiry to my counterparts throughout the state asking what their discipline standard was (i.e. just cause, at will or something in between such as arbitrary and capricious), below are the results. As I have stated previously, our current policy falls in the middle.

Community	Standard
Cedarburg	At Will
Fond Du Lac	Arbitrary and Capricious
Kronenwetter	At Will
Waushara Co.	At Will
Waukesha Co.	Arbitrary and Capricious
Fitchburg	At Will for ee's hired after 7/1/11; for those hired prior, Just Cause
Fond Du Lac Co.	At Will
Door Co.	At Will
Oneida Co.	At Will
Barron Co.	At Will
Madison	Just Cause
Waukesha	At Will
Antigo	At Will
LaCrosse	At Will during probation; for cause after probation
Rusk Co.	At Will
Monroe Co.	At Will during probation; just cause after probation
Neenah	At Will
Winnebago Co.	At Will
West Allis	At Will
Oconto Co.	At Will
Wausau	At Will
Wisconsin Rapids	At Will
Portage Co.	At Will
Marshfield	At Will
Wood Co.	At Will
Village of Plover	At Will

City of Stevens Point
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Corey D. Ladick
Comptroller-Treasurer

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December 8, 2015

To: Personnel Committee, Common Council

Re: Government Finance Officers Association National Conference

The Government Finance Officers Association (GFOA) of the United States and Canada is one of the most respected organizations in the field of public finance. I would like to attend their national conference, but do not want to burden City taxpayers with the expense of out of state travel.

Luckily, the Wisconsin chapter of the GFOA has a \$1000 scholarship for first time conference attendees. They have offered this scholarship to me in order to attend the National Conference in Toronto, May 22-25, 2016. The scholarship should be sufficient to cover both the flight and the conference registration fee, making the remaining expenses (hotel and meals) comparable to the cost of a local in-state conference, and fitting within the existing budget for seminar/education expenses in the Treasurer's office.

Please let me know if you have any questions.

WGFOA National Conference Scholarship First-time Conference Attendee

WGFOA will offer one \$1,000 scholarship annually for a WGFOA active member to attend the annual GFOA national conference. Criteria for this award are:

- Active member means the WGFOA member has paid his or her membership dues for current calendar year.
- Applicant must submit an application for this scholarship to the WGFOA President no later than November 1. Application would consist of a letter or memo from the applicant identifying how the applicant meets the criteria for the scholarship. At its discretion, the WGFOA Board President may extend this deadline to March 1.
- Applicant must an active member of WGFOA have attended at least one WGFOA conference over a one-year period prior to the November 1 deadline.
- The upcoming GFOA national conference would be the first national conference the applicant would be attending outside the state of Wisconsin.
- The applicant must identify his/her job title, provide a job description of the work he/she is currently doing, and provide an organization chart showing where his/her position fits within the organization.
- The applicant must submit a verbal report to the WGFOA Board at its next board meeting after the conference (i.e. usually fall meeting, which is held in September), identifying what he/she learned at the conference, how he/she will be able to use what he/she learned to improve his/her job performance, etc.
- Applicant needs to identify in his/her application whether or not he/she intends to be an ongoing member of WGFOA and whether or not he/she plans on attending other WGFOA conferences,

At the winter WGFOA board meeting, the board will review all applications it has received and select the winning applicant to receive the award for the subsequent calendar year. Criteria to be used in the decision-making process will include:

- Number of conferences attended.
- How active the member has been in the WGFOA organization.
- How long the applicant has been a WGFOA member.
- Job duties of the applicant.
- Where the applicant fits within his/her organizational structure.

Reimbursement will be made to the member following the GFOA conference upon submission of an attendance report demonstrating attendance at a minimum of 75% of the CPE sessions offered and completion of the verbal report requirement.

Revised: 04-22-2015