



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

Original Post Date: 2/10/2021

Amended* Post Date:

**The following documents are included in the packet for the
Personnel Committee Meeting on February 15, 2021**

- 1) Agenda
- 2) Minutes from 11/05/2020
- 3) Documents in regards to Personnel Policy and Procedure Manual and Administrative Policy Manual



GREEN LAKE COUNTY OFFICE OF THE COUNTY CLERK

Elizabeth Otto
County Clerk

Office: 920-294-4005
FAX: 920-294-4009

Personnel Committee Meeting Notice

Date: Monday, February 15, 2021 Time: 3:30 PM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI

AGENDA

Committee Members

Robert Schweder,
Chair
Sue Wendt,
Vice-Chair
Charlie Wielgosh
Ken Bates
Curt Talma

Elizabeth Otto,
Secretary

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Minutes: 11/05/20
5. Discuss recommendations of outside counsel regarding amending the Personnel Policies and Procedures Manual and Administrative Policy Manual
6. Committee Discussion
 - Future Meeting Dates: March 11, 2021 @ 3:30 PM
 - Future Agenda items for action & discussion
7. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication. Remote access can be obtained through the following link:

Topic: Personnel Meeting
Time: Feb 15, 2021 03:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/92767452078?pwd=Rct2Q0lVUIMlVW05SWWRDS05zeUVrZz09>

Meeting ID: 927 6745 2078
Passcode: 782034

Dial by your location

- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 929 436 2866 US (New York)

Meeting ID: 927 6745 2078

Kindly arrange to be present, if unable to do so, please notify our office. Sincerely, Elizabeth Otto

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or Audio assistance, should contact the County Clerk's Office, 294-4005, not later than 3 days before date of the meeting.

PERSONNEL COMMITTEE MEETING
November 5, 2020

The meeting of the Personnel Committee was called to order by Chair Bob Schweder at 3:30 PM on Thursday, November 5, 2020 in the County Board Room, Green Lake County Government Center, Green Lake, WI. The meeting was held both in person and via Zoom due to the COVID-19 pandemic. The requirements of the open meeting law were certified as being met. The Pledge of Allegiance was recited.

Present: Ken Bates (Zoom)
Bob Schweder
Curt Talma
Sue Wendt
Charlie Wielgosh

Other County Employees Present: Liz Otto, County Clerk; Cathy Schmit, County Administrator (Zoom); Dawn Klockow, Corporation Counsel (Zoom) – 3:40; Jason Jerome, HHS Director; Nicole Geschke, HR Coordinator

MINUTES

Motion/second (Wendt/Wielgosh) to approve the minutes of the October 8, 2020 meeting with no additions or corrections. Motion carried with no negative vote.

CORRESPONDENCE

County Clerk Liz Otto read an email from HHS staff thanking the Personnel Committee and County Board for the additional Thanksgiving holiday this year.

RESOLUTIONS

- **Relating to Eliminating the HHS Administrative Assistant, the HHS Financial Manager and the Billing Specialist Positions and Creating a Financial/Business Manager and Billing Specialist/Administrative Unit Coordinator Positions (HHS)**

HHS Director Jason Jerome explained the need for the changes outlined in the resolution. Discussion held on the possibility of a tiered wage structure based on job performance at 6 months of service. Jerome will advise the entire County Board of the different pay ranges – one at 80% and one at 90%.

Motion/second (Wendt/Talma) to approve the resolution and forward to County Board. Motion carried with no negative vote.

- **Resolution to Increase Pay Grade of Representative Payee Specialist on the County Wage Plan**

HHS Director Jason Jerome explained the need for the changes in the resolution. Fox River Industries Manager Ed Schuh also provided input on the job duties.

Motion/second (Wielgosh/Talma) to approve the resolution and forward to County Board. Motion carried with no negative vote.

COMMITTEE DISCUSSION

Future meeting date: Regular meeting – Next meeting date set for December 10, 2020 at 3:30 PM

Future agenda items:

ADJOURNMENT

Chair Schweder adjourned the meeting at 4:08 PM.

Submitted by,

Liz Otto
County Clerk

DRAFT

**PERSONAL AND CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE**

MEMORANDUM

To: Dawn N. Klockow, Green Lake County Corporation Counsel

From: Claire E. Hartley, Esq.
Susan M Love, Esq.

Date: November 24, 2020

Subject: **Personnel Policy and Procedures Manual and Administrative Procedure Manual**

Green Lake County has requested a review of the existing Personnel Policy and Procedures Manual and Administrative Procedure Manual, specifically addressing any potential issues related to the County Administrator duties and powers. The County Administrator is the chief administrative officer of the county. The County Administrator is responsible for coordinating all administrative and management functions not vested by law with other officers and appointing and supervising department heads. Within this legal framework, the Manuals have been reviewed and proposed revisions and recommendations follow.

1. **GREEN LAKE COUNTY PERSONNEL POLICY AND PROCEDURES MANUAL**

CONFIDENTIALITY AND REQUESTS FOR INFORMATION

County employees may have access to confidential, client, personnel or other sensitive information. This may include, without limitation, information concerning a citizen's or employee's financial status, a citizen's or employee's medical status and condition as well as the County's business practices including purchasing and negotiating strategies, and employee records (collectively "confidential information"). This confidential information cannot be disclosed to any County personnel who do not have a legitimate business need to know such information or to persons outside of the County without the express authorization of the County Administrator or Department Head. ~~There may be special circumstances in which the information may be released only with specific signed releases that may be time sensitive.~~ All employees are responsible for protecting the confidentiality of this information.

Likewise, no information concerning the internal operations of the County, including but not limited to the release of records of the County, may occur except through, and with the permission of, the County Administrator ~~or individual Department Heads~~. If requests for information are received by employees, whether on or off duty, from any person, the employee is required to

politely decline to provide such information and to direct that individual to the County Administrator who shall direct the request to the County's custodian of records ~~or Department Head~~ for a response to that inquiry. The County's custodian of records is responsible for the disclosure of records pursuant to requests for records under Wisconsin's Public Records Law. Unless directed by the County's custodian of records, employees shall not act as the County's custodian of records or disseminate information.

Recommendation

The statement about "special circumstances" is not necessary as the approval authority rests with the County Administrator or Department Head in all cases. For external dissemination of confidential information, to minimize any potential violations of the open records law, all requests should be directed to the County Administrator for referral to the custodian of records.

APPENDIX J Grievance Procedure

The grievance procedure includes an administrative charge when an appeal is filed, as well as a charge for the Impartial Hearing Officer.

Recommendation

Wis. Stats 66.0509 establishes an employer's obligation to implement a grievance procedure for discipline, termination and safety issues. While the statute which established the grievance requirement does not prohibit a monetary charge for the grievance, it is possible that an employee could bring suit on the basis that the charge inhibits the employee's ability to the statutory benefit of a grievance process. The County should consider whether to maintain the charge.

2. GREEN LAKE COUNTY ADMINISTRATIVE POLICY MANUAL

II. GENERAL ADMINISTRATION

- A. Employment At Will.** All of the County's employees, with the exception of sheriff's deputies, are employed at will, and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the County or the employee. No elected official, manager or employee is authorized to alter the at-will employment relationship between the County and its employees.
- B. Departmental Rules.** County departments may have administrative policies or personnel policies that are specific to the department. The policies in this Manual and the Personnel Manual shall control in the event of a conflict with a department policy unless the department has received approval from the County Board or County Administrator, as appropriate, to implement a different policy.
- C. General Exceptions.** The provisions of this Manual are subject to, and may be superseded by, applicable collective bargaining agreements, statutory provisions, regulations and

ordinances (collectively “codes”) which apply to elected officials, public safety and other employees. In the event of a conflict between this Manual and any applicable collective bargaining agreement or code, the collective bargaining agreement or code shall control. This provision is not intended to, and does not; limit the authority of the County Board under Chapter 59 of the Wisconsin statutes or the authority of the County Administrator under Chapter 59.18 of the Wisconsin Statutes.

Recommendations

It is recommended that the at-will statement be expanded to ensure that the limitation on changing the at-will relationship applies to more than managers, but includes all staff. Further, it is recommended that the authority of the County Administrator is recognized in this section.

III. JOB DESCRIPTION UPDATES

B. Job Description Updates. Department Heads are responsible for updating the job descriptions for their Department in conjunction with the County Administrator. All job descriptions will be reviewed periodically but no less than every other year by the Department Head. Further, job descriptions should be reviewed when job duties are changed. The Department Head will certify in writing to the County Administrator that the review has been conducted as required by this policy and either state that there are no updates or provide the updated job description with the certification.

C. Approval. Any change in a job description by a Department Head must be approved by the County Administrator. A copy of the changed job description must be filed with the County Clerk’s office.

D. Review. When a job description is changed, it must be reviewed to determine whether the change requires a change in classification, the proper designation within the County’s pay structure and the implementation of such changes. Any classification review shall be handled as set forth in the Classification/Reclassification section of this manual.

Recommendation

The review of job descriptions is addressed in multiple sections of the manual and not all types of reviews are included. This section only addresses periodic review of job descriptions. It does not address a job description review due to a change in duties, reclassifications or creation of new positions. Also, this section does not address the impact of changes on classification and implementation of any resulting change, such as a demotion, promotion, transfer or termination. (See further discussion below).

Also, this provision includes review and approval of Department Head changes by the County Administrator. However, there is no process for review of any changes in job descriptions of the staff supervised by the County Administrator. While such approval is not essential for a mere update, one should be included for any change resulting in a modification of a classification.

IV. RECRUITMENT AND HIRING

C. Vacant Positions.

b. Job Designation. The position should be evaluated to ensure that it is properly designated within the County's pay structure. If the review of the position description reflect the need for more or less education and/or experience, or increased or decreased responsibilities, the position may require reclassification~~should be reclassified and paid at the a lower level.~~ Any reclassification shall be processed as set forth in this manual.

Recommendation

This change is recommended to address a possible change to a higher level and to reference the reclassification process.

d. Evaluation of Existing Staff. The existing staff and personnel in the department must be evaluated to determine if the tasks of the vacant position can be distributed among existing staff, thus eliminating the need to fill the vacancy. This evaluation should include consideration of supplementing existing full time staff with part-time employees or other personnel arrangements to fill the demands served by the vacant position.

The County acknowledges that there may be situations when specific levels of staffing are required to meet state and/or federal requirements. When specific levels of staffing are required, these levels of staffing may be maintained and will not require the position review process. The Department Head/County Administrator must provide the governing committee and Personnel Committee with evidence of the minimum staffing requirements in order to move forward with the hiring process without a position review. The Sheriff's Office 24/7 Communications and Corrections Personnel have met this minimum staffing requirement. Vacancies in those positions may be filled immediately without authorization by the County Administrator.

Recommendation

It should be considered whether governing committee and personnel committee approval is required.

D. New Positions

1. Approval. ~~All new positions, including, but not limited to, those created as a result of a promotion or change in job responsibilities, must be approved by the Personnel Committee, the Finance Committee (to the extent the position is being created during a budget year) and the County Board prior to beginning the hiring process.~~

2. Process for Creating a New Position. ~~The creation of a new position shall originate from the governing committee of the Department wishing to create the position. The Department Head shall prepare a proposal which contains the position title, any applicable departmental classification, the rationale for its creation, any applicable state or federal mandates that may have caused the need for the new position, a description of how the position fits into the plans of the department; all~~

~~anticipated salary, fringe benefits, and other related costs. Other pertinent information including budget impact shall also be identified in the proposal. The proposal shall include the proposed job description for the position.~~

~~The Department Head shall submit the proposal to the County Administrator. Once the County Administrator has approved the new position, it shall be referred to the governing committee for its approval. Upon approval, County Administrator shall submit the proposal to the Personnel Committee. If the Personnel Committee approves the position, the proposal will be submitted to the Finance Committee if the position is being created during a budget year or directly to the County Board for final approval. If the position is approved by the Finance Committee (to the extent that such approval is required), the position will be submitted from the Finance Committee to the County Board for final approval.~~

Recommendation

It is unclear whether a change in job description, including adding or removing responsibilities results in a “new” position, which, as set forth in this policy, requires approval from the Personnel Committee, Finance Committee and Board. The process for revising job descriptions needs clarification, including outlining implementation of changes. It is recommended that the Manual set forth a process for updating job descriptions which (1) does not result in a change necessitating a reclassification (this is already addressed in the job description update section), (2) results in a change which requires reclassifying a position to a higher or lower classification (this is not specifically addressed in the manual) and (3) the creation of a new position (this is specifically addressed).

In establishing the process for reclassification, the manual should provide guidance on approval and implementation for reclassifications to both a higher and lower classification. When there is a reclassification of an occupied position, there should be a process for demotion, promotion, transfer or termination. A draft of the classification/reclassification manual section is attached.

XV. LAYOFF & RECALL

The County may layoff and recall employees as the County deems necessary. In making layoffs or recalling employees, the County may consider any number of factors including, without limitation, the following:

1. The County’s needs;
2. Length of service;
3. General employee qualifications including, without limitation, education, skills, training and experience;
4. Employee performance; and
5. Employee qualifications in the County’s areas of need including, without limitation, education, past assignments and practical experience.

The rehiring of employee(s) that have been laid off shall be determined by the external recruitment process.

Recommendation

This provision does not specify who has the authority to authorize layoffs and recalls. The responsibilities should be specified.

CONCLUSION

Overall, the Manuals appropriately address the decision making and approval authority under the County's current organizational structure. There are a few recommendations which will clarify ambiguities and authority. If you have any questions, please let us know.

Reclassification Process and Policies

Every position shall be properly classified within the classification and compensation system approved by the County Board.

Classification of New Positions

1. Approval. All new positions must be approved by the Personnel Committee, the Finance Committee (to the extent the position is being created during a budget year) and the County Board prior to beginning the hiring process.

2. Process for Creating and Classifying a New Position. The creation of a new position shall originate from the governing committee of the Department wishing to create the position. The Department Head shall prepare a proposal which contains the position title, a job description, any applicable departmental classification, the rationale for its creation, any applicable state or federal mandates that may have caused the need for the new position, a description of how the position fits into the plans of the department, and all anticipated salary, fringe benefits, and other related costs. Other pertinent information including budget impact shall also be identified in the proposal. The proposal shall include the proposed job description for the position. The job description shall accurately reflect the duties, job authority, knowledge, skills and abilities required.

The Department Head shall submit the proposal to the County Administrator. The County Administrator shall determine the placement of the position in an appropriate pay group.

Once the County Administrator has approved and classified the new position, it shall be referred to the governing committee for its approval. Upon approval, the County Administrator shall submit the proposal to the Personnel Committee. If the Personnel Committee approves the position, the proposal will be submitted to the Finance Committee if the position is being created during a budget year or directly to the County Board for final approval. If the position is approved by the Finance Committee (to the extent that such approval is required), the position will be submitted from the Finance Committee to the County Board for final approval.

Reclassification of Existing Positions

A position reclassification is the assignment of a new job description and pay group to an existing position. A reclassification is based on an evaluation of the duties, responsibilities, scope, impact, and minimum qualifications of the position. A reclassification involves a thorough review process to determine the appropriate job title and pay grade for positions whose job duties and responsibilities have undergone significant changes.

Annual Review

Department Heads are responsible for updating the job descriptions for their Department in conjunction with the County Administrator as set forth in this manual. When the County Administrator has determined that a position has changed sufficiently to warrant placement in a new pay group, the position will be reclassified as set forth below.

Reclassification of Vacant Position

If it is determined that a vacant position has changed sufficiently to warrant a request for reclassification to a new pay group, the Department Head shall prepare a request for reclassification. The request shall include the proposed modified job description for the position. The job description shall accurately reflect the duties, job authority, knowledge, skills and abilities required.

The Department Head shall submit the request to the County Administrator. The County Administrator shall determine the placement of the position in an appropriate pay group.

Once the County Administrator has approved and classified the position, it shall be referred to the governing committee for its approval. Upon approval, the County Administrator shall submit the proposal to the Personnel Committee. If the Personnel Committee approves the position, the proposal will be submitted to the Finance Committee if the position is being created during a budget year or directly to the County Board for final approval. If the position is approved by the Finance Committee (to the extent that such approval is required), the position will be submitted from the Finance Committee to the County Board for final approval before the position is filled.

Reclassification of Existing Filled Position

A department can request a reclassification of a job if an employee's duties and responsibilities have changed substantially due to changes in organization, work, staffing requirements, or technology. A request for reclassification must be submitted on the designated County form and must include a revised job description, any applicable departmental classification, an explanation of the changes, and any applicable state or federal mandates that may have caused the need for the revised position. The job description shall accurately reflect the duties, job authority, knowledge, skills and abilities required.

A request for reclassification does not guarantee any particular outcome. The process may result in a:

- pay grade increase,
- pay grade decrease or
- no change at all.

The completed request for reclassification shall be submitted to the County Administrator for review. The County Administrator shall determine whether the changes will result in any change to the pay group of the position. If there is no change to the pay group and the County Administrator approves the changes, the revised job description shall be filed with the County Clerk.

If the changes in the job result in a change in pay group, the County Administrator shall determine whether the position should be treated as a reclassification or a creation of a new position. If the position is to be reclassified, the County Administrator shall submit the recommendation for reclassification to the Personnel Committee. If the Personnel Committee approves the reclassification, the recommendation will be submitted to the Finance Committee if the position is being reclassified during a budget year or directly to the County Board for final approval. If the position is approved by the Finance Committee (to the extent that such approval is required), the position will be submitted from the Finance Committee to the County Board for final approval.

Once the reclassification has been approved, the necessary personnel action shall be implemented. If the position was reclassified to a higher pay group, the employee shall be reclassified to the higher pay group. If the position was reclassified to a lower pay group, the employee shall be reclassified to the lower pay group.