Chapter 10
Employee Conduct

Section 1 Ethics Policy:

A. Marathon County is committed to the highest standards of conduct by and among public officials and employees in the performance of their public duties. Individual and collective adherence to high ethical standards by public officials and employees is central to the creation of and maintenance of public trust and confidence in Marathon County Government.

This ethics policy applies to all County officials, employees, officers, and all elected officials without exception. The Corporation Counsel should be consulted about specific questions on compliance with this Policy and ethics laws or rules.

The Marathon County Ethics Policy is built upon Marathon County’s Core Values of Service, Integrity, Quality, Diversity, Shared Purpose, and Stewardship of our Resources. As such, we acknowledge our individual responsibility to ensure our collective success by practicing and promoting our core values. These values reflect a shared view of how we want to operate and be seen by others. Employees and public officials shall dedicate themselves to carrying out the mission and core values of this county and shall:

1. Hold paramount the safety, health and welfare of the public in the performance of job duties.

2. Act in such a manner to uphold and enhance personal and professional honor, integrity and the dignity of public service.

3. Treat with respect and consideration all persons, regardless of race, religion, pregnancy, color, national origin, ancestry, disability, military or veteran status, sexual orientation, sex, age (except where sex or age is a bona fide occupational qualification), Genetic Information and Testing, Family & Medical Leave status, arrest or conviction records, or any other characteristic protected by law.

4. Engage in carrying out Marathon County’s mission in a professional and ethical manner.

5. Collaborate with and support others in carrying out the County’s mission in a professional and ethical manner.

6. Build professional reputations on the merit of service.

7. Recognize that the chief function of Marathon County at all times is to serve the best interests of the residents of the County.
8. Accept the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.

9. Respect the structure and responsibilities of the board of supervisors, provide them with facts and advice as a basis for their making policy decisions, and uphold and implement policies adopted by the board of supervisors.

10. Consistent with responsibilities and job duties, provide facts and data to keep the community informed about issues affecting it.

11. Conduct organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.

12. Serve with respect, concern, courtesy, and responsiveness in carrying out the county’s mission.

13. Avoid any interest or activity that is in conflict with the conduct of their official duties.

14. Respect and protect privileged information to which they have access in the course of their official duties.

15. Strive for personal and professional excellence and encourage the professional development of others.

Employees and public officials are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of Marathon County. It is not possible to develop a comprehensive, detailed set of rules to cover every business situation. The tenets in this policy outline some basic guidelines for ethical behavior at Marathon County. Whenever employees are in doubt, they should consult with their Department Director, Employee Resource Director, or Corporation Counsel.

B. Conflict of Interest: A conflict of interest is a situation in which an employee’s private interest, usually of a financial or economic nature, conflicts with or raises a reasonable question of conflict with the employee’s public duties and responsibilities or may reflect unfavorably on the reputation of Marathon County.

Conflicts of interest in public contracts are addressed in Section 946.13 of the Wisconsin Statutes and Sec. 3.14 – Ethics in Public Contracting of the Marathon County Code of Ordinances. As representatives of Marathon County, employees are obligated to place the interest of Marathon County, in any transaction involving Marathon County, ahead of any personal interest or
personal gain, and to disclose all facts in any situation where a potential conflict of interest may arise to their Department Director, Employee Resources Director, or Corporation Counsel.

C. Definitions:

1. Immediate family means an individual’s spouse or an individual’s relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one half of his or her support. Source: Sec. 19.42(7), Wis. Stats.

2. Organization means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic. Source: Sec. 19.42(11), Wis. Stats.

3. Substantial Value means anything of more than token or inconsequential value. Source: 2008 GAB 03. The Wisconsin Government Accountability Board has held that the cost of a meal provided to a local official, even if it does not exceed $15, is of more than token or inconsequential value.

D. Prohibition Against the Solicitation or Acceptance of Gifts: Employees and all officials are prohibited from soliciting and/or accepting anything of substantial value for the private benefit of themselves, a member of their immediate family, or an organization with which he/she is associated from a person or organization who:

1. Has or is seeking a contractual, business, or financial relationship with the County.

2. Conducts operations or activities regulated by the County.

3. Has interests which may be affected by the County.

All Employees and County Officials are expected to comply with the Local Public Officials Code of Ethics contained in Section 19.59 of the Wisconsin Statutes.

E. Political Contributions and Endorsements: County employees and officials enjoy a very public image when involved in political activities, including endorsements or contributing to candidates. Employees and officials should take all necessary precautions to ensure that such political activities are engaged in during off work time and do not create a perception that such political activities are engaged in on behalf of Marathon County or are perceived to be connected to or representative of Marathon County. Employees are prohibited from displaying political materials in the workplace.
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F. Violations: Violation of this Policy will be considered a very serious act of misconduct, which could result in the termination of the offending employee's employment. Additionally, depending on the type and severity of the offense, there is potential for the imposition for criminal and civil penalties.

G. Reporting Ethics Violations: If you have questions or concerns about compliance with the subjects described in this policy, or you are unsure about what is the “right thing” to do, we strongly encourage you to first talk with your Department Director, Employee Resources Director, or the Corporation Counsel. The Corporation Counsel is authorized by Statute to issue confidential ethics opinions. Any employee who becomes aware of any existing or potential violations of laws, rules, regulations, or this policy, is required to notify your Department Director, the Employee Resources Director, or County Administrator promptly. Failure to do so is itself a violation of this policy. To encourage employees to report any violations, the County will not tolerate retaliation for reports made in good faith. Retaliation for reports made in good faith will itself be cause for employee discipline or termination. At the direction of the County Administrator, responsible personnel will review and investigate all credible disclosures of suspected wrongful activity to ensure an appropriate response. Individuals engaged in misconduct and those responsible for the failure to report, prevent, or detect the wrongful conduct may face disciplinary action up to and including termination of employment.

Section 2 Communications and Confidentiality: Communication is a joint responsibility shared by the County and all employees. 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 Director if designated by the County Administrator. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the Administrator or Department Director for a response to that inquiry.

Because of an employee’s responsibilities at the County, an employee may have access to confidential medical, social, resident, personnel or other sensitive information. This may include information concerning a resident’s financial status, the County’s business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information or to persons outside of the work unit without the permission of the County Administrator or his/her designee. All employees are responsible for protecting the confidentiality of this information.

The County’s custodian of records is responsible for the disclosure of records pursuant to request 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.

The County acknowledges the right of its employees, as citizens in a democratic
society, to speak out on issues of public concern. When those issues are related to the County, however, the employee’s expression must be balanced against the interests of the County. In situations in which the employee is not engaged in the performance of professional duties, the employee should state clearly that his or her expression represents personal views and not necessarily those of the County.

Section 3  
Chain of Command: Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy in the County resides by law with the County Board of Supervisors under the leadership of the County Administrator and County Board Chair. The County Administrator, as the chief administrative officer of the County, is the primary professional advisor to the County Board and head of the management team. The Directors of Departments of the County are part of the management team, and the Directors of Departments report to the Deputy County Administrator or County Administrator. Supervisors subordinate to the Directors are also members of the management team. This management team concept is the process by which a recommendation for County Board action is developed and the decision implemented. This system represents a means of establishing orderly lines of organization and communication as employees unite with the County Board to promote effective services for the community.

The Administrator is responsible for the development, supervision, and operation of the County and its personnel and facilities. Employees have the obligation to further the professional advisement of the County through the chain of command. The Administrator is given the latitude to determine the best method of implementing the policy decisions of the County Board.

All staff members and supervisors shall be responsible to the County Board and the County Board Chair through the County Administrator. Each shall refer matters requiring administrative attention to his or her supervisor, who shall refer such matters to the next higher authority, when necessary, and through the County Administrator to the County Board or County Board Chair. Each employee is to keep the person that the employee reports to informed of the employee’s activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this Manual or about any other aspect of his or her job, then those questions, opinions or suggestions must be directed through the chain of command.

Any employees who receive non-routine directives or requests from any individual citizen, business representative or elected or appointed official are to immediately report such directive or request to the employee’s supervisor. No specific directives or request from such persons are to be fulfilled unless permission to do so is given by the employee’s supervisor.

Generally, if an employee has a problem with an individual, then the employee is encouraged to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, then the employee must address the problem through the employee’s immediate supervisor and onward through the chain of command.
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In some cases, the employee’s supervisor may decide to refer the problem through the chain of command where it can be addressed by another supervisor or the County Administrator. If an employee feels harassed or discriminated against by another person, then the employee is directed to follow the harassment/discrimination reporting policies in this manual.

Section 4  Work Rules: The establishment of written work rules is one way in which employees can be informed of required behavior and expectations. In general, we expect employees to maintain a positive work atmosphere by working in a cooperative manner. Maliciously motivated criticism, bullying, or harassment will not be tolerated. Being insubordinate, threatening, intimidating, and disrespectful or assaulting a manager, coworker, customer, visitor, or vendor is inappropriate.

When work rules are initially developed or substantially revised, department and/or individual meetings should be conducted to discuss and explain the rules. Communicating in person provides employees an opportunity to ask questions and helps to ensure better understanding.

A. Theft from the County, other employees, or visitors.

B. Fighting or involvement that leads to violence.

C. Falsifying reports, records, or information.

D. Unauthorized possession of a weapon on the job.

E. Insubordination.

F. Gambling on the job.

G. Inefficiency, such as failing to do the amount or quality of work that is expected.

H. Consuming, possessing, or being under the influence of alcoholic beverages or illegal drugs on County property or while on duty.

I. Sleeping on duty.

J. Conviction of a criminal offense related to job duties.

K. Divulging confidential information.

L. Failing to report an injury or incident concerning an employee, visitor, or any other person on County property.

M. Tardiness or absenteeism; leaving early without permission.

N. Violating safety regulations.
O. Failing to notify supervisor of absence from work.

P. Damaging County property.

Q. Horseplay and practical joking.

R. Smoking on paid time or in prohibited areas.

S. Using abusive or profane language.

T. Harassing behavior.

U. Policy violations.

V. Behavior inconsistent with the County’s Core Values.

Section 5 Personal/Work Area Appearance: Your personal appearance and the appearance of your work area leave a lasting impression on visitors to our offices. Dress appropriately for the work you do and keep your work area clean, safe and orderly. Avoid extremes in clothing, makeup, fragrances and jewelry. Please ask your supervisor if you have questions about appropriate or safe work attire.

Section 6 Off-duty conduct: In most instances, the County will not be involved in employees’ off duty conduct. The County will take appropriate action if the targeted off-duty conduct interferes with an employee’s ability to perform on the job, or that such conduct affects public confidence in the County’s ability to perform its mission.

Section 7 Political Activities: Applicants for employment and employees are not required to contribute to any political fund nor render any political service to any person or party at any time. No person nor employee shall be hired, promoted, suspended, demoted nor dismissed for refusing to do so. Political activity is not to be conducted during work time. Employees running for political office must abide by applicable State and Federal laws.

Section 8 County Property: It is the County’s intent to provide its employees, during the course of their employment, with access to and the use of various properties for the purpose of conducting business for the County. Employees should have no reasonable expectation of privacy in the use of the County’s and the public’s property. The County may access its property with or without the prior consent or knowledge of the employee to the extent permitted by law. County property is to be used judiciously by employees at all times and only in the manner for which the County and public intends the property to be used.

Employees must maintain their workspaces in a clean, orderly and professional manner. Employees must report any suspected misuse or abuse of the County’s property.

Employees are encouraged to exercise care and attention in safeguarding personal
property brought to the workplace. The County does not assume liability for the loss, theft or damage of personal property brought to the workplace.

The County reserves the right to access, replace or utilize any of its property without prior permission of the employee to whom it was provided to the extent permitted by law. Circumstances warranting a need to access property in the employee’s absence include, but are not limited to, the following:

♦ The County has a need to search for business items or information that is needed in a timely manner.

♦ The County is complying with applicable laws regarding review and disclosure of records and information.

♦ The County has reasonable suspicion to believe that the employee is engaging in illegal or improper activities, in conjunction with committing a violation of policy, rules or general expectations of conduct, or in a way that may jeopardize the health and well-being of others.

♦ For any other lawful reason.

Under these circumstances, employees may be required, upon the request of the County, to submit to a search of any personal property brought onto the County’s premises to the extent permitted by law.

Section 9  Telephone Policy:

A.  Telephone: People form opinions of an organization based on the treatment they receive when they call. When answering the telephone, you are the County to the person calling. It is important to be friendly, courteous, and helpful. Keep the County core values in mind.

Personal calls should be kept to a minimum in both number and duration. Preferably, personal calls should be made during breaks/lunch periods. Employees are to reimburse the County for any personal additional phone charges.

Section 10  Cellular Phone Use Policy:

A  General Guidelines: The County will provide cellular phones for employees when required due to job responsibilities.

Authorized employees are expected to have their assigned cellular phone in their possession at all times during their work shift with the exception of certain meetings and conferences or when safety-related issues take precedence.

Employees who are provided County cell phones must have their cell phones number listed on the County phone directory.
B. Procedures:

1. **Phone Acquisition:** Department head may approve a cellular phone for an employee based on the following criteria:
   - Whether a cellular phone will enhance emergency response, employee safety or work efficiency.
   - The adequacy of the present system of communication, and if a cellular phone is the most appropriate and economical choice (i.e. radio/pagers meet the needs as efficiently and less expensively).
   - Whether the cellular phone is a convenience or a necessity for job performance.
   - How much time the user spends in the field each day.
   - Whether the user can share a phone with other employees.

2. **County Cellular Phone Use:** Use of County-provided cellular phones should be limited to County business. However, on a limited basis and in an emergency, employees may use a cellular phone for personal use if allowed by departmental policy.

3. **Personal Cellular Phone Use During Work Time:** Personal cell phone use should be made during break periods, except during emergency situations.

4. **Cellular Phone Use While Driving:** Employees are prohibited from using a personal or County provided handheld cellular phone or other electronic device (including answering, talking, listening, dialing, texting, data entry, or otherwise manipulating the controls of the device) while driving a County-owned vehicle or a personal vehicle on County business due to safety concerns (unless responding to a life threatening/emergency situation or necessary law enforcement). Instead, employees should legally and safely park the vehicle to make or receive calls. If an employee is unable to pull over or stop before receiving a call/message, they should return the call later when they are able to find a safe and legal spot to park their vehicle. Employees may use a hands-free or voice-operated device if the driver does not use his or her hands to operate the device, except to activate or deactivate a feature or function of the device by touching a single button for increased safety. Employees should keep the conversation brief, and immediately locate a legal and safe area to park their vehicle to complete the call/message.
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Employees who use cellular phones for County business on a regular basis will be provided a hands-free adapter for increased safety and convenience upon request.

5. **Cellular Phone Bills Charges:** To maintain adequate internal control, each department head, or designee, shall review and approve monthly cellular phone invoices. Employees shall reimburse the County for any additional personal phone charges. Employees who use personal cellular phones for County business may be reimbursed at the department approved rate.

Section 11 **Sexual Harassment Prevention**

A. **Purpose:** This policy is formulated to protect employees against unsolicited and unwelcome sexual overtures or conduct either physical or verbal. It prohibits employee misconduct that may upset employee morale and interfere with employees' work and efficiency, regardless of whether there is any economic impact resulting from such misconduct.

Sexual harassment is prohibited under Title VII of the Civil Rights Act of 1964 (42 USC 2000e), and some forms of such misconduct may subject violators to civil liability and/or criminal prosecution, as well as disciplinary action up to and including discharge.

B. **Policy Statement:** Employees shall be provided a work environment free of any forms of sexual and other harassment, and persons found to be in violation of this policy shall be dealt with through the disciplinary process or other appropriate means. This policy applies to work-related social activities.

C. **Types of Conduct Covered by this Policy:**

1. The policy prohibits any demand for sexual favors that is accompanied by a promise of favorable job treatment or a threat concerning the employee's employment.

2. The policy prohibits subtle pressure for sexual favors, including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or refusal thereof) will have any impact on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.

3. The policy prohibits other behaviors that are not welcomed by employees and are personally offensive, including but not limited to: Sexual flirtations or propositions, sexually-related comments, display or possession of sexually suggestive objects or pictures on County property or in County vehicles, any uninvited physical contact, or any conduct that would create a hostile environment for the employee including e-mails, text messages, or other communication methods.
D. Responding to Harassment

If an employee experiences harassment or sees others being harassed, it is suggested employees discuss the inappropriate behavior with the harasser. If employees are uncomfortable, feel threatened, or unsuccessful in their discussion with the harasser, employees should begin the Complaint Procedure.

E. Complaint and Investigation Procedures

1. An employee should initiate action on a complaint of sexual harassment by notifying any of the following (other than the alleged harasser):
   a. Their immediate supervisor; or
   b. Their department head or the next level of management above their immediate supervisor; or
   c. The Employee Resources Director or an Employee Resources Analyst.

   We prefer that the employee submit a written summary of their complaint. However, Employee Resources will investigate all complaints. Supervisory or management employees who receive a complaint are directed to record the date and time the complaint was received and to keep summary notes of the alleged misconduct and people involved and immediately contact the Employee Resources Director.

2. All complaints shall be thoroughly investigated. Employees are expected to cooperate with the investigation and provide truthful information. A formal report which summarizes findings may be prepared. A copy of the investigation report may be provided to the complainant and a copy shall be kept on file in the Employee Resources Department.

3. Confidentiality shall be maintained during the investigation to the fullest extent possible.

4. An employee found in violation of this policy shall be subject to disciplinary action up to and including termination.

5. An employee who is found to have knowingly made a false accusation of sexual harassment will be subject to disciplinary action up to and including termination.

F. Retaliation and/or Reprisal:
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An employee who engages in or assists in retaliation and/or reprisal against an employee who files a complaint or against anyone assisting in the investigation will be subject to disciplinary action up to and including termination.

G. Education and Questions:

All employees shall have the opportunity to attend an educational program on sexual harassment and this policy. Regular employees, supervisors, and managers are required to attend one of these sessions. These educational sessions shall be coordinated by the Employee Resources Director.

Section 12 Respect For Individual Differences

A. Our employees have the right to work in an environment free from harassment. Any employee who harasses another employee on the basis of their race, religion, pregnancy, color, national origin, ancestry, disability, military or veteran status, sexual orientation, sex, age, Genetic Information and Testing, Family & Medical Leave status, arrest or conviction records, or any other characteristic protected by law will be subject to disciplinary action up to and including termination.

B. Department heads, managers and supervisors are expected to take timely and appropriate action when they know or have reason to know that harassing behavior or discrimination is occurring. A consultation with the Employee Resources Director is recommended. Management employees are expected to take action to stop inappropriate behavior whether or not an employee files an internal complaint if the conduct is known to management and is clearly unwelcome.

C. Employees should report any incidents in violation of this policy to the appropriate supervisor or the Employee Resources Director.

Section 13 Workplace Bullying Policy:

A. Marathon County is committed to providing our employees and customers with a respectful, healthy, and safe work environment that is free from bullying. Workplace bullying is unacceptable and will not be tolerated.

B. Bullying is malicious repeated behavior that a reasonable person would consider to be offensive, degrading, humiliating, or threatening. Bullying may be directed toward one employee, a group of employees, or customers. Some examples include but are not limited to: screaming at someone, condescending and belittling comments, name calling or ridiculing, derogatory remarks or insults, undermining or impeding others’ work, or unwarranted harsh and persistent criticism of work. This includes cyber bullying which is bullying using social media, website materials, e-mails, texting, and cell phones.
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C. Marathon County expects all employees who experience bullying or who see others being bullied to report it as soon as possible to the appropriate supervisor, manager, department head, or an Employee Resources Department staff member. Management employees are expected to take action to stop workplace bullying.

D. Any reports of workplace bullying will be treated seriously and investigated promptly. Employees are expected to cooperate with an investigation and provide truthful information. The complainant will be updated on the outcome of the investigation. Confidentiality will be maintained during the investigation to the fullest extent possible.

E. Employees who participate in workplace bullying, retaliate against an employee who reports bullying, or make a false accusation of bullying will be subject to disciplinary or other appropriate action up to and including termination.

F. Questions regarding this policy or a specific situation should be directed to the Employee Resources Director.

Section 14 Zero Tolerance Workplace Violence Policy and Procedure

A. Introduction: Marathon County maintains a zero-tolerance policy towards violence in the workplace. All violent behavior including threats, references or jokes of violence, is inappropriate in the workplace, on both the part of employees and customers, and will not be tolerated. Marathon County employees are prohibited from carrying weapons when conducting County business. Furthermore, the possession, use, or threat of use of a weapon is prohibited in the workplace by employees. All employees shall notify their supervisor of any workplace violence which they have witnessed, experienced, become aware of or in any way have knowledge of. Violations of this policy shall lead to disciplinary action up to and including termination and may also result in criminal prosecution.

B. Definitions:

1. Employee - All regular full-time, regular part-time, limited benefit employees, seasonal employees, temporary employees, volunteers, elected and appointed officials of Marathon County.

2. Weapon - Including but not limited to any type of knife, electric weapon, and firearm whether or not a permit is obtained, or any item subjecting the person to prosecution for violation of Wis. Stats. Ch. 941, Subchapter III or successor statutes. Mace or pepper spray, as allowed by state law, is not to be considered a prohibited weapon provided the spray is only for personal defense.

3. Workplace - All County-owned or leased property, including vehicles and mobile equipment, and any other property where work is being
performed by County Employees in an official capacity for the County. State law allows employees to have weapons/firearms in their vehicles if parked on County property. Marathon County will require those employees to lock weapons/firearms in their vehicle and to keep them out of plain sight. Employees are prohibited from having weapons/firearms in their vehicle if they are using their vehicle for County business purposes.

4. **Workplace Violence** - Any act of written, verbal, or physical aggression that occurs in the workplace intended to physically harm an individual or could cause a reasonable person to be in fear of imminent physical harm. It also involves the intentional unauthorized destruction or abuse of property. Examples of workplace violence may include but are not limited to: harassment, obscene phone calls, threats (direct or implied), references or jokes of violence, stalking, unauthorized possession or inappropriate use of weapons, assault, battery, robbery, kidnapping, murder, bomb threats, arson. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

C. **General Background:** Marathon County recognizes that workplace violence is a growing concern nationally that needs to be addressed by all employers. Employees of Marathon County should be provided with a work environment which is reasonably safe from harm. However, due to the need to allow public access to County facilities and services and the nature of certain employees work, the County cannot guarantee the protection of employees or customers against acts of violence. The County may, however, regulate and direct the conduct of its employees and customers when possible in an effort to minimize the frequency and severity of violent incidents.

D. **Exceptions to Weapons Prohibition:** The weapons prohibition policy does not apply to employees who are armed in the line of duty, such as Sheriff’s Deputies, except in designated restricted areas unless otherwise directed by the Sheriff. Also, employees required to utilize knives or similar tools on the job within the normal scope of their employment are not considered to be in violation of this policy.

E. **Reporting Procedures**

1. **Non-Emergency:** If the individual is not violent and no immediate threat is present, but the individual is acting in a suspicious or hostile aggressive manner, then employees should:

   ▶ Notify their supervisor.
   
   ▶ Keep distance between themselves and the individual.
   
   ▶ Become aware of escape routes.
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► Be ready to summon the Sheriff’s Department/Police if the situation escalates to an emergency situation.

► Call the Sheriff’s Department at 261-1200 to report non-emergency events which are not life threatening involving suspicious activity.

2. Emergency: If it is reasonable to believe that an individual is acting in a manner that is of immediate threat to you or others, employees should:

► Seek safety by leaving area if possible.

► Notify their supervisor.

► Summon the Sheriff’s Department or police by phone (911) or by activating panic alarms when available.

► When reporting an emergency event to the Sheriff’s Department/Police, provide the dispatcher with your name and location, report the specifics of the event in a clear and concise manner and be prepared to stay on the line and answer questions the dispatcher may have.

► When practical and as appropriate to the circumstance, once a duress alarm has been activated, personnel should contact the Sheriff’s Department Communication Center by dialing Ext. 1200 or 261-1200 and inform the Dispatcher of the circumstances as to the nature of the event.

► Do not attempt to control a violent individual.

F. Restraining Orders: Employees who are seeking or have obtained restraining orders or injunctions against abusive persons shall notify their supervisor so that appropriate measures can be taken to facilitate prudent safety measures within the workplace. When a protective or restraining order lists County workplaces as being protected areas, employees must provide their supervisor with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

G. Alternatives to Reporting Workplace Violence to Your Supervisor: If an employee is not comfortable reporting incidents of workplace violence to their supervisor the employee may instead report it to their department head, a supervisory employee in the Sheriff’s Department, or to a member of the Employee Resources Department professional staff.
H. **Report to Employee Resources:** Supervisors receiving employee reports of workplace violence or that have knowledge of information of an internal or non-emergency nature which may affect the security of Marathon County and its assets shall report such incidents to their department heads. The department head shall complete a confidential memorandum and submit it to the Employee Resources Director. Such memorandum should include:

1. Description in detail of what happened, where it happened, and when it happened.
2. Identity of persons committing the threat or violent behavior.
3. Identity of persons against whom the threat was made or violent behavior directed.
4. Identity of persons reporting or witnessing the threat or violent behavior.
5. Observations that would make you believe that the individual intends to follow through on a threat.
6. How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.

Should it appear that the incident will require immediate attention, a verbal report shall be made to Employee Resources followed up with a confidential memorandum. Although every effort will be made to keep reports and records that are made and kept pursuant to this policy confidential, the reports and records may be subject to public disclosure under Wisconsin’s Public Records Law.

For those cases where it appears that criminal activity may be involved, department heads/managers/supervisors should not take any action that would jeopardize the outcome of any investigation. Do not change anything at the scene of a violent incident until properly documented by those in authority.

I. **False Reports:** Allegations and/or reports of workplace threats will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including terminations.

J. **Investigations and Resolutions:** Employee Resources will receive, evaluate, intervene, and respond to reports of workplace violence with the assistance of a Threat Management Team as appropriate. Threat Management Team members may include personnel from the Sheriff’s Department, Corporation Counsel’s Office, Employee Resources Department and the Department Head of the affected department as well as any outside agencies that may provide assistance to the County on the matter.
Privacy rights will be observed in the event of the need to investigate workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain the facts.

Retaliation and/or reprisal against an employee who genuinely reports threats of workplace violence in good faith is in violation of this policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including termination of employment.

Crisis counseling to employees and their families victimized by workplace violence may be provided.

K. Consequence of Policy Violation: Employees who violate this policy are subject to discipline up to and including termination and may also result in criminal prosecution. A mandatory referral to the Employee Assistance Program may also be a condition of an employee’s action plan.

L. Employee Assistance Program: The County maintains an Employee Assistance Program (EAP) which provides help to employees who experience personal or family problems. At such times, your EAP is there to provide professional, confidential help within the limit of the law for you and members of your immediate family, free of charge. The EAP is just a phone call away anytime 24 hours a day (715-344-6379) or a toll-free telephone number (1-800-540-3758). Information brochures are available through Employee Resources Department.

Section 15 Supervisor-Employee Relationships

Department heads and supervisors are prohibited from having romantic and/or sexual relationships with employees under their supervision. Perceived violations of this policy shall be brought to the attention of the department head or the County Administrator. Department heads or supervisors found to have violated this policy shall be subject to disciplinary action up to and including termination.

Section 16 Driver Policy:

Employees who drive for business purposes must at all times meet the following criteria:

• must have a current, valid driver's license;

• must have a personal auto insurance policy meeting the minimum insurance requirements found in Chapter 6, Section 10-D.
Any employee driving a County vehicle or driving on County business must observe all safety, traffic, and criminal laws of this state. No employee may consume alcohol, illegal/prescription drugs, or other substances while driving a County vehicle or personal vehicle while on County business, or prior to the employee's shift if by so doing, the employee's ability to safely operate a motor vehicle and carry out other work-related duties would be impaired or diminished. No employee may pick up or transport non-employees while in a County vehicle, unless there is a work-related need to do so and the County “ride along agreement” (Appendix A) is completed and approved by their department head prior to the event. Any illegal, dangerous, or other conduct while driving that would tend to place the lives or property of others at risk is prohibited.

Any employee who drives for business purposes and receives a citation for any offense that has a potential penalty of the suspension, revocation, or disqualification of their driver’s license shall notify their department head or his/her immediate supervisor, by the next business day unless circumstances make it impossible, then as soon as possible. Failure to notify will result in disciplinary action up to and including discharge.

Section 17 Personal Use of County Vehicles

A. Personal use of County owned vehicles is prohibited with the exception of commuting to and from work for those who are permitted to take a vehicle home.

B. No one other than County employees are allowed to operate a County vehicle.

C. Only County employees and those associated with County work are to be transported in a County vehicle except in emergency situations.

D. Preauthorized exceptions to (c) may be granted by the County Administrator or by department heads when a Release and Hold Harmless Agreement is signed by the passenger (or guardian) and proof of insurance meeting the following liability insurance requirements is submitted by the passengers (or guardian) of not less than: Bodily Injury and Property Damage: $300,000 combined single liability limits, Medical Payments: $5,000 per accident; and Uninsured Motorists: $100,000 combined single limits or who maintain coverage with split limits of Bodily Injury: $100,000 per person/$300,000 per accident, Property Damage: $100,000 per accident, Medical Payments: $5,000 per accident; and Uninsured Motorists: $100,000 per person/$300,000 per accident. The Release and Hold Harmless Agreement and proof of insurance shall be approved by the County Administrator or department head and submitted to the Risk Manager prior to transporting a non-County employee in a County-owned vehicle (see Appendix A).

Section 18 Take Home Vehicle Policy
Take home County vehicles are assigned to specific positions in order to enhance public safety and/or where it can be clearly shown to improve the efficiency of County operations. Take home County vehicles are not intended as an employee fringe benefit.

The County Administrator’s Office shall maintain a list of authorized take home vehicles and forward a copy to the Senior Accounting Professional-Payroll, Finance Department. Requests for adding additional positions to the list shall be made to the County Administrator in writing explaining the positive impact the take home vehicle will have on public safety and/or operational efficiency. Additionally, the list of positions authorized a take home vehicle shall be reviewed annually by the County Administrator’s Office to determine that each take home vehicle continues to comply with this policy.

The job descriptions for positions that are assigned a take home County vehicle shall contain a section which identifies the assignment and communicates the County’s expectations about responding to off-duty emergencies, reporting directly to work sites, and requirements for the care, custody, and control of the vehicle.

Section 19 Supplementary Employment: Employees are allowed to hold a supplementary job as long as it does not interfere with their job responsibilities in their County employment. Employees in an allocated position shall notify their department head in writing prior to engaging in full or part-time employment with another employer or a personal business enterprise. The department head may refuse to authorize supplementary employment if it is expected to interfere with the performance of the employee’s regular job duties or if the supplementary employment presents a conflict of interest. Questions should be directed to the Employee Resources Director.

Employees are not allowed to conduct business related to outside employment while on County paid time, nor is an employee permitted to use County equipment or supplies in the performance of outside employment duties unless prior approval from supervisor.

Department heads are responsible for having employees with supplementary employment update this request form annually. Send a copy of the completed request form to the Employee Resources Department for placement in official personnel file. (See Appendix B of this Chapter – Request for Supplementary Employment Form)

Section 20 Reasonable Accommodation of an Employee with a Disability

When it is determined that an employee cannot perform the essential functions of his/her position due to a physical limitation or medical condition, reasonable efforts will be made to accommodate the employee.

In determining what accommodation is necessary and reasonable, the department head and the Employee Resources Director shall consider:

1. The nature and extent of the disability.
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2. The number of employees in the department in the same or a similar classification.

3. The geographic location(s) in which the work is normally performed.

4. The nature and cost of the accommodation needed to perform the essential job functions.

5. The financial resources of the department and the governmental program.

6. The impact of the accommodation on the operation of the department and the County.

7. The interests and desires of the employee and his/her willingness to pay for all or part of the necessary accommodation, if the accommodation would represent an undue hardship on the County.

Each request for accommodation shall be handled on a "case-by-case" basis considering the individual set of facts and circumstances.

If it is determined that a reasonable accommodation cannot be accomplished in the employee's current position, other options within the department will be considered. If no reasonable accommodation can be accomplished within the employing department, options in other County departments shall be considered.

A final decision on accommodation shall be made by the Employee Resources Director after consultation with the department head.

Section 21 Drug Free Workplace and Alcohol and Other Drug Abuse Policy:

A. Policy: Marathon County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs on the job, comes to work under the influence, or possesses, distributes or sells drugs or alcohol in the work place. Marathon County is committed to a drug and alcohol free work place. Therefore, Marathon County has established the following policy. This policy is effective immediately and will be enforced uniformly with respect to all employees. The purposes of this policy are:

1. To establish and maintain a safe, healthy working environment for all employees, residents and the public.

2. To promote rehabilitation assistance for any employee who seeks such help.

3. To reduce the number of accidental injuries to person or property.

4. To reduce absenteeism, tardiness, and to improve productivity.
5. To safeguard the reputation of Marathon County and its employees within the community at large.

B. Definitions:

1. Alcohol and Other Drug Abuse is defined as use of alcohol, illegal drugs, and taking medicine prescribed for another person. The words "illegal drugs" refers to any drug defined as a controlled substance under Wisconsin Statute or Federal Statutes. Alcohol and Other Drug Abuse also includes the use/abuse of prescription drugs and any product with the intent of purposely becoming intoxicated, euphoric, or high.

2. A prescribed drug is any substance prescribed for individual consumption by a licensed medical practitioner.

3. An alcohol concentration of 0.02 or greater, while on duty for Marathon County, as indicated by an alcohol breath test or blood alcohol test is may result in disciplinary action up to and including termination.

C. Violations: It is a violation of County policy for any employee to use, sell, possess, transfer or purchase illegal drugs, controlled substances or alcohol on Marathon County property or while performing Marathon County business unless such activity is a part of an assigned job duty. Such action may be reported to appropriate law enforcement officials.

Violations of this policy are subject to disciplinary action up to and including termination.

D. Off Duty Abuse: Any employee whose off-duty abuse of alcohol or illegal or prescription drugs results in excessive absenteeism or tardiness or is the cause of a work related accident(s) or poor work performance must see their physician and obtain a referral to a certified substance abuse program for rehabilitation and will face discipline and/or termination if he/she rejects that program or continues to have job performance problems.

E. Testing: Federal Department of Health and Human Services drug test levels will be used to determine presence of illegal drugs. Drug testing will be done by certified laboratories. It is a violation of County policy for employees to be under the influence of alcohol (.02 or greater), illegal drugs, or misuse legal drugs during working hours for Marathon County.

Each employee may be tested for drugs and/or alcohol if he/she has been observed using a prohibited substance on the job (including but not limited to illegal drugs or alcohol), or if Marathon County supervisory staff has other reasonable suspicion for testing him/her.

Employees testing positive for illegal drugs and/or alcohol will be subject to
disciplinary action up to and including termination. Employees testing positive must see their physician and obtain a referral to a certified substance abuse counseling program. Marathon County does offer group health insurance benefits to eligible employees. The employee will pay for all costs of rehabilitation not covered under the employee's benefit plan. If the employee is not terminated he/she will be subject to unannounced follow-up testing anytime during the first six months after returning to work or anytime during the course of the substance abuse counseling program. Employees must sign a release allowing Marathon County to verify compliance with the substance abuse counseling program. Employees who fail to submit to required testing, test positive a second time, fail to sign a release or fail to comply with the certified substance abuse program will be subject to disciplinary action up to and including termination.

F. Employee Responsibilities:

1) As a condition of employment, employees must abide by the terms of this policy and must notify Marathon County in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. Employees who are convicted of any criminal drug statute violation will be terminated immediately if a relationship can be shown between the drug activity and conduct at the work place.

2) In the interest of public and employee concerns such as safety, security and acceptable standards of performance, any employee taking medication/substances which could adversely affect his/her work performance shall report such use to his/her department head or designee or Sheriff’s Department Division Commander. It is not necessary, nor desired, that the employee report the medical condition for which the medication is being taken.

G. The administration of Marathon County reserves the right to inspect lockers and/or vehicles owned by or leased to Marathon County (and contents therein) at any time in an effort to enforce this or other policies. Employees are hereby put on notice that said locker(s) or vehicle(s), although assigned to individual employees, are subject to inspection and remain under the exclusive control of Marathon County.

H. The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug and alcohol free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs or alcohol is not compatible with employment at Marathon County. Employees are encouraged to utilize our Employee Assistance Program to address drug, alcohol, or other problems.
I. **Reasonable Suspicion Testing:** Drug and alcohol testing will be required when an employee is suspected of being under the influence of alcohol, illegal drugs or misusing legal drugs while at work or while performing County business. “Reasonable suspicion” includes identifiable behaviors which may cause a person to question whether the employee is physically or mentally able to perform his/her job. Some examples of behavior which may indicate alcohol or illegal drug use are:

1. Odor of alcohol
2. Abnormal speech
3. Loss of physical balance
4. Changes in general awareness

This list of examples is not intended to be all-inclusive.

Generally, we expect that a supervisor will take the following steps when s/he suspects that an employee under his/her supervision is under the influence of alcohol or drugs at work or while performing County business:

1. Meet with the employee in a private location, advise him/her of the observed behaviors and ask for an explanation. If it can be arranged, have another management employee present at this meeting as a witness. Inform the Employee Resources Director of the situation as soon as possible.
2. Advise the employee that s/he will be required to take a drug and/or alcohol test. If the employee refuses to consent to the test(s), s/he will be immediately suspended with pay pending a disciplinary investigation and offered a ride home. If employee insists on driving his/herself home, immediately notify the Sheriff’s Department. Refusing the alcohol and/or drug test is considered a very serious act of misconduct which could lead to the employee’s termination.
3. Contact the Employee Resources Department to arrange for a drug and/or alcohol test. After normal business hours, transport employee to Marshfield Clinic walk-in department or occupational health department as indicated in Appendix C. If these locations are closed, departments should transport employee to the nearest emergency room for testing.
4. Document observations and actions.
5. Once the test(s) are conducted, suspend the employee with pay for the remainder of the work shift pending a disciplinary investigation and ensure that the employee is provided safe transportation home. If the employee insists on driving his/herself home, immediately notify the...
J. **Post Offer Medical Exams:** The medical exams of employees selected for certain positions (Deputy Sheriff, Public Safety Telecommunicator, Corrections/Juvenile Detention Officer, Shelter Home Youth Worker, Nutrition Driver, Chief Ranger and commercial drivers) shall include alcohol and drug tests — See Chapter 4, Section 4 (F).

K. **Random and Post Accident Drug and Alcohol Testing:** Random and post accident testing is required for commercial vehicle operators — See Chapter 8, Section 14.

I. **Testing Procedures:** A Breath Alcohol Technician will administer the alcohol test using an evidential breath testing device (EBT). An alcohol concentration of .02 or higher is considered a positive test. An employee with an alcohol concentration of .02 or greater shall be given a second confirmatory test. Confirmation testing will be conducted at least 15 minutes but no more than 20 minutes after the initial test.

Drug screens shall be conducted to determine the presence of the following drugs or metabolites including but not limited to:

1. **Marijuana**
2. **Cocaine**
4. **Opiates**
5. **Amphetamines**
6. **Phencyclidine (PCB)**

The collection shall be done in a split sample form to provide for a confirmatory test, if the employee requests a confirmatory test. Drug tests shall be conducted by a qualified laboratory in accordance with National Institute on Drug Abuse (NIDA) standards.

The laboratory shall report all findings to a Medical Review Officer (MRO). The MRO shall attempt to contact the employee to discuss any positive results of the laboratory drug screen. If the MRO cannot contact the employee directly, the MRO shall contact the department head or Employee Resources Director who will in turn direct the employee to contact the MRO. Findings and medical conclusions of the MRO shall be reported to the Employee Resources Director.

J. **Confidentiality:** All records related to drug and alcohol tests results are considered medical records to be held in a secure location with controlled access.
K. **Positive Findings:** If an employee is found to have violated this policy by being under the influence of alcohol or illegal drugs while at work or while performing County business, this shall be considered a **serious offense** and a disciplinary suspension or termination from employment may be the appropriate disciplinary response. The level of disciplinary penalty shall be decided by the department head, after considering the facts and circumstances associated with the offense, the employee’s work record (length of service and any prior disciplinary actions).

L. **Rehabilitation:** We recognize drug and alcohol dependency as an illness and a health problem. Conscientious efforts to seek help will not be considered in the disciplinary process. If an employee needs help in dealing with a dependency problem, s/he should call the Employee Assistance Program (715-344-6379 or 1-800-540-3758).

M. **Criminal Drug Convictions:** If an employee is convicted of violating a criminal drug statute while conducting County business, s/he must report the conviction to the Employee Resources Director within five calendar days of the conviction. The Employee Resources Director shall notify any applicable federal contracted agencies within ten calendar days of such notice.
of worker lost production time – greater than alcohol abuse or family emergencies. Additionally, the CDC calculates that each employee who smokes results in an annual average loss in production equal to $1,706.

C. **Definition.** In this chapter the following terms have the following meanings:

1. **County Building.** Any building or structure owned or leased by Marathon County. This includes any structure intended to be a permanent accession to real property; that is designed for sheltering people, for storing property, or for working, office or parking space; that in physical appearance is annexed to the real property, that is covered by a roof and has an enclosed space; that is not readily moved or disassembled; and that is commonly known to be a building or structure because of its appearance and because of the materials of which it is constructed.

2. **County Property/Grounds.** Any real property or grounds owned or leased by Marathon County.

3. **Designated Property/Grounds.** County owned or leased property, or grounds that are identified as tobacco free by signs, placards, etc.

4. **County Vehicle/Equipment.** Any vehicle or equipment owned, rented or leased by the county.

5. **Tobacco Products.** The term “tobacco products” includes cigarettes, cigars, pipes, chewing tobacco, tobacco free snuff and electronic cigarettes and shall have the meaning as defined in Section 139.75(12), Wisconsin State Statutes, as it presently exists or may from time to time be amended. Notwithstanding any language in Section 139.75(12), Wisconsin State Statutes, “tobacco products” shall also include “cigarettes” as defined in Section 139.30(1m) Wisconsin State Statutes, as it presently exists or may from time to time be amended.

6. **Vaping Product.** The term “vaping product” means a noncombustible product that produces vapor or aerosol for inhalation from the application of a heating element, regardless of whether the liquid or other substance contains nicotine. Notwithstanding any language in Section 139.75(14), Wisconsin State Statutes, “vaping product”, as it presently exists or may from time to time be amended.

D. **Prohibited Activity.** It is prohibited for anyone to use tobacco products in County buildings, structures, designated property/grounds, in or while operating County vehicles or equipment. The use of tobacco products in personal vehicles in the parking areas of any of the grounds designated as tobacco free is also prohibited. Furthermore, Marathon County employees are prohibited to use tobacco products during paid work time, including paid breaks. Employees are not prohibited from using tobacco products during unpaid lunch breaks, paid
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time off.

1. The County Administrator has designated these grounds as tobacco free:
   — Marathon County Courthouse, 500 Forest St., Wausau
   — 210 and 212 River Dr., Wausau
   — Social Services, 400 E. Thomas St., Wausau
   — Library Headquarters, 300 N. 1st St., Wausau
   — Parks Maintenance Shop, 900 Pardee St., Wausau
   — Facilities and Capital Management, 1308 West St., Wausau
   — Marathon County Landfill, 18500 E. Hwy 29, Ringle
   — All Highway Dept. facilities (Wausau, Stratford, Mosinee, Hatley, Abbotsford)
   — University of Wisconsin-Marathon County, 518 S. 7th Ave. and 625 Stewart Ave., Wausau

E. Enforcement Responsibility. Consistent with other personnel policy, Department Heads with primary responsibility for operations performed on that site, are delegated responsibility to ensure compliance with this policy.

The County Administrator and the Sheriff share responsibility for ensuring compliance for the Marathon County Courthouse. The County Administrator is responsible for ensuring compliance at the River Drive sites.

F. Changes. Authority to establish necessary changes governing use of tobacco products in county buildings, structures, grounds and vehicles will be made by the County Administrator based on recommendations from the Marathon County Wellness Team.

G. Violation-Penalty-Enforcement. Any employee violating any provisions of this policy may be subject to progressive disciplinary action, up to, and including termination of employment.

Non-employees in violation of this policy shall be subject to a forfeiture of not less than $25.00 nor more than $50.00 for each violation in accordance with Wisconsin Statutes 101.123.

H. Smoking Cessation Benefit. To support employees, Marathon County’s health insurance plan covers physician’s fees and prescriptions or other County approved smoking cessation programs, education or activities
undertaken by an employee or covered family member. This is payable at 100 percent with deductible waived up to a $500.00 aggregate lifetime benefit for these services and charges.

Section 23 Energy Conservation Policy:

A. Policy Goals: The policy addresses both short and long term goals.

1. Short term (One to Two Years)
   a. Establish the policy foundation of responsibilities, planning, programs, standards, performance measures and the like to manage the County government’s energy use and conserve energy.
   b. Manage energy and other utility consumption to minimize use while maintaining safe and acceptable work conditions.
   c. Achieve a reduction in average energy consumption per square foot annually.

2. Long term (Three Years or More)
   a. Incorporate energy conservation and efficiency systems, techniques and design in all major renovations, system replacements and new construction.

B. Scope:

1. Facilities: This policy applies to County owned and leased buildings, whether occupied by the County, the courts or other agencies.

2. Equipment: This policy applies to County owned or leased equipment, including computer equipment.

3. Energy Sources: This policy applies to the use of electricity, natural gas and fuel oil.

D. Responsibilities:

1. Energy Conservation Team: In 2008 Marathon County partnered with Focus on Energy and Wisconsin Public Service to create an “Energy Conservation Team.” The goal of this group is to improve energy efficiency within existing buildings and facilities, lower the County’s energy costs and reduce greenhouse gas emissions. The team provides direction, counsel, and oversight as to the implementation of the “Energy Conservation Policy.” As necessary, the team will address and analyze policy, practice and procedure as they relate to energy efficiencies and develop programs or projects that will promote better efficiency. Members of this group include but are not limited to:
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- Marathon County Administrator
- Marathon County Facilities and Capital Management Director
- Marathon County Senior Maintenance Specialist (Environmental Control Specialist)
- Marathon County CIP Representative
- Marathon County Sheriffs Department Representative
- Marathon County Parks Recreation Forestry Department Representative
- Marathon County Courts Representative
- Focus on Energy Representative
- Wisconsin Public Service Representative

Technical consultants and other County Building Representatives may participate as needed.

2. **Energy Conservation Team Leader:** The Marathon County Facilities and Capital Management Director will serve as the Energy Conservation Team Leader. Duties of this position will be to provide leadership, monitoring, coordination, communication and analytical support to the energy conservation initiative. Among other things, the Energy Conservation Team Leader:

   a. Coordinates development and implementation of the County’s annual energy conservation plan.

   b. Tracks and assesses the County’s energy conservation performance and progress, including building data collection and analytical tools.

   c. Works through the departments, identifies and appoints a volunteer “Building Energy Representative” for each County facility.

   d. Conducts spot check energy audits to assess the County’s adherence to policies and standards.

3. **Building Energy Representatives-appointed by the Energy Team Leader:** The appointed volunteer “Building Energy Representatives” serve as:
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4. **Facilities and Capital Management Department**: The Facilities and Capital Management Department is responsible for:

   a. Retrofitting as authorized and maintaining County facilities in accordance with the requirements of this policy, including installation of energy conservation equipment and verification of correct equipment settings and operation.

   b. Identifying situations above and beyond those envisioned in this policy that may require individual analysis and action to provide a comfortable, functional work environment.

   c. Identifying incentive opportunities related to energy efficiency projects to maximize return on capital investment.

5. **Department Heads**: Department Heads are responsible for:

   a. Communicating the County’s energy conservation goals and policies to the staff, providing guidance and promoting adherence.

   b. Working with the Facilities and Capital Management Department and the Energy Conservation Team Leader to identify energy reduction techniques or systems that can be implemented without affecting service delivery to the department’s customers as well as bringing attention to any areas that require further action.

6. **Employees**: Marathon County employees are responsible for:

   a. Becoming knowledgeable about the County’s energy conservation policies and initiatives and complying with these policies.

   b. Advising their “Building Energy Representative” of any circumstances that prevents the adherence to the County policies.
c. Bringing forward ideas and suggestions for energy conservation and efficiency that may not have been identified.

E. Energy Conservation Action Plan:

1. The Energy Conservation Team Leader, in conjunction with the Energy Conservation Team, Marathon County Facilities and Capital Management Department and others involved coordinates the development of the annual “Energy Conservation Action Plan.”

2. This annual plan identifies specific actions to be implemented, proposed or estimated time lines and responsibilities for implementation.

3. The action plan is submitted to the Marathon County Administrator for review and approval by such a date as to allow sufficient time to secure funding either through the budget process or CIP.

4. The action plan is reviewed and updated annually along with evaluation of the previous year’s performance, during the annual budget process.

F. Reporting, Benchmarking and Performance Measurement:

1. Reporting:

   a) The Energy Conservation Team Leader:

      1) Obtains information for all billing periods for each energy utility (electricity, natural gas and fuel oil) to provide reports on an annual basis assessing progress by building as well as for the County as a whole, in reducing energy demand. This includes analysis of the information and assessment of trends.

      2) Presents reports to department heads and the County Administrator to aid in determining if conservation efforts are meeting goals or if additional efforts are required.

      3) Presents report to Marathon County Executive Committee to advise them of progress in conserving energy.

2. Benchmarking/Performance Measurement: The Energy Conservation Team Leader uses reporting information to benchmark and measure performance from year to year (aggregate and by individual building).

G. Energy Use Standards:
1. **General:** The intent of the energy conservation policy and program is to achieve reductions in energy consumption while maintaining reasonable comfort levels for building occupants.

Initial temperature set points are based upon American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) comfort chart for 50 percent relative humidity, and employees at light work.

2. **Heating and Air Conditioning Standards:** Except as otherwise noted, temperature set points are based on the standards (Attachment page 10 of this policy) of the American Society of Heating and Air Conditioning Engineers (ASHRAE) and are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Degrees F</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cooling Season Set Points</strong></td>
<td>75-78</td>
</tr>
<tr>
<td><strong>Heating Season Set Points</strong></td>
<td>68-72</td>
</tr>
</tbody>
</table>

Occupied air conditioning temperature settings will not be set below 75 degrees and heating setting are not set above 72 degrees. During periods of extreme heat or cold building HVAC systems may not be able to maintain heating or cooling standards. This happens infrequently and is generally a temporary problem. There will be no exception to the heating and cooling set points without authorization from the County Administrator.

3. **Use of Windows:** Any operable windows are to be kept closed. Open windows hinder the effectiveness of the building HVAC system making it difficult to provide uniform heating or cooling.

4. **Auxiliary Heating and Cooling Sources:** Personal portable space heaters are not allowed because of their excessive energy consumption, fire code and safety issues. If a room is not consistently within the heating/air conditioning set point range, Marathon County Facilities and Capital Management Department should be notified so that the problem can be addressed. If building conditions are such that acceptable temperature cannot be achieved by the HVAC system, Facilities and Capital Management Department will take necessary measures to resolve/rectify the situation. If auxiliary heating or fans are required, Marathon County Facilities and Capital Management Department will provide them.

5. **Night, Weekend and Holiday Temperature Set-backs:** The heating temperatures are set to 60 degrees for all buildings for periods when buildings are not normally occupied. The air conditioning temperatures are set to 80 degrees when buildings are not occupied. Normal occupancy for most buildings is from 7:30am to 5:00pm. This means that from 7:30am to 5:00pm, the temperature will be within the set
Note: Exceptions to the set backs are made for those functions that must remain operational during these periods such as for night meetings, after hours court functions, computer rooms, or the jail. Also some buildings have unique requirements for longer start up times to reach heating or cooling set points.

H. Lighting Policy:

1. Facility lighting shall meet recommendations in the IESNA (Illuminating Engineering Society of North America) lighting handbook 9th edition. All illumination criteria are based on horizontal foot-candles readings. Vertical levels will vary.

a. General and private offices shall be illuminated from 30-50 foot-candles as recommended by IESNA and may automatic controls or dual switched options. Areas with high natural lighting shall have area audits to verify application of photo control opportunities. Lighting arrangement should be flexible to accommodate changes in office furniture.

b. Open plan offices shall be illuminated from 30-50 foot-candles. Lighting arrangement should be flexible to accommodate changes in office furniture.

c. Lobbies, Lounges and reception areas shall be illuminated to minimum of 10 foot-candles.

d. Mail sorting rooms and copy rooms shall be illuminated form 30-50 foot-candles and be automatically controlled or dual switched.

e. Conference rooms shall be illuminated to minimum 50 foot-candles with automatic controls, dual switching and dimming where applicable.

f. Jail cells and Day rooms shall be illuminated to 30 foot-candles; minimum in any cell is 20 foot-candles.

g. Break areas shall be illuminated to minimum 10 foot-candles.

h. Libraries shall be illuminated to minimum 30 foot-candles.

i. Service areas including rest rooms, closets, corridors, stairways and elevators shall be illuminated to minimum 10 foot-candles.
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j. Task lighting shall be considered as a supplement for any application involving office lighting or reading situations.

k. Lighting for video camera use shall be considered for any new construction, retrofit or remodel projects where applicable.

2. Personal lamps for “mood” lighting are only permitted if utilizing CFL (compact fluorescent) or LED bulbs. The employee providing the lamp will be responsible for replacement of the bulbs. Lamps should be turned off when the office is not in use. If a room is not lit within the lighting standards above, The Facilities and Capital Management Dept. should be notified so that problems can be addressed.

3. Each department shall assign an employee to turn off common area lighting at the end of the business day. Lights are to be turned off even if it is anticipated that custodial staff will soon be in the area.

4. Custodial staff are responsible for turning lights on as needed while working; that is, turning on lights only while an office or room is being cleaned, and turning lights off as soon as cleaning has been completed. Custodial staff turns off corridor and related lighting prior to leaving the building at the completion of cleaning.

I. Personal Appliances: Personal appliances, such as space heaters, refrigerators, microwaves, coffee makers, candle heaters, potpourri heaters, and LCD picture frames will not be permitted in private offices or cubicles. Personal fans and radios will be permitted with the permission of the department supervisor.

An exception to the restriction on personal refrigerators in private offices or cubicles can be made if the employee prepays the annual cost of the electricity and the Department Head accepts responsibility for collecting and documenting payments. The cost of the electricity shall be calculated by the Facilities and Capital Management Director. Payments shall be in one year increments and are non-refundable.

J. Computer Equipment: The City County Information Technology Commission assesses energy consumption of personal computers, servers, printers and related devices and shall consider the anticipated energy use when making purchases of this equipment. CCIT will recommend to the County Administrator guidelines for turning on or off and setting “sleep” modes that reflect the technology in place. The County Administrator shall issue rules with regard to turning off computers not in use.

K. Vehicles: Vehicle purchase should be based on a cost benefit analysis that includes the life cycle costs associated with the specific vehicle model as related to its intended use. Fuel efficiency and environmental impact should also be a consideration. As technology matures and the initial costs become competitive consider the purchase of hybrid or E85 flex fuel passenger carrying vehicles.
L. Programs: To support the Energy Conservation Policy and initiative, the County implements a variety of programs including:

1. **Employee Awareness**: The County conducts communications programs to promote employee awareness of the need for energy conservation. This includes such activities as distribution of this Energy Conservation Policy, reminders via e-mail, coverage in new employee orientation, County newsletter, and opportunities at employee events to reinforce the conservation ethic.

2. **Preventive Maintenance**: Preventive maintenance procedures are used to obtain optimal energy-efficient operation of equipment.

3. **Repairs**: Repairs/replacement of equipment takes into consideration the most cost effective solution over the life of the repair/equipment. Considerations shall include future maintainability, improved operation, improvements to energy efficiency, requirement for additional or reduced preventive maintenance.

4. **Energy Efficiency Retrofits**: The County bases energy efficiency retrofitting project priorities upon the availability of capital improvements funds and maintenance needs such as the condition of the equipment. The County develops and maintains a priority list of retrofit needs.

5. **Renovations**: Renovations to County facilities, whether major or minor, are to meet standards for energy-efficient equipment and design.

6. **New Construction**: Marathon County will incorporate energy efficiency into the decision-making process during the design, acquisition, or remodel of facilities and equipment when cost effective. Sustainable design and construction practices utilizing products with longer documented life spans, less waste, and renewable materials will be employed. Anticipated labor savings over the projected life of the item will be taken into account.

7. **Equipment Selection**: The selection of all equipment procured for Marathon County, (to include computer equipment, printers, copy machines, equipment, refrigerators, and so forth) shall consider the anticipated energy use and available energy saving devices.

8. **Automation**: County departments are encouraged to pursue automation solutions, as feasible, to replace travel-intensive, paper-intensive or other energy consuming activities.
Appendix A

Release And Hold Harmless Agreement
Marathon County Ride-Along

In consideration of the Marathon County ________________ Department allowing me to ride in a Marathon County owned vehicle for purposes of ________________, I, __________________________, hereby waive any rights and causes of action I have or might have in the future against Marathon County, the Marathon County __________________ Department, or any of their officials, officers, agents, employees or assignees, whether appointed or elected, as a result of injury of any type whatsoever including, but not limited to, property loss, personal injury, bodily harm or impairment, death or emotional stress caused in connection with my riding in a Marathon County owned vehicle for the above mentioned purpose.

I further understand that I will supply a copy of my personal auto liability insurance to verify I have personal auto liability insurance in force or a certificate of insurance verifying I am covered by my employer’s workers compensation insurance if I am riding for work related purposes.

By signing this Release and Hold Harmless Agreement, I further acknowledge that I understand the contents of this document and the consequences of signing it.

Name of Rider(s):
________________________________________

Signature of Rider:  __________________________________

Guardian Signature of Minor(s): __________________________

Date:  __________________________________

For Employee and Department Head Completion

I, __________________________, permit the following employee, __________________________, to transport __________________________ as a passenger(s) in a Marathon County owned vehicle on the following date(s) __________________________ for purposes of __________________________.

Department Head Signature:  __________________________________

Date:  __________________________________

Employee agrees to all comply with all Marathon County Policies and Procedures and safety standards for his/her self and passenger.

Employee Signature:  __________________________________

Date:  __________________________________

This form must be completed prior to the Ride-Along event date and a copy of it along with a copy of rider’s personal auto insurance must be submitted to Marathon County Risk Manager.
Appendix B

Marathon County Request For Supplementary Employment

**Policy:** Employees are allowed to hold a supplementary job as long as it does not interfere with their job responsibilities in their County employment. Employees in an allocated position shall notify their department head in writing prior to engaging in full or part-time employment with another employer or a personal business enterprise. The department head may refuse to authorize supplementary employment if it is expected to interfere with the performance of the employee’s regular job duties or if the supplementary employment presents a conflict of interest. Questions should be directed to the Employee Resources Director.

Employees are not allowed to conduct business related to outside employment while on County paid time, nor is an employee permitted to use County equipment or supplies in the performance of outside employment duties unless prior approval from supervisor.

Department heads are responsible for having employees with supplemental employment update this request form annually. Send a copy of the completed request form to the Employee Resources Department for placement in official personnel file.

**NOTE:** Short term supplementary employment (e.g. work one day at fair or help at elections) should be discussed with supervisor.

I am requesting permission for supplementary employment in accordance with the above-mentioned policy.

<table>
<thead>
<tr>
<th>Employee Name:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>County Department</td>
<td></td>
</tr>
<tr>
<td>County Job Title</td>
<td></td>
</tr>
<tr>
<td>Supplementary Employment Employer</td>
<td></td>
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<tr>
<td>Supplementary Employment Job Title</td>
<td></td>
</tr>
<tr>
<td>Supplementary Employment Address</td>
<td></td>
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<tr>
<td>Supplementary Employment Phone #:</td>
<td></td>
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<tr>
<td>Type of Business</td>
<td></td>
</tr>
<tr>
<td>Anticipated Hours of Work</td>
<td></td>
</tr>
<tr>
<td>Brief Job Description</td>
<td></td>
</tr>
</tbody>
</table>

| Employee’s Signature                  | Date                                  |

| Date Received                         |                                      |
| Request Approved                      | YES ☐                                | NO ☐                    |
| Comments                              |                                      |

| Department Head Or Designee’s Signature | Date |

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Marathon County Personnel Policies & Procedures Manual  
Chapter 10 – Employee Conduct, Page 38
**Appendix C**

**Drug & Alcohol Testing**

Transport employee to one of the following collection sites:

1. **MARSHFIELD CLINIC - WAUSAU CENTER**
   - **2727 Plaza Dr, Wausau, WI 54401**
   - **Occupational Health Department**
     - Call ahead to schedule
     - Monday through Friday, 7:30 AM – 4:30 PM
     - Phone: 877-962-2633
   - **Walk-in Department**
     - Limited to post-accident drug & alcohol screens
     - No appointment necessary
     - Monday through Friday, 7:30 AM – 4:30 PM
     - Phone: 877-962-2633

2. **MARSHFIELD CLINIC – WESTON CENTER**
   - **3501 Cranberry Blvd, Weston, WI 54476**
   - **Walk-in Department**
     - Limited to post-accident drug & alcohol screens
     - No appointment necessary
     - Monday through Friday, 8 AM – 6 PM
     - Weekends – Not Open
     - Weekends and Holidays – 8 AM – 1 PM

3. **MARSHFIELD CLINIC – MARSHFIELD CENTER “CENTRAL LAB” – 1ST FLOOR**
   - **1000 North Oak Avenue, Marshfield**
   - **Phone:** 715-389-4700
   - **Call ahead to schedule**
     - Monday through Friday, 8:30 AM – 4:30 PM

4. **MARSHFIELD CLINIC – WISCONSIN RAPIDS LAB**
   - **220 24th St South, Wisconsin Rapids**
   - **Phone:** 715-389-4700
   - **Call ahead to schedule**
     - Monday through Friday, 8 AM – 4 PM

**OR,** transport employee to the emergency room at Aspirus Wausau Hospital, St. Clare’s Hospital (Weston), St. Joseph’s Hospital (Marshfield) or the nearest hospital emergency room for drug/alcohol testing services outside of these time frames.

To expedite testing services, take the Federal Drug Testing Custody and Control Form and specimen cup available from Highway, Parks Recreation Forestry and Central Wis Airport Department supervisors or the Employee Resources Department. Marshfield clinic sites should have the forms and cups available on-site but it is recommended to bring them.