

Title 3

HUMAN RESOURCES

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(Ord. 155-27, Sec. 11 Repealed Chapters 3.25, 3.30, 3.35, 3.40, 3.45, 3.55, 3.60, 3.65, 3.70, 3.75 and 3.80)

Chapter 3.01

OBJECTIVES AND SCOPE

Sections:

| | |
|--------------------------|--|
| 3.01.001 | Purpose. |
| 3.01.005 | Scope and collective bargaining obligations. |
| 3.01.010 | Definitions. |
| 3.01.020 | Interpretation. |

3.01.001 Purpose. The general purpose of the human resources code is to establish a framework for personnel administration that meets the social, economic and program needs of the county. It shall be the responsibility of every member of the supervisory staff to administer these policies in a fair and impartial manner. (Ord. 155-27, Sec. 1, 2011; Ord. 151-10, Sec. 13, 2007; Ord. 147-54, 2003; Ord. 80-81/276, Sec.3 (part), 1980).

3.01.005 Scope and collective bargaining obligations. County employees, other than supervisory, confidential, managerial or executive, have the right to organize, join and participate in any employee organization, freely and without fear of penalty or reprisal, as provided for in the Municipal Employment Relations Act, Wis. Stat. § 111.70, which includes provisions for the resolution of impasses.

A. This code shall apply to personnel administration for all employees and departments of the county except as otherwise provided. Students engaged in field training, volunteer workers, and persons employed to make or conduct a temporary special inquiry, investigation or examination on behalf of the county board or committee of jurisdiction shall not be covered by the provisions of this code.

B. This code shall apply to employees not covered by collective bargaining agreements and to employees so covered when specific contracts do not apply to the contrary.

C. In instances where these provisions are in conflict with Wis. Stat. § 59.26, the latter provision shall prevail. (Ord. 155-27, Sec. 2, 2011; Ord. 147-54, 2003; Ord. 144-24, Sec. 11, 2000; Ord.141-03, Sec.1, 1997; Ord. 128-25 Sec.1, 1984; Ord. 80-81/276, Sec.3 (part), 1980).

3.01.010 Definitions. The following words and phrases as utilized in this title of the code shall be afforded the definitions hereunder set forth, unless a different meaning is specifically afforded to the word or phrase via definition established in another title of this code or from the context:

A. "Appointing authority" means the person, governing body or designee thereof which has the authority granted by law or ordinance to appoint an individual to or remove an individual from positions in county service. The county administrator shall appoint heads of all departments and offices and the head of each department or office shall appoint all subordinate personnel.

B. "Committee" means the committee on human resources.

C. "Department head" means any county official who has the responsibility for the operation of a county department.

D. "Director" means the human resources director.
(Ord. 160-21, Sec. 1 & 2, 2016; Ord. 155-27, Sec. 3, 2011; Ord. 155-16, Sec. 1-3, 2011; Ord. 155-4, Sec. 1, 2011; Ord. 153-13, Sec.7 & 8, 2009; Ord 151-35, Sec. 2, 2007; Ord. 151-10, Sec. 14, 2007; Ord. 150-27, 2006; Ord. 147-54, 2003; Ord.139-86, Sec.5, 1995; Ord.138-70, 1994; Ord. 137-08, Sec. 1, 1993; Ord. 135-93, Sec.1, 1991; Ord. 127-1, Sec.3, 1983; Ord. 126-34, Sec.1, 1982; Ord. 126-15, Secs.3 (part) and 4, 1982; Ord. 1-82/473, Sec. 1m, 1982; Ord. 81-82/183, Sec.1 (part), 1981; Ord. 80-81/276, Sec.3 (part), 1980; Ord. 155-27, Sec. 3, 2011).

3.01.020 Interpretation. In the event of any ambiguity or conflict in the human resources code, the corporation counsel shall be consulted and requested to render an opinion regarding the appropriate construction. (Ord. 151-10, Sec. 15, 2007; Ord. 147-54, 2003; Ord. 80-81/276, Sec.3 (part), 1980).

Chapter 3.03

ORGANIZATION AND ADMINISTRATION

Sections:

- 3.03.010 Purpose.
- 3.03.020 Responsibility and authority.

3.03.010 Purpose. In order to establish and maintain a human resources program for the county, this chapter shall establish a clear understanding of responsibility and authority. Proper organization and delegation of authority are essential to effective and efficient county government administration and management. (Ord. 151-35, Sec. 4, 2007; Ord. 147-54, 2003; Ord. 80-81/276, Sec.5 (part), 1980).

3.03.020 Responsibility and authority.

- A. The county board shall:
 - 1. Authorize by ordinance any amendments to the human resources code;
 - 2. Confirm non-elected department head appointments;
 - 3. Authorize the creation, addition, reduction, or abolition of full time equivalency of all regular positions pursuant to Chapter 3.15; and
 - 4. Appropriate funds for all authorized personnel positions.
- B. The committee shall perform those functions provided in 2.04.440 and Title 3, shall establish pay rates for seasonal employees, and approve any changes to the Employee Policy Manual except any changes resulting in a fiscal impact will go to the county board for approval.
- C. The county administrator shall perform those human resources functions provided in Chapter 2.06 and Title 3.
- D. The director shall:
 - 1. Administer the human resources code, the Employee Policy Manual and Human Resources Administrative Manual and perform those functions provided therein;

2. Lead strategic efforts and make operational decisions in all areas of personnel management including employment and recruiting, training and development, classification and compensation, benefits, employee relations, labor negotiations, personnel records and health and safety;
3. Make recommendations regarding overall personnel resource strategic and workforce planning;
4. Develop and maintain classification and compensation plans;
5. Review reorganization recommendations made by department heads to outline appropriate action for the board;
6. Approve setting the salary of new employees above the minimum;
7. Approve exceptions to benefits policy;
8. Approve travel costs of applicants;
9. Monitor temporary assignments and use of overtime;
10. Maintain a list of regular position titles, and
11. Maintain a record of authorized full time equivalency for each position.

E. Department heads shall:

1. Enforce the human resources code, the Employee Policy Manual, and the Human Resources Administrative Manual as it pertains to their respective departments, and keep employees informed of its provisions;
2. Recommend to the director any amendments to the human resources code, the Employee Policy Manual, and the Human Resources Administrative Manual which would improve county operating efficiency or employment relations;
3. Delegate appropriate authority to subordinate supervisory personnel in enforcing the code, the Employee Policy Manual, and the Human Resources Administrative Manual; and
4. Immediately notify the director of any known changes in personnel and participate in the selection of replacement employees.

F. Supervisory personnel may, if delegated by the department head, enforce human resources policies. (Ord. 159-006, Secs. 1 & 2, 2015; Ord 155-27, Sec. 4, 2011; Ord. 155-16, Sec. 4, 2011; Ord. 151-10, Sec. 16, 2007; Ord. 147-54, 2003; Ord.141-06, Sec.1, 1997; Ord.139-86, Sec.6, 1995; Ord. 135-74, Sec. 1 & 2, 1992; Ord. 126-62, Sec.3, 1983; Ord. 80-81/276, Sec.5 (part), 1980).

RECORDS AND TRANSACTION MANAGEMENT

Sections:

- [3.05.010](#) Purpose.
- [3.05.020](#) Responsibility and authority.
- [3.05.030](#) Inspection and confidentiality of records.

3.05.010 Purpose. Personnel records are essential to provide factual data about an individual's employment with the county. They serve as a basis to evaluate qualifications for promotion or transfer and determine the status, eligibility, rights and benefits of employees. The documents in the employee's personnel file vitally affect the rights and benefits of employees and serve to support management decisions. (Ord. 147-54, 2003; Ord.141-69, Sec.5, 1997; Ord. 80-81/276, Sec.11 (part), 1980).

3.05.020 Responsibility and authority.

- A. The human resources director shall:
 - 1. Establish, maintain and coordinate personnel transactions and records for all county employees;
 - 2. Maintain a central personnel file for each county employee showing name, address, birth date, title, salary, changes in status, annual performance ratings and such other pertinent information necessary for effective personnel administration and for compliance with federal and state laws;
 - 3. Advise and assist department heads and the county administrator on all county personnel transactions, records and systems procedures; and
 - 4. Notify the finance department on all matters affecting payroll changes.
- B. Department heads shall:
 - 1. Initiate and process transactions that affect their employees using forms provided or approved by the director;
 - 2. Maintain a record of each employee's compensatory time, where applicable, to justify compensable time off work; and
- C. All employees shall notify human resources of any changes which affect their personal status, such as changes in name, address, telephone number, marital status or eligible dependents. (Ord. 159-006, Sec. 3 & 4, 2015; Ord. 147-54, 2003; Ord.141-69, Secs.6-7; Ord.141-06, Sec.9, 1997; Ord. 81-82/473, Secs.14--16, 1982; Ord. 80-81/276, Sec.11 (part), 1980).

3.05.030 Inspection and confidentiality of records.

A. General information. Information as to the name, dates of employment, classification title and salary of county employees is available for public inspection at times in accordance with procedures prescribed by the director.

B. Confidential personnel records. Other employee information not designated in A., shall be considered confidential and shall be available to the county administrator, the corporation counsel, the employee's supervisor, department head, human resources department and appropriate standing committee or body on a need-to-know basis as necessary in order to perform their respective duties.

1. Employee requests for personnel records. An employee or his or her representative shall, upon written request, be allowed to inspect any documents in the employee's personnel file. The inspection shall take place during working hours in the human resources department.

2. Third party requests for personnel records. When a third party request is made for personnel records, the director shall deny the request, shall balance the interests of the public to be informed in public matters against the harm to employee reputations which would likely result from the inspection and disclosure and release the records or release the records only after a notice of impending release and the right of judicial review, where applicable, have been provided to the employee, all in conformance with the Wisconsin Public Records Law.

C. Medical records. The right of an employee or his or her representative to inspect personnel records includes the right to inspect any personal medical records maintained by the county. An employee must execute a medical release before his or her medical records are released to his or her representative or a third party. If the director believes that disclosure of an employee's medical records would have a detrimental effect on the employee, the employer may release the medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family. (Wis. Stat. § 103.13(5)). Requests by third parties must be accompanied by a written release from the employee.

D. Applications. An applicant for a position may indicate in writing that he or she does not wish his or her identity to be revealed. Except with respect to an applicant who is selected as a final candidate (1 of top 5) for a position, the County may not provide access to any record related to the application that may reveal the applicant's identity. (Ord. 155-27, Sec. 5, 2011; Ord. 151-10, Sec. 18, 2007; Ord. 147-54, 2003; Ord. 144-24, Sec. 12, 2000; Ord.141-06, Sec.10, 1997; Ord. 128-25, Sec.6, 1984; Ord. 80-81/276, Sec.11 (part), 1980).

Chapter 3.10

EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

Sections:

- [3.10.001](#) Equal employment opportunity and affirmative action policy.
- [3.10.010](#) Affirmative action program.
- [3.10.020](#) Affirmative action officer.
- [3.10.030](#) Affirmative action plan adopted by reference.
- [3.10.040](#) Grievances under this chapter.

3.10.001 Equal employment opportunity and affirmative action policy. The county shall foster to the fullest extent practicable that equal employment opportunity be provided in the employment and advancement of covered veterans and persons with disabilities at all levels of employment, including the executive level. Eau Claire County does not and will not discriminate against any applicant or employee because he or she is a covered veteran or because of a physical or mental disability in regard to any position for which the applicant or employee is qualified. In addition, Eau Claire County is committed to a policy of taking affirmative action to employ and advance in employment qualified covered veterans and individuals with disabilities. Such affirmative action shall apply to all employment practices, including, but not limited to hiring, upgrading, demotion or transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. Eau Claire County will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans. Our obligations in this area stem from not only adherence to various state and federal regulations, but also from our commitment as an employer in this community to provide job opportunities to covered veterans and persons with disabilities. (Ord. 158-015, Sec. 2, 2014; Ord. 147-54, 2003; Ord. 135-93, Secs.2 & 3, 1991; Ord. 131-61, Secs. 1 & 2, 1987; Ord. 128-11, Sec.2, 1984; Ord. 80-81/276, Sec.4 (part), 1980).

3.10.010 Affirmative action program. The program has been designed to bring women and men, members of minority groups, covered veterans, and persons with disabilities into all levels and segments of Eau Claire County's workforce in proportion to their representation in the qualified relevant labor market. The program is a detailed, results-oriented set of procedures which, when carried out, results in full compliance with equal employment opportunity requirements through the equal treatment of all people. (Ord. 158-15, Sec. 2, 2014; Ord. 147-54, 2003; Ord. 130-81, Sec.1, 1987; Ord. 80-81/276, Sec.4 (part), 1980).

3.10.020 Affirmative action officer. The affirmative action officer shall be responsible for administration of the affirmative action program which, in part, is a monitoring function over the human resources system. Responsibility shall be for the day-to-day operation and overall implementation and administration of the affirmative action program. To fulfill these responsibilities the affirmative action officer shall have full access to all departmental records relating to recruitment and employment transactions including policies and procedures, rules and regulations, personnel files, background investigation reports and other informational documents relating to the recruitment and employment transactions affecting county employees and applicants. (Ord. 158-15, Sec. 2, 2014; Ord. 147-54, 2003; Ord. 80-81/276, Sec.4 (part), 1980).

3.10.030 Affirmative action plan adopted by reference. There is adopted by reference the Eau Claire County affirmative action plan, under date of March, 1984. The affirmative action plan was developed in accordance with and in reliance upon the EEOC's Guidelines on Affirmative Action, Title 29 Code of Federal Regulations, Part 1608. The original copy of said plan shall be maintained and shall be open for inspection in the office of the county clerk. Amendments thereto shall be approved by the committee and incorporated therein as though fully set forth and when adopted, have the same force and effect as the original plan. (Ord. 158-15, Sec. 2, 2014; Ord 155-27, Sec. 7, 2011; Ord. 147-54, 2003; Ord. 128-11, Sec.3, 1984; Ord. 80-81/276, Sec.4 (part), 1980).

3.10.040 Grievances under this chapter. Any employee or applicant, feeling personally aggrieved by the action of any person obligated to administer the equal employment opportunity and affirmative action policy shall refer such matter directly to the affirmative action officer, the director or the corporation counsel. (Ord. 158-15, Sec. 2, 2014; Ord. 147-54, 2003; Ord. 128-11, Sec.4, 1984; Ord. 80-81/276, Sec.4 (part), 1980).

Chapter 3.15

POSITION ADMINISTRATION

Sections:

- [3.15.010](#) Purpose.
- [3.15.020](#) Administration.
- [3.15.030](#) Position and full time equivalency (FTE) establishment.
- [3.15.040](#) Position descriptions.
- [3.15.070](#) Regular and project position titles.

(Ord. 155-27, Sec. 10 Repealed 3.15.050 & 3.15.060)

3.15.010 Purpose. The purpose of position administration is to provide an efficient organization of work which provides maximum economy and efficiency in providing public services. (Ord. 147-54, 2003; Ord. 80-81/276, Sec.6 (part), 1980).

3.15.020 Administration. The director shall be responsible for the administration of all positions authorized by the board or committee, ensuring that employees receive the proper pay and benefits as determined by the status of the position occupied. (Ord. 147-54, 2003; Ord. 80-81/276, Sec.6 (part), 1980).

3.15.030 Position and full time equivalency (FTE) establishment.

A. Authorization for all regular position titles and full time equivalency or changes therein is subject to the recommendation of the governing committee, the committee and approval by the board.

B. Authorization for all temporary part-time and seasonal positions or changes therein shall be approved by the director, subject to departmental budgetary constraints.

C. Each full time equivalency within a position title shall be determined and designated as regular, temporary part-time, or seasonal.

D. Authorization for the addition, reduction , or deletion of FTE within a position title is subject to the recommendation of the governing committee, the committee, and approval by the board. (Ord. 160-21, Sec. 2, 2016; Ord. 159-006, Sec. 5, 2015; Ord. 155-27, Sec. 8, 2011; Ord. 155-16, Sec. 5, 2011; Ord. 153-13, Sec. 1, 2009; Ord. 147-54, 2003; Ord. 134-24, Sec. 1, 1990; Ord. 130-37, Sec.1, 1986; Ord.85-86/24, Sec.1, 1985; Ord.80-81/276, Sec.6 (part), 1980).

3.15.040 Position descriptions. Position descriptions are necessary to establish a distribution of duties and responsibilities that employees are expected to perform, to classify positions correctly, to fix the appropriate pay for such positions and to develop valid employee selection procedures.

A. New position classification. The department head shall submit a completed position requisition and supporting documentation to the director. The director or designee shall prepare a new position description.

B. Changes in position descriptions. The department head shall notify the director when changes in duties and responsibilities of positions occur. Changes will be made by the director or designee by amendment to the position description unless they are so substantial as to make preparation of a new description desirable.

C. Records. An official position description for each county position shall be maintained in the human resources department and, if required by law or regulation, in the individual personnel folder. (Ord. 159-006, Sec. 6, 2015; Ord. 151-10, Sec. 20, 2007; Ord. 147-54, 2003; Ord.141-68, Sec.1-2, 1997; Ord. 85-86/24, Sec.2, 1985; Ord. 80-81/276, Sec.6 (part), 1980).

3.15.070 Regular and project position titles.

A. The director shall maintain a list of regular position titles used in county service which shall include the position title, number of FTE per position title, salary code and any contingent conditions for specific positions. The list is available from human resources by request.

B. Position title changes. Authorization for all title changes is subject to the recommendations of the governing committee and director and approval by the committee. (Ord. 159-006, Sec. 7, 2015; Ord. 155-27, Sec. 9, 2011; Ord. 155-16, Sec. 6, 2011; Ord. 155-16, Sec. 5, 2011; Ord. 153-13, Sec. 5, 2009)

(Ord. 153-13, Sec. 6, 2009 REPEALED CHAPTER 3.18)

Chapter 3.20

COMPENSATION AND SALARY ADMINISTRATION:
ELECTED AND OTHER OFFICIALS

Sections:

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| 3.20.001 | Elected officers and officials compensation. |
| 3.20.005 | Total annual compensation for county elected officers. |
| 3.20.010 | Benefits of elected officials. |
| 3.20.020 | County board of supervisors compensation. |
| 3.20.030 | Committee meeting defined. |
| 3.20.040 | County board committee per diems. |
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| 3.20.060 | Compensation of county governing bodies. |
| 3.20.070 | Compensation prohibited. |
| 3.20.080 | Authorized per diem compensation. |
| 3.20.090 | Compensation of other officials. |
| 3.20.100 | Compensation claims and payments. |

3.20.001 Elected officers and officials compensation.

A. Prior to March 15th of each even numbered year the committee shall review salaries of all county elected officials and make recommendations by ordinance to the board in accordance with Wis. Stat §§ 59.22(1) for each position up for election.

B. The salaries of all elected officers shall be in lieu of all fees, including all per diem and other forms of compensation for services rendered. All fees collected by such officers shall be remitted to the county treasurer as provided in Chapter 4.05.

C. Prior to November 1st, of each odd numbered year the committee shall review and recommend to the board, by ordinance, salary and per diem schedules for the full terms of the county supervisors to be next elected, as provided by law. (Ord. 155-33, Sec. 1, 2012; Ord. 150-013; Sec. 1, 2006; Ord 147-101; Sec. 1, 2004; Ord. 147-54, 2003; Ord.141-03, Sec.1, 1997; Ord. 136-70; Ord.136-15, 1992; Ord. 134-05, Sec.2, 1990; Ord. 126-7, Secs.3--5, 1982: Ord. 81-82/43, Secs.3 and 4, 1981; Ord. 80-81/276, Sec.7 (part), 1980).

3.20.005 Salaries of elected officers.

A. The salaries of all elected officers shall be paid in accordance with Chapter 4.07.

B. The total annual compensation of the elected officials for calendar year 2016 shall be as follows:

| | |
|---------------------------|----------|
| 1. County clerk | \$59,114 |
| 2. County treasurer | \$59,114 |
| 3. Register of deeds | \$59,114 |
| 4. Clerk of circuit court | \$71,050 |
| 5. County sheriff | \$94,903 |

C. The total annual compensation of the elected officials for calendar year 2017 shall be as follows:

| | |
|---------------------------|----------|
| 1. County clerk | \$67,373 |
| 2. County treasurer | \$67,373 |
| 3. Register of deeds | \$67,373 |
| 4. Clerk of circuit court | \$72,116 |
| 5. County sheriff | \$96,326 |

D. The total annual compensation of the elected officials for calendar year 2018 shall be as follows:

| | |
|---------------------------|----------|
| 1. County clerk | \$69,394 |
| 2. County treasurer | \$69,394 |
| 3. Register of deeds | \$69,394 |
| 4. Clerk of circuit court | \$73,197 |
| 5. County sheriff | \$97,771 |

E. The total annual compensation of the elected officials for calendar year 2019 shall be as follows:

| | |
|----------------------|----------|
| 1. County clerk | \$71,475 |
| 2. County treasurer | \$71,475 |
| 3. Register of deeds | \$71,475 |

F. The total annual compensation of the elected officials for calendar year 2020 shall be as follows:

| | |
|----------------------|----------|
| 1. County clerk | \$73,620 |
| 2. County treasurer | \$73,620 |
| 3. Register of deeds | \$73,620 |

(Ord. 159-43, Sec. 1, 2016; Ord. 157-49, Sec. 1. & 2., 2014; Ord 155-33, Sec. 2, 2012; Ord. 154-5, Sec. 1-2, 2010; Ord. 152-002, Sec. 2, 2008; Ord 150-013; Sec. 3, 2006).

3.20.010 Benefits of elected officials. This section establishes fringe benefits for county elected officials under Wis. Stat. §59.22(1), effective on the first day of the term of office that begins after the date of the ordinance. Fringe benefits are separate and distinct from total annual compensation. It is expressly understood that fringe benefits are subject to increase or decrease during the officer's term at the discretion of the county board and in accordance with state and federal law. Elected officials are:

A. Eligible to participate in a group health insurance plan as provided in the Employee Policy Manual.

B. Eligible to participate in a group dental plan by paying the entire premium as provided in the Employee Policy Manual

C. Eligible to participate in the Wisconsin Retirement System ("WRS") as authorized by law. Each elected official is required to pay their share of the total WRS required contributions. The county will pay only its share of the total WRS required contributions as required by law. It is expressly recognized that these contributions may change, when the required WRS rate is adjusted, as authorized by law.

D. Eligible to participate in the Wisconsin Group Life Insurance Program, social security, deferred compensation, Roth IRA's, group long-term disability plan, flexible spending account and the EdVest college savings program as provided in the Employee Policy Manual.

E. For calendar year 2017, the sheriff is eligible to receive reimbursement of up to \$720 for expenses incurred for the purchase of uniforms based on receipts received with monthly expense reports. (Ord. 160-18, Sec. 1, 2016; Ord. 159-30, Sec. 1, 2016; Ord. 159-11, Sec. 1, 2015; Ord. 157-23, Sec. 1, 2013; Ord. 155-033, Sec. 3, 2012; Ord. 150-004, Sec. 1, 2006; Ord. 147-54, 2003; Ord. 127-45, Sec.1, 1983; Ord. 126-7, Secs.6 and 7, 1982).

3.20.020 County board of supervisors compensation.

A. The compensation for each member of the county board shall be paid monthly by the county treasurer on the payroll date falling no earlier than the 7th day but not later than the 20th day of each month as follows:

1. Chair: \$4,675 per year at \$389.58 per month;
2. First vice chair: \$1,836 per year at \$153 per month;
3. All others: \$1,326 per year at \$110.50 per month;
4. A pro rata adjustment shall be made for portions of months not served in

such capacities.

B. The compensation provided in A. shall be for all services for the county except as provided in 3.20.040. (Ord. 151-040, Sec. 1-2, 2008; Ord. 147-54, 2003; Ord. 145-65, Sec. 1, 2001; Ord.143-57, 1999; Ord.140-38, Sec.2, 1996; Ord.137-73, 1993; Ord.135-60, Sec. 1, 1991; Ord.131-46, Sec.1, 1987, Ord. 126-39, Secs.1-4, 1982; Ord.79-80/244, Sec.1, 1979; Ord.361-77, Sec.2, 1977).

3.20.030 Committee meeting defined. "Committee meeting" as used in this chapter shall mean:

A. The convening of a standing, select or special committee of the county board or a subcommittee thereof for duly authorized purposes under Wis. Stat. ch. 19, subch. V, and the rules of the county board wherein an agenda is published, a quorum is present and regular business is conducted;

B The attendance by a supervisor at a meeting of any other board, council, commission, or committee, without enumeration, to which he or she has been appointed by the county board or the chair thereof as the official permanent county representative, and at meetings of subcommittees thereof to which said supervisor has been appointed by the chair of such body.

C The attendance of a member of the human resources committee at collective bargaining negotiation sessions, mediation sessions, grievance or interest arbitration hearings, unit clarification hearings, prohibited practice hearings or any other hearing authorized under the Wisconsin Municipal Employment Relations Act.

D The following do not constitute meetings and therefore do not qualify for per diem payments; ribbon cuttings, ground breakings meals not in conjunction with approved meetings, award ceremonies, sporting events, taxpayer alliance meetings and political forums. (Ord 151-40, Sec. 3-4, 2008; Ord. 151-10, Sec. 24, 2007; Ord. 147-54, 2003; Ord. 146-77, 2003; Ord.139-53, 1995; Ord.126-55, Sec.1, 1982; Ord. 126-39, Sec.7, 1982; Ord.361-77, Sec.4, 1977).

3.20.040 County board committee per diems.

A Each supervisor shall be paid a per diem of \$30.00 for each committee or county board meeting he or she attends, except for committee meetings scheduled within 1 hour prior to a county board meeting or held during a county board recess. No per diem shall be allowed to any supervisor for attending the meeting of a committee to which he or she has not been appointed as provided by resolution or ordinance unless the chair of the committee certifies in writing that his or her attendance was requested. Any supervisor failing to answer at least half of all roll call votes at any meeting of the board shall be considered absent for per diem payment purposes.

B The director shall prepare committee attendance report forms providing the following: the name of the committee; date, time and place of the meeting; a list of members in attendance; a list of persons not members whose attendance was requested by the chair; a certificate to be signed by the chair assuring compliance with A. and 3.20.030; and a certificate to be signed by the county clerk or his or her designee assuring compliance with C.

C The completed committee attendance forms as provided in B. shall be transmitted promptly by the committee chair after each meeting to the county clerk who shall certify that said meeting was publicly noticed as required by Wis. Stat. §19.84, and shall thereafter transmit said form to the human resources department.

D Where 2 or more committees meet jointly, the chair of each committee shall complete a separate committee attendance report form for submission as provided in this section. (Ord. 159-20, Sec. 1, 2015; Ord. 158-12, Sec. 8 & 9, 2014; Ord. 152-34, Sec. 1, 2008; Ord. 151-10, Sec. 25, 2007; Ord. 147-54, 2003; Ord.141-63, 1997; Ord. 135-60, 1991; Ord. 133-68, Ord. 133-57, 1989; Ord. 131-46, Secs.2 & 3, 1987; Ord. 130-46, Sec.1, 1986; Ord. 127-60, Sec.2, 1983; Ord. 126-76, Secs.6 (part), 7, 1983; Ord. 126-39, Secs.5, 6, 6m, 1982; Ord. 81-82/344, Sec.1, 1981; Ord. 80-81/244, Sec.1, 1980; Ord. 79-80/244, Sec.2, 1979; Ord. 361-77, Sec.3, 1977).

3.20.045 County board chair per diem and expense authorization. All county board chair per diems authorized in this chapter and travel and training expenses authorized in the Human Resources Manual require approval of the finance and budget committee. (Ord. 151-10, Sec. 26, 2007; Ord. 147-54, 2003; Ord.146-76, 2003).

3.20.050 County board mileage allowance.

A. Each supervisor shall, for each day he or she attends a meeting of the board or for attendance at not to exceed 2 committee meetings in any 1 day, receive a mileage allowance for each mile traveled in going to and returning from the meeting by the most usual traveled route at the rate established in the Employee Policy Manual as the standard mileage allowance; but subject to the limitations in the Employee Policy Manual for out-of-county committee meetings. The standard mileage allowance shall be paid to any county supervisor who travels to a meeting, which is cancelled due to a lack of a quorum.

B. Nothing in this section shall be construed to prohibit claims for travel expense reimbursement by any supervisor for authorized travel within or without the county on official county business not constituting a committee meeting as defined in 3.20.030. All such claims shall be subject to the provisions of the Employee Policy Manual. (Ord. 158-12, Sec. 5, 2014; Ord. 151.10, Sec. 32, 2007; Ord. 147-54, 2003; Ord.139-88, 1995; Ord. 138-28, 1994; Ord. 126-55, Sec.2, 1982; Ord. 126-39, Sec.8, 1982; Ord. 361-77, Sec.5, 1977).

3.20.060 Compensation of county governing bodies.

A. Each member of a county governing body created under 2.05.001 shall be paid the per diem authorized in 3.20.080, except that members who are county supervisors shall be compensated under 3.20.040 A.

B. Each member of a county governing body created under 2.05.001, any commission, board, committee, advisory committee, council or authority created by ordinance or resolution, and of a special committee under 2.04.150 shall receive mileage reimbursement, except that members who are county supervisors shall be allowed mileage under 3.20.050.

C. Mileage reimbursement shall be paid for each mile traveled in going to and returning from a meeting of any governing body or subcommittee thereof authorized under B. by the most usual traveled route at the rate established in the Employee Policy Manual as the standard mileage allowance, subject to the limitations in the Employee Policy Manual for out of county travel. The standard mileage allowance shall be paid to any committee member authorized to receive mileage reimbursement who travels to a meeting which is cancelled due to lack of a quorum. (Ord. 158-12, Sec. 6, 2014; Ord. 151-10, Sec. 28, 2007; Ord. 147-54, 2003; Ord. 138-28, 1994; Ord.135-36, Sec.2, 1991; Ord. 126-53, Sec.4 (part), 1982).

3.20.070 Compensation prohibited.

A. No per diem shall be paid to any county elected officer or employee under 3.20.060, nor to any other member of a county governing body unless authorized in this chapter.

B. It is the policy of the county board that members of advisory committees serve without per diem compensation. (Ord. 147-54, 2003; Ord. 126-53, Sec.4 (part), 1982).

3.20.080 Authorized per diem compensation.

A. Board of land use appeals, ADRC subcommittee on Older Americans Act programs, human services board, land conservation commission, veterans service commission not to exceed 6 meetings per calendar year, local emergency planning committee and housing authority, and aging and disability resource center board: \$30.00;

B. Airport commission: \$75 per month for attendance at the regularly scheduled monthly meeting. (Ord. 159-20, Sec. 2; 2015; Ord. 152-31, Sec. 8, 2008; Ord. 151-42, Sec. 2, 2008; Ord. 147-54, 2003; Ord. 143-80, 1999; Ord. 136-42, 1992; Ord. 134-60, Sec. 2, 1990; Ord. 134-53, 1990; Ord. 131-46, Sec.5, 1987; Ord. 127-60, Sec.1, 1983; Ord. 126-53, Sec.4 (part), 1982).

3.20.090 Compensation of other officials.

- A. The officials named in this section shall be compensated at the rates fixed herein.
- B. Each such official shall receive reimbursement only for mileage, meals and lodging expenses incurred in the course of his or her duties, in accordance with the Employee Policy Manual.
- C. Compensation rates:
1. Commissioners of condemnation (Wis. Stat. § 32.08(4)): \$20 per hour, except for the chair at \$25 per hour;
 2. County board of canvassers (Wis. Stat. § 7.60): \$8 per hour, except for county elected officials or employees;
 3. Court commissioners appointed under Wis. Stat. § 757.68, shall be paid reasonable compensation as fixed by the circuit court but not more than the hourly equivalent of the salary of a circuit court judge as determined by the county finance director;
 4. Grand and petit jurors and talesmen (Wis. Stat. § 756.25): \$25 per day or \$12.50 per half-day;
 5. Local assessors, clerks and other officials, for attending any meeting directed by the State Department of Revenue under Wis. Stat. § 73.06(1): \$18 per day plus the standard county mileage allowance in the Employee Policy Manual;
 6. Circuit court officers shall be paid the hourly rate established at salary grade 801 step A, with a minimum 2 hours of call-in time on days where circuit court officers report for work and court is cancelled;
 7. Except for mileage, witnesses paid per statute.
- D. The director and the finance director shall assure compliance with this chapter, and shall recommend appropriate revisions in the compensation schedules to the committee prior to November 1st annually. (Ord. 158-12, Sec. 7, 2014; Ord. 151-10, Sec. 30, 2007; Ord. 147-54, 2003; Ord.141-71, Sec.1; Ord.141-58; Ord.141-03, Sec.1; Ord.140-107, Sec.1; 1997; Ord.137-38, 1993; Ord.135-84, 1992; Ord. 134-64, 1991; Ord. 134-54, 1990; Ord. 131-52, Sec.1, Ord. 130-59, Secs.1-3, 1987; Ord. 129-77, Secs.1,2, 1986; Ord. 129-46, Sec.1, 1985; Ord. 127-60, Sec.3, 1983; Ord. 127-30, Secs.1, 2, 1983; Ord. 126-76, Secs.3, 4, 1983; Ord. 126-53, Sec.5 (part), 1982).

3.20.100 Compensation claims and payments.

A. The finance director or designee shall prepare a separate attendance form for meetings of county governing bodies created under 2.05.001. The form shall contain certificates substantially similar to those under 3.20.040 B. Completed forms shall be filed promptly with the county clerk after each meeting by the chair of the governing body. The clerk shall certify whether the meeting was publicly noticed as required under Wis. Stat. § 19.84, and shall thereafter transmit the form to the finance department.

B. Each supervisor appointed under 3.20.030 B. or C. shall promptly after the meeting file with the chair of the county board a certificate of attendance. If the supervisor attended the meeting, the chair shall execute and file the certificate with the finance department. The finance director or designee shall prepare appropriate certificate forms.

C. No per diem claims shall be allowed if not filed within 60 days of the date of the committee meeting and in accord with this section.

D. No claim for per diem or mileage for meetings attended pursuant to 3.20.030 B. or C. may be made or allowed if the member appointed is entitled to receive per diem or mileage reimbursement equal to or greater than that allowed under this chapter from any other source. If the per diem or mileage reimbursement from such source is less than the amount allowed under this chapter, the member may submit a claim to the county for the difference between the amount allowed by this chapter and the amount received.

E. All claims under this section shall include the claimant's certification that the claim is true and correct, and that no portion of the amount claimed was previously reimbursed by the county or by any other source. (Ord. 147-54, 2003; Ord.140-107, Secs.2-3, 1997; Ord. 126-76, Secs.5, 6(part), 8, 1983).

(Ord. 155-27, Sec. 11, Repealed Chapters 3.25, 3.30, 3.35, 3.40, 3.55, 3.60, 3.65, 3.70, 3.75 and 3.80)

Chapter 3.50

CONFLICT OF INTEREST

Sections:

| | |
|--------------------------|---------------------------------------|
| 3.50.001 | Purpose. |
| 3.50.005 | Definitions. |
| 3.50.010 | Specific conflicts enumerated. |
| 3.50.020 | Prohibited contracts with the county. |
| 3.50.030 | Public purpose doctrine. |
| 3.50.040 | Incorporation of state statutes. |
| 3.50.050 | Sanction for violations. |
| 3.50.060 | Forfeiture schedule. |
| 3.50.070 | Political activity. |
| 3.50.080 | Outside employment. |
| 3.50.090 | Nepotism. |
| 3.50.100 | Solicitations and sales. |

3.50.001 Purpose. The proper operation of a democratic and representative government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for improper personal gain; and that conflicts between private interests and public responsibilities be avoided. In recognition of these goals, there is established a code of ethics to establish guidelines for ethical standards of conduct for such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the county and by directing disclosure by such officials and employees of private interests in matters affecting the county. The provisions and purpose of this code and such rules and regulations as may be established are declared to be in the best interests of the county. (Ord. 147-54, 2003; Ord.136-11, Sec.1, 1992; Ord.81-82/132, Sec. 1 (part), 1981).

3.50.005 Definitions.

A. "Person" means any individual, corporation, partnership, joint venture, association or organization.

B. "Financial interest" means any interest which yields, directly or indirectly, a monetary or other material benefit to the county officer or employee or to any person employing or retaining services of the county officer or employee.

C. "Anything of value" means any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but DOES NOT INCLUDE such things as compensation and expenses paid by the state or county, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.

D. "Privileged information" means any written or oral material related to county government which has not become part of the body of public information and which is designated by statute, court decision, lawful order, ordinance, resolution or custom as privileged.

E. "Official" means all county department heads or directors, county supervisors, and all other county elected officers, except judges and district attorneys.

F. "Employee" means all persons filling an allocated position of county employment and all members of boards, committees, and commissions except those individuals included in E.

G. "Immediate family" means an individual's spouse; and an individual's relative by marriage, lineal decent, or adoption who receives, directly or indirectly, more than ½ of his or her support from the individual or from whom the individual receives, directly or indirectly, more than ½ of his or her support. (Ord. 147-54, 2003; Ord. 136-11, Sec. 2, 1992)

3.50.010 Specific conflicts enumerated. The following conflicts of interest shall be expressly prohibited:

A. Incompatible employment. No public official or employee shall engage in or accept private employment or render services to any other governmental body or to anyone in the private sector which would tend to be incompatible with the proper discharge of his or her duties, unless otherwise permitted by law or unless disclosure is made as hereinafter provided.

B. Representing private interests before agencies or courts. No elected public official or employee who is admitted to practice law shall represent, as an advocate any private interests, other than his or her own or that of his or her family, in any proceeding adverse to the county before any federal or state court or agency.

C. Disclosure of confidential information. No public official or employee shall, without proper authorization, disclose confidential information, nor use such information to advance the actual or anticipated financial or personal interests of him or herself or others.

D. Gratuities or kickbacks.

1. An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person, which may impair his or her independence of judgment or action in the performance of his or her official duties.

2. No payment of a gratuity or kickback shall be made by or on behalf of any person and be accepted by any public official or employee as an inducement or reward for the latter's action in procuring the award of any contract or order.

3. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.

E. Failure to disclose interest in legislation.

1. The following persons on behalf of themselves or their families shall disclose the nature and extent of any personal or financial interest in proposed legislation before the county board:

a. County board members; and

b. Public officials or employees who have been asked to render official opinions or recommendations to the county board on the legislation.

2. The disclosure shall be made before any debate commences upon the particular legislation and shall consist of an announcement to be recorded in the journal of proceedings and a request to abstain from voting. Notwithstanding abstention from voting as may be allowed by the board, it shall be the responsibility of each employee or public official to personally ascertain that such actions do not conflict with Wis. Stat. § 946.13.

F. Nepotism forbidden. Public officials and employees are forbidden from engaging in nepotism, as applied at 3.50.090, and are further forbidden from using their positions to influence the county to employ in any capacity whatsoever, or otherwise retain the services of, as an independent contractor or agent, a member of his or her immediate family.

G. Use of position to compel charitable contributions, donations or induce business. Public officials are forbidden from using their positions to influence employees to make political campaign contributions, secure other donations to causes, public or private, or to engage in business transactions in which they have a personal or financial interest.

H. Conducting private business on county premises and time. Public officials and employees are forbidden from conducting their personal or private business while they are on county premises and engaged in their public duties. (Ord. 147-54, 2003; Ord. 139-16, Sec.1, 1995; Ord. 136-11, Sec. 5 & 6, 1992; Ord. 81-82/380, Secs.1, 2, 1981; Ord. 81-82/132, Sec.1 (part), 1981).

3.50.020 Prohibited contracts with the county.

A. An official or employee or a business in which an official or employee holds a 10% or greater interest, may not enter into a contract with the county involving a payment or payments of more than \$3,000 within a 12 month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the county board. Further, pursuant to Wis. Stat. § 946.13, an official or employee is prohibited from participating in the formation of a contract(s) with Eau Claire County involving receipts or disbursements of more than \$15,000 in any year.

B. Contracts are not prohibited if they are with, or tax credits or payments are received by, public officers or employees as set forth in Wis. Stat. § 946.13(2)(g). (Ord. 161-11, Sec. 1, 2017; Ord. 147-54, 2003; Ord.141-81 Sec.1; Ord.141-03, Sec.1, 1997; Ord.136-11, Sec.7, 1992)

3.50.030 Public purpose doctrine.

A. Use of public property. No public official or employee shall request or permit the use of county services or of county-owned vehicles, equipment, materials or property for non-official purposes or for personal profit or convenience, except when such services are generally available to the public-at-large. This prohibition shall not apply to the use of county vehicles or property for personal convenience, sufficiently related to job requirements of an officer or employee, as approved and regulated by the county board or as provided pursuant to a contract with a collective bargaining unit.

B. Obligations to citizens. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. (Ord. 147-54, 2003; Ord.136-11 Sec.8, 1992; Ord.81-82/132, Sec.1 (part), 1981).

3.50.040 Incorporation of state statutes.

A. In addition to Wis. Stat. § 946.13, referred to in 3.50.020, the following provisions of the Wisconsin Statutes are incorporated by reference and made a part of this chapter:

1. Section 19.01, Oaths and bonds;
2. Section 19.21, Custody and delivery of official property records.
3. Section 19.81-19.89, Open meetings with governmental bodies.
4. Section 19.59, Codes of ethics for local government officials, employees

and candidates.

B. Failure of public officials to comply with the provisions of law set forth in A. of this section shall constitute a violation of this chapter. (Ord. 147-54, 2003; Ord.141-81, Sec.2, 1997; Ord.136-11, Sec.9, 1992; Ord.81-82/132, Sec.1 (part), 1981).

3.50.050 Sanction for violations. Any person violating this chapter may be subject to a forfeiture of not less than \$100 nor more than \$1,000 for each offense, subject to 3.50.060. (Ord. 147-54, 2003; Ord. 136-11, Sec.10, 1992; Ord. 129-1, Sec.1, 1985; Ord. 81-82/132, Sec.1 (part), 1981).

3.50.060 Forfeiture schedule. The following specified violations of this chapter shall be subject to the accompanying forfeiture schedule:

- A. 3.50.010 A., Incompatible employment, \$100 to \$500;
- B. 3.50.010 B., Representing private interests before county agencies or courts, \$100 to \$1,000;
- C. 3.50.010 C., Disclosure of confidential information, \$100 to \$1,000;
- D. 3.50.010 D., Gratuities or kickbacks, \$100 to \$1,000;
- E. 3.50.010 E., Failure to disclose interest in legislation, \$100 to \$250;
- F. 3.50.010 F., Nepotism forbidden, \$100 to \$250;
- G. 3.50.010 G., Use of position to compel charitable contributions, donations or induce business, \$100 to \$250;
- H. 3.50.010 H., Conducting private business on county premises and county time forbidden, \$100 to \$200;
- I. 3.50.020, Prohibited contracts with the county, \$100 to \$1,000;
- J. 3.50.030, Public purpose doctrine, \$100 to \$1,000. (Ord. 161-11, Sec. 2, 2017; Ord. 147-54, 2003; Ord. 136-11, Sec.11, 1992; Ord. 81-82/132, Sec.1 (part), 1981).

3.50.070 Political activity. All employees and elected officials shall have the right to freely express their views as a citizen and cast their vote, subject to the following:

A. No employee or elected official shall directly or indirectly use or seek to use his or her authority or the influence of his or her position to control or modify the political action of another person.

B. No employee or elected official during his or her hours of duty shall, except as provided by law, engage in political activities including, but not limited to, the following:

1. Campaign for any candidate or political party;
2. Make campaign speeches or engage in other activity to elect a candidate;

3. Collect contributions or sell tickets to political fund-raising functions;
4. Distribute campaign material in any election;
5. Organize or manage political meetings;
6. Circulate nominating petitions;
7. Display political badges, buttons or stickers in any county building or wear

such items during working hours.

C. No employee or elected official shall at any time use any county-owned or leased equipment for any personal political activity.

D. No employee shall be removed, discharged, reduced in pay or position, or otherwise discriminated against because of the employee's political opinions or affiliations except as provided for in this section.

E. Employees whose principal employment is in a federally grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act as amended, 5 U.S.C. §§ 1501--1508. (Ord. 147-54, 2003; Ord. 144-24, Sec. 10, 2000; Ord. 80-81/276, Sec.3 (part), 1980).

3.50.080 Outside employment.

A. No employee may engage in outside employment if such employment conflicts with or affects the performance of the employee's county duties.

B. No employee may concurrently hold more than 1 county position without the written approval of the director. The director shall have authority to grant such approval up to 30 working days within the budget of the affected department(s). Such approval may be granted for combination part-time positions when it is in the best interests of the county to do so, and when such part-time positions do not represent a conflict of interest.

C. All forms of money compensation, except expense reimbursements, for outside services performed during the hours when the employee is actually providing services to the county, shall be turned over to the director for deposit with the county treasurer.

D. Failure to comply with this section shall be considered grounds for discipline. (Ord. 147-54, 2003; Ord. 144-24, Sec. 17, 2000; Ord. 136-63, 1992; Ord. 80-81/276, Sec.16 (part), 1980).

3.50.090 Nepotism.

A. Within this section "relative" shall include: wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepchild, stepparent, grandchild and grandparent.

B. Relatives shall not be employed in an immediate superior-subordinate relationship.

C. No appointing authority shall hire a relative nor participate in selection and appointment procedures if a relative is an applicant under consideration.

D. The county chair shall not appoint a county board supervisor to a standing committee where a relative is an employee in the governed department.

E. No appointing authority, county board supervisor, county elected official or employee shall seek to influence the employment decisions of an appointing authority on behalf of a relative.

F. Any person who violates this section shall be subject to disciplinary action. (Ord. 147-54, 2003; Ord. 132-101, 1989; Ord. 80-81/276, Sec.18 (part), 1980).

3.50.100 Solicitations and sales. No employee or group of employees shall on behalf of the county solicit funds or other things of value from any person, nor solicit funds or sell things of value to persons on county property without first obtaining permission from the county administrator. This shall not apply to internal departmental solicitations such as farewell gifts, shower gifts, length of service gifts or donations for employee social gatherings. (Ord. 147-54, 2003; Ord.141-06, Sec.23, 1997; Ord. 80-81/276, Sec.18 (part), 1980).

Chapter 3.85

DEPUTY SHERIFFS

Sections:

| | |
|---------------------------------|--|
| <u>3.85.001</u> | Purpose. |
| <u>3.85.005</u> | Definitions. |
| <u>3.85.010</u> | Classification and number of deputy positions. |
| <u>3.85.015</u> | Qualifications. |
| <u>3.85.020</u> | Municipal police as deputies. |
| <u>3.85.025</u> | Certain deputies and posse exempt. |
| <u>3.85.030</u> | Appointment of Undersheriff. |
| <u>3.85.035</u> | Disciplinary and dismissal procedures. |

3.85.001 Purpose.

A. This chapter establishes a civil service system under Wis. Stat. § 59.52(8), for the office of the county sheriff.

B. This chapter will apply to employees not covered by collective bargaining agreements and to employees so covered when specific bargaining agreements do not apply to the contrary.(161-11, Sec. 4, 2017; 157-26, Sec. 1, 2013)

3.85.005 Definitions. The following definitions apply to this chapter:

A. "Comprehensive written examination" means a validated examination for entry-level law enforcement approved for use by the committee.

B. "Office" means the office of the county sheriff. (157-26, Sec. 1, 2013)

C. "Deputy sheriff" means such persons as are duly appointed by the sheriff to aid in the performance of his or her duties, as set forth at Wis. Stat. § 59.27 under his or her direction, and in the case of his or her absence or disability, or a vacancy in his or her office, who will perform all of the duties of the sheriff during such absence or until such vacancy is filled.

D. "Posse" means adult residents of the county summoned by the sheriff to assist him or her in times of public emergency for the purpose of preserving the public peace or for the pursuit of felons.

E. "Reserve deputy " means those deputy sheriffs, not employed by the county on a regular basis, exclusive of the posse.

F. "Veteran" means a person, otherwise qualified under 3.85.020, who has served honorably in the U.S. Armed Forces as defined in Wis. Stat. ch. 45. (157-26, Sec. 1, 2013)

3.85.010 Classification and number of deputy positions.

A. The classification and maximum number of regular deputy sheriff positions will be established by the county board.

B. There will be no honorary deputy sheriffs appointed. The county will not assume any liability for the acts of any persons appointed in violation hereof. (157-26, Sec. 1, 2013)

3.85.015 Qualifications.

A. Deputy positions will have defined qualifications established based upon the Law Enforcement Standards Board, the policy making body for the Wisconsin Department of Justice, as authorized by state law under Wis. Stat. § 15.255. The primary mission of the Law Enforcement Standards Board is to establish and enforce standards for professional employment, education and training of law enforcement, tribal law enforcement, jail and secure juvenile detention officers in Wisconsin.

B. Applicants for law enforcement employment must meet the minimum education and training requirements for deputy sheriff as defined under Wis. Stats. §§ 165.85(4)(a) and 66.0501(1) and, Wis. Admin. ch. LES Code 2.

C Each qualified applicant for regular deputy sheriff will be given a comprehensive written examination. Seventy percent will be the minimum passing score. (Ord. 161-11, Sec. 5, 2017; Ord. 157-26, Sec. 1, 2013)

3.85.020 Municipal police as deputies.

A. The sheriff may appoint any duly authorized municipal police officer(s) of any municipality in the county as deputy sheriffs. Such deputies will hold office at the pleasure of the sheriff and only during their employment as a police officer by a municipality in the county.

B. Such deputies will only use their powers as deputy sheriffs when and as authorized by the sheriff. No such deputy will be considered an employee of the county for any purpose and will serve without compensation. (157-26, Sec. 1, 2013)

3.85.025 Certain deputies and posse exempt. Deputy sheriffs appointed under 3.85.020 and persons appointed to a posse by the sheriff per Wis. Stat. § 59.28, are exempt from the requirements of this chapter. (157-26, Sec. 1, 2013)

3.85.030 Appointment of Undersheriff.

- A. Wis. Stat. §59.26 requires the sheriff to appoint an undersheriff. The undersheriff is responsible for executing the statutorily required duties of the sheriff in those circumstances in which the sheriff is unavailable or unable to execute those duties.
- B. The sheriff will notify the director of the appointment.
- C. The undersheriff will receive an annual stipend of \$1,500. (157-26, Sec. 1, 2013)

3.85.035 Disciplinary and dismissal procedures.

- A. Deputy sheriffs will hold office on good behavior and will not be dismissed or suspended except as provided below.
- B. A deputy sheriff may only be suspended, demoted, dismissed, or suspended and demoted for just cause. In determining whether there is just cause, the committee on human resources will apply the standards as set forth in Wis. Stat. § 59.52(8).
- C. The committee on human resources will act based either on its own investigation or on charges filed by the sheriff. The charges filed by the sheriff will be filed with the chair of the committee on human resources in the human resources department. A copy of such charges will be sent to the affected employee, employee's union or other representative, corporation counsel and the human resources director. The human resources director will immediately send copies of the complaint to members of the committee on human resources.
- D. The committee on human resources chair will establish a hearing date, time and place and send a written notice thereof to the employee, the employee's union representative, the sheriff, director and committee on human resources members. The committee on human resources may utilize a hearing officer and may take and have transcribed any testimony at the hearing.
- E. At the end of the hearing, the committee on human resources may deliberate in open or closed session and then will formally take action in open session. The committee on human resources' decision will be reduced to writing, will include findings of fact and conclusions of law and will be signed and dated by the committee chair and filed in the human resources department. The human resources director will send a copy of the decision with a written notice stating the date the decision was filed along with appeal rights to the employee, the employee's union or other representative, the sheriff, corporation counsel and committee on human resources members. (Ord. 161-11, Sec. 6, 2017; Ord. 157-26, Sec. 1, 2013)

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