



**Drafted By:**  
Ana Rolbiecki  
**Presented Month/Year:**  
October 2022  
**Involved Committees:**  
Human Resources Committee

**County Department:**  
Administration  
**Fiscal Impact:** YES / NO  
**AC Approved:** YES / NO

**RESOLUTION #** 22-10-04


**A RESOLUTION TO UPDATE PERSONNEL 103 OVERTIME, COMPENSATORY TIME, ON CALL AND SHIFT DIFFERENTIAL; 201 PAID HOLIDAYS; 208 LEAVES-SICK LEAVE; 209 LEAVES-PERSONAL TIME OFF; AND 303 BENEFITS-RETIREMENT**

WHEREAS, the current Buffalo County Handbook requires the Buffalo County Board of Supervisors to authorize by resolution any amendments to the Employee Handbook; and,

WHEREAS, the Human Resource Committee has recommended changes to Policy 103 Overtime, Comp Time, On Call and Shift Differential decreasing the max accumulation for comp time, calling for payout of comp time annually, and noting that part-time CCO's aren't eligible for overtime until reaching 40 hrs; to Policy 201 Paid Holidays to remove the set annual Columbus Day holiday and replace as a floating holiday; to Policy 208 Leaves-Sick Leave to broaden reasons an employee could use the leave; to Policy 209 Leaves-Personal Time Off to allow CCO's to make two transfers from PTO to PSLB on a trial basis for 1 year; and to Policy 303 Benefits-Retirement to remove unnecessary wording that is covered in other policies.

NOW, THEREFORE BE IT RESOLVED, that the Buffalo County Board of Supervisors hereby amends 103 OVERTIME, COMPENSATORY TIME, ON CALL AND SHIFT DIFFERENTIAL; 201 PAID HOLIDAYS; 208 LEAVES-SICK LEAVE; 209 LEAVES-PERSONAL TIME OFF; AND 303 BENEFITS-RETIREMENT of the Buffalo County Handbook effective October 24<sup>th</sup>, 2022, to update the language in these policies.

Adopted at a duly called and noticed meeting of the Buffalo County Board of Supervisors on the 24<sup>th</sup> day of October, 2022.

  
County Board Chair

ATTEST:

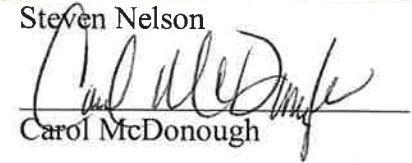
  
County Clerk

Respectfully Submitted:

Human Resources Committee



Steven Nelson



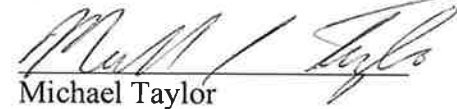
Carol McDonough



Mary Anne McMillan Urell

*Yes - via Teams*

Nathan Nelson



Michael Taylor

**ANTICIPATED FINANCIAL IMPACT STATEMENT**

No Financial Impact anticipated.

## Exhibit A

### POLICY 103. OVERTIME, COMPENSATORY TIME, ON CALL AND SHIFT DIFFERENTIAL

1. **Purpose:** To provide a consistent system for distributing overtime and compensatory time in compliance with the overtime-pay provisions of the Federal Fair Labor Standards Act (FLSA).
2. **Definition:** Overtime is any time worked in excess of forty (40) hours within a weekly payroll period beginning on Sunday and ending on Saturday.
3. **Accrual:** Any paid benefit time (paid time off, extended leave bank, nonproductive holiday hours, etc.) shall not be counted as hours worked for overtime purposes.
  - 3.1 Compensatory time shall not accumulate beyond ~~sixty (60)~~ forty (40) hours unless otherwise addressed in this policy. Exceptions may be approved on a case-by-case basis upon the recommendation of the Department Manager and approval by the County Administrative Coordinator. Any request from the Department Manager shall be in writing and include details supporting the request and a plan for reduction of hours.
  - 3.2 The Department Manager or their designee must develop plans to reduce accumulated compensatory time in excess of ~~sixty (60)~~ forty (40) hours within three (3) months of the time being accumulated. Exceptions may be approved if written supporting documentation is provided by the Department Manager to the County Administrative Coordinator for up to an additional three (3) months.
  - 5.4 Employees classified as "exempt" are paid on a salary basis and are excluded from specific provisions of federal and state wage and hour laws and are not eligible for overtime pay.
  - 5.5 Department Managers and "exempt" supervisory employees are not eligible for compensatory time or overtime.
  - 5.6 Exempt professional and administrative personnel as defined by FLSA, excluding Department Managers and exempt supervisory employees, working in excess of their respective hourly and weekly schedules earn compensatory time on the basis of one hour compensatory time for one hour worked as approved by the Department Manager.
  - 5.7 **Employees should use this earned comp time during the year. Employees will not be allowed to carry any balance in their banks from year to year. For Non-Highway employees, any remaining balance in the compensatory time bank will be paid out on the final check annually.**
6. **Communication/Corrections Employees Overtime:**
  - 6.1 Overtime is any time worked in excess of forty (40) hours within a standard work week beginning on Sunday and ending on Saturday. Time worked includes travel to and from trainings held outside of the courthouse building.

- 6.1.1 Schedules are subject to change due to meetings, staffing needs or training to minimize use of overtime hours.
  - 6.1.2 Overtime will be paid for anything outside the employee's work schedule if the schedule change is made with less than twenty-four (24) hour notice.
  - 6.2 Communications/Corrections cannot accumulate compensatory time. Overtime will be compensated by payment at one and one-half (1 ½) time the regular rate of pay.
  - 6.3 If a communication/corrections employee is called in to work to outside of their normal work shift, the employee shall receive overtime pay at the rate of one and one-half (1 ½) his her/hourly wage. The employee's time sheet shall identify this as "unscheduled". This only applies to full-time employees and not those working as part-time. Part-time would need to work 40 hours within a standard work week before qualifying for overtime compensation.
  - 6.4 If a communications/corrections employee is scheduled for training or staff meeting prior to the start of a shift or immediately after a shift or on their scheduled day off, overtime is paid if the employee has excess of forty (40) hours of time worked within the standard work week.
  - 6.5 If a communications/corrections employee is requested to remain at work beyond the normal completion of their scheduled work shift to complete assigned duties, time will be credited towards time worked and overtime will be paid if the employee has excess of forty (40) hour of time worked within the standard work week.
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## POLICY 201. PAID HOLIDAYS

- 1. **Purpose:** To identify employee holidays and establish a consistent procedure for scheduling and payment.
- 2. **Paid Holidays:**
  - 2.1 The courthouse, except the Law Enforcement Center, will be closed on the following legal holidays observed by the County, and eligible employees will receive eight (8) hours of holiday pay:
    - New Year's Day
    - The Friday before Easter
    - Memorial Day
    - Independence Day
    - Labor Day
    - ~~Columbus Day~~
    - Veterans Day
    - Thanksgiving Day
    - The Day after Thanksgiving
    - Christmas Eve
    - Christmas Day
    - (1) Floating Holiday
  - 2.2 Eligibility:

2.2.1 In order to be eligible for holiday pay, an employee must be on the active payroll the day before and the day after such said holiday.

2.2.2 Holidays within any unpaid period of absence, except Worker's Compensation leave, shall be without pay.

2.3 Scheduling:

2.3.1 In the event that a holiday falls on a Saturday, the proceeding Friday shall be observed as the holiday; should a holiday fall on a Sunday, the following Monday shall be observed as the holiday.

2.3.2 For floating holiday usage, the employee must receive supervisor approval and the day must be used as a full day increment equal to (8) hours or as listed below for part-time employees.

3. **Holiday Pay for Highway Employees:**

3.1 All non-exempt employees shall receive one and one-half (1 ½) times their regular hourly rate of pay for all hours worked on a holiday in addition to their holiday pay.

4. **Holiday Pay for Communication/Corrections Employees:**

4.1 Holiday pay for Communication/Corrections employees will be accrued at eight (8) hours per holiday. All communications/corrections employees will be compensated for eleven (11) holidays per year, for a total of eighty-eight (88) holiday hours. Holiday time must be used in full workday increments; either for an eight (8) hour shift or twelve (12) hour shift. They may take these holidays any time during the year with the approval of the Sheriff or his/her designee. If days cannot be scheduled as time off, said unused days not scheduled before December 31 shall be paid at the hourly rate earned by the employee. In the event of separation, employees who have taken more days than allowable shall have any overpayment deducted from final wages.

4.2 If a Communication/Corrections employee works any of the set 10 holidays, the employee shall have an additional four (4) hours of holiday pay added to their holiday accrual balance. A maximum of twenty-four (24) hours of holiday pay may be carried over if an employee works Christmas Eve Day and/or Christmas Day, which must be utilized as pay or time off within the first three (3) months of the year.

5. **Holiday Pay for Part-time Employees:**

5.1 Part-time employees shall receive holiday pay up to the number of hours they are normally scheduled to work or it shall be pro-rated based on previous years' hours worked and their current work schedule. This is not to exceed eight (8) hours. This also applies to when a part-time employee elects to use their floating holiday.

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## POLICY 208. LEAVES – SICK LEAVES

1. **Purpose:** To provide employees with a means of utilizing accrued sick leave time.

## 2. Personal Sick Leave Bank (PSLB):

- 2.1 Each employee has a Personal Sick Leave Bank (PSLB) account, except for represented Law Enforcement employees.
- 2.2 Accrued sick leave is placed in the PSLB upon start-up of the program, and thereafter is added at an annual basis.

Maximum levels of the PSLB are:

480 hours for a full-time employee  
360 hours for 75% part-time employee  
240 hours for 50% part-time employee  
144 hours for 30% part-time employee

- 2.3 Exceptions to these hours will be employees with more than 480 hours, up to a total of 720 hours, as of the effective date (June 1, 2013) or for Communications/Corrections Officers hired before April 6, 2014 with more than 480 hours up to a total of 800 hours, as of the effective date of January 1, 2017 of this policy. No additional hours may be added to an employee's PSLB account if the amount exceeds 480 hours.

- 2.4 ~~Time placed in the PSLB is available for extended illness of greater than three (3) days or Family Medical Leave including intermittent FMLA leave.~~

Time placed in the PSLB is available for an employee's personal illness, well-care and medical and dental appointments. This time may also be used for illness and well-care of a member of an employee's immediate family (including the employee's spouse, child, parent, or domestic partner.) Employees utilizing their PSLB due to personal illness must contact their Department Manager no later than one (1) hour before the start of their schedule for that day except in cases of emergency or development of illnesses during work hours. Communications/Corrections Officers notification shall be at least two (2) hours before the start of their shift except as stated above.

- 2.5 ~~The employee's PTO account is used to cover illnesses of three (3) days or less except in the matter of approved intermittent FMLA leave where it can be used as approved via the physician's paperwork. However, when an illness is greater than three (3) days, the use of PSLB time will revert to the first day.~~

2.6 ~~A medical physician's statement will be required for the employee to use the PSLB time. If a FMLA event occurs FMLA forms and procedures will be required for use of PSLB hours, subject to applicable state and federal law.~~ Employees that are not out on approved Family Medical Leave must furnish physician's statement of an illness for any accumulation greater than two (2) working days in two week pay period. This must be provided to Administration upon their return to work. At the discretion of the Department Manager, the employee may be required to submit a physician's statement for leave taken immediately before or after a holiday, weekend, or vacation. If such documentation is not forthcoming, any pay granted for such leave may be deducted from the next paycheck.

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## POLICY 209. LEAVES – PERSONAL TIME OFF (PTO)

1. **Purpose:** The purpose of the Paid Time Off (PTO) Plan is to provide regular full-time and regular part-time employees a flexible means to carefully plan their time away from work and maximize time spent on the job.
  - 1.1 PTO can be utilized for any purpose, subject to approval by the Department Manager. At a minimum, documentation of PTO must be recorded on the individual employee's timesheet.
  - 1.2 This benefit is available to regular non-represented employees. Temporary, seasonal and casual employees and elected officials are not eligible for PTO.

.....Cont.

3.3 Maximum PTO Accumulation is:

- 320 hours for a 100% full-time employee
- 240 hours for 75% part-time employee
- 160 hours for 50% part-time employee
- 96 hours for 30% part-time employee

- 3.4 Once the maximum is reached any additional hours are forfeited until PTO hours are utilized.

IT IS THE EMPLOYEE'S RESPONSIBILITY TO UNDERSTAND THIS PROVISION AND CAREFULLY PLAN THEIR PTO USAGE AND DISTRIBUTION TO ENSURE THAT PTO IS NOT LOST.
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4. **Annual Paid Time Off Options:**

- 4.1 On the first day of each year, the employee has the option of placing up to the maximum allowed into the Personal Sick Leave Bank from their Paid Time Off (PTO) bank:
  - 96 hours for a full-time employee
  - 72 hours for 75% part-time employee
  - 48 hours for 50% part-time employee
  - 28 hours for 30% part-time employee
- 4.2 The employee should notify the County Administration Office in writing of the number of hours they wish to transfer from PTO to PSLB.
- 4.3 The request must be made with the payroll period which includes the date of December 31 of that year.
- 4.4 PTO hours up to the maximum accumulation will be continued into the following year. If an employee does not indicate a choice, all PTO hours up to the account maximum will be carried forward.
- 4.5 **Communications/Corrections Officers- Effective November 1, 2022, through October 31, 2023, Communications/Corrections Officers will have a total of two (2) times that they may transfer up to 96 hours on each transfer from PTO to PSLB. The dates will include December 31 and July 1. The request must be made with the payroll period which includes each of the dates.**

- 6.5 Unscheduled PTO hours for ~~personal injury or illness or other~~ unforeseen emergency circumstances must be made at least one (1) hour before the start of the work day or shift except in cases of emergency or development of illness during work hours. Communications/Corrections Officer's request shall be at least two (2) hours before the start of their shift except as stated above.

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### Policy 303. BENEFITS – RETIREMENT

#### 4. PTO Retirement Payout:

- 4.1 An employee who retires from Buffalo County employment (immediately receives a pension from the Wisconsin Retirement System): PTO hours remaining in the employee's account is paid out at their current rate of pay.
- 4.2 An employee who retires on or after June 2, 2013 may elect to transfer up to all remaining PTO hours to their PSLB to use to pay premiums for an approved IRS tax-exempt health insurance program. Exception to these hours will be employees with more than 480 hours, up to a total of 720 hours, as of the effective date (June 2, 2013) or for Communications/Corrections Officers hired before April 6, 2014 with more than 480 hours up to a total of 800 hours, as of the effective date of January 1, 2017 of this Policy.

#### 5. Personal Sick Leave Bank Retirement Payout:

- 5.1 Upon retirement, the Personal Sick Leave Bank (PSLB) will be paid into an approved IRS tax-exempt health insurance program at no cost to the County. The PSLB will be paid at a daily rate of \$30.00.

#### ~~6. Vacation/Sick Leave Payout:~~

- ~~6.1 Unused sick leave upon retirement for Corrections/Communications employees who began full-time employment with the County prior to April 6, 2014, will be paid into an approved IRS tax-exempt health insurance program at no cost to the County at a daily rate of \$30.00.~~
- ~~6.2 Unused vacation hours remaining in the employee's account upon retirement for Corrections/Communications employees who began full-time employment with the County prior to April 6, 2014, are paid out at their current rate of pay.~~