

## MEETING NOTICE

### STEERING COMMITTEE MEETING East Central Wisconsin Regional Planning Commission

COMMITTEE MEMBERS: *Jeff Nooyen (Chair), Alice Connors (Vice Chair), Steven Abel, Dick Koeppen, Thomas Kautza, Jeremy Johnson, Dave Albrecht*

**Place:** East Central Offices(400 Ahnaip Street, Suite 100; Menasha)

**Date:** Wednesday, March 15, 2023

**Time:** 1:30 p.m. (In-Person)

*Please contact the East Central office if you are unable to attend and arrange for an alternate to be present.*

### AGENDA

#### 1. Welcome and Introductions

#### 2. Roll Call

A. Introduction of Alternates, Staff and Guests

#### 3. Approval of the Agenda/Motion to Deviate

#### 4. Public Comment

#### 5. Approval of the Minutes of the January 18, 2023 Steering Committee Meeting

#### 6. Announcements and Discussion Items

A. Director's Report

B. Update on the Reorganization Plan

#### 7. New Business/Action Items

A. Discussion regarding updates to the Employee Manual

B. Discussion regarding updates to the Commission's Bylaws

C. Discussion regarding a Commission Board Assessment conducted by staff from the Southeast Regional Directors Institute (SERDI)

D. **CLOSED SESSION:** The Committee will convene, if needed, into closed session pursuant to Sections 19.85(1)(c) of the Wisconsin Statutes to consider personnel matters, compensation, and the 2023 staffing plan.

E. **RECONVENE INTO OPEN SESSION:** The Committee will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes to act, if necessary, on the above matters.

i. Action from closed session discussions

## 8. Informational/Discussion Items

- A. County Roundtable Discussion (*as time permits*)

## 9. Establish Time and Place for Next Commission Meeting

- A. **Steering Committee Meeting:** *The next Steering Committee meeting will be Wednesday, April 19, 2023 at 1:30 p.m. at the Commission Offices (400 Ahnaip Street, Suite 100; Menasha).*
- B. **Commission Meeting:** *The next Commission meeting will be held on Friday, April 28, 2023 immediately following Annual meeting at 10:00 a.m. To be held at Calumet County (Courthouse) 206 Court Street – Chilton WI 53014. An agenda and meeting materials will be forthcoming.*

## 10. Adjourn

*Any person wishing to attend this meeting or hearing, who, because of a disability, requires special accommodations should contact the East Central Wisconsin Regional Planning Commission at (920) 751-4770 at least three business days prior to the meeting or hearing so that arrangements, within reason, can be made.*

**DRAFT MEETING NOTICE  
STEERING COMMITTEE MEETING  
East Central Wisconsin Regional Planning Commission**

COMMITTEE MEMBERS: *Jeff Nooyen (Chair), Alice Connors (Vice Chair), Steven Abel, Dick Koeppen, Thomas Kautza, Jeremy Johnson, Dave Albrecht*

**Date:** Wednesday, January 18, 2023 - Virtual

**1. Welcome and Introductions** – Chair Nooyen called the meeting to order at 1:30 pm

**2. Roll Call**

A. Introduction of Alternates, Staff and Guests

**Committee Members Present:**

Jeff Nooyen (Chair) ..... Outagamie County  
 Alice Connors (Vice Chair) ..... Calumet County  
 David Albrecht (Perm. Alt. for Tom Egan) ..... Winnebago County  
 Jeremy Johnson (Perm. Alt. for Elizabeth Moses) ..... Menominee County  
 Dick Koeppen ..... Waupaca County

**Committee Members Absent (Excused):**

Tom Kautza ..... Shawano County  
 Steve Abel ..... Fond du Lac County

**ECWRPC Staff and Guests:**

Melissa Kraemer Badtke ..... Executive Director  
 Kevin Englebert ..... Deputy Director  
 Sara Otting ..... Controller  
 Leann Buboltz ..... Administrative Coordinator

**3. Approval of the Agenda/Motion to Deviate** - A motion was made by Vice Chair Connors and seconded Mr. Albrecht to approve of the agenda as presented. Motion carried.

**4. Public Comment** – No Public Comment.

**5. Approval of the Minutes of the December 14, 2022 Steering Committee Meeting.** A motion by Mr. Koeppen and second by Mr. Johnson to approve of the December 14, 2022 Steering Committee minutes as presented. Motion carried unanimously.

**6. Announcements and Discussion Items**

A. Director’s Report – (Project/Program update – not all inclusive)

- Ms. Kraemer Badtke, Executive Director shared that the Metropolitan Planning Organizations (MPOs) received the U.S. Census Bureau-defined urban areas in late 2022 and will be working with local municipalities to have the adjusted Urban Area Boundary completed and approved by June 2024. She noted Roadway Functional Classification review will begin after the urban boundary adjustment process and has an impact on which road segments will be eligible for Surface Transportation Block Grant and Transportation Alternatives Set Aside funding. Staff will also be working with small urban areas (i.e. New London, Waupaca, Shawano, Ripon, etc.) to assist them in updating their urban areas and the functional classified roadways
- Comprehensive Safety Action Plan – Ms. Kraemer Badtke, Executive Director shared that staff conducted a crash inventory and created a draft Safety Model for the Comprehensive

Safety Action Plan (CSAP). Traffic Operations and Safety Laboratory (TOPS) crash data for the Oshkosh MPO and Appleton (Fox Cities) MPO was collected to inventory crash mode, severity and frequency. Staff met and presented progress of work to the CSAP Committee with the next meeting anticipated in February 2023.

- Two program funding solicitations through the Wisconsin Department of Transportation (WisDOT) - Ms. Kraemer Badtke shared that staff continues to work with the Wisconsin Department of Transportation, Counties and local municipalities on assisting materials related to potential funding opportunities. She shared that currently there are two program solicitations open for: Transportation Alternatives Set-Aside Program and WisDOT Local Bridge Program. More information regarding these programs can be found at the Wisconsin Department of Transportation website - <https://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/bil-lp-ffy23.aspx>.
- Main Street Bounceback Grant Program closed on December 31, 2022. East Central staff had a significant increase in the grant applications submitted during December. Mr. Englebert shared that a final Main Street Bounceback Report will be presented at the April Commission Board Meeting.
- Community Facilities Committee update – The Committee met in January to review fees for the Sewer Service Area and Water Quality Management Program for SSA amendments and 208 Conformance Reviews. East Central staff has also developed draft chapters for the Fox Cities Sewer Service Area Plan update and has scheduled meetings with stakeholders throughout the month of January to discuss the draft plan.
- Menominee Tribal members and staff met in early December to discuss the Commission's programs and potential collaboration opportunities, which includes the areas of transportation, sewer service and GIS. Staff looks forward to working with the Menominee Tribe on future endeavors.
- Staff shared with the Committee that Shawano County had a vacant GIS Analyst I position at the end of 2022 and East Central staff has been assisting Shawano County with mapping for their Comprehensive Plan and Land Preservation Plan update during that vacancy.

## 7. New Business/Action Items

- A. Fourth Quarter, 2022 Financial Report. Ms. Otting shared that nearly 100% of the budget is used and the levy payments are all paid in full. She indicated that the shaded area may be adjusted after the audit is completed. A full review of the expenses and full balance sheet took place. Ms. Otting noted that programs for the Commission are in alignment with the approved budget.

A motion by Mr. Koeppen and second by Vice Chair Connors to approve of the 4<sup>rd</sup> Quarter 2022 Financial Report as presented and to be placed on file. Motion carried unanimously.

- B. Fourth Quarter, 2022 Work Program Performance Report presented by Ms. Otting, Controller. A detailed review of the financial status was given and indicated that the work program items were within the budgeted amounts. Ms. Otting shared that nearly 100% of the budget was expended on most of the work program items. The Appleton (Fox Cities) and Oshkosh Metropolitan Planning Organization Program was only at 75% due to the extension of funding availability.

A motion by Mr. Albrecht and second by Mr. Johnson to approve of the 4th Quarter 2022 Project Status Report as presented and to be placed on file. Motion carried unanimously.

- C. Proposed Resolution 01-23: Adopting the Final 2023 Work Program and Budget for East Central Wisconsin Regional Planning Commission. Ms. Kraemer-Badtke presented the 2023 budget and work program in detail. She noted that each department reviewed, and approved, their portion of the budget with their respective Committee(s). Also mentioned is the Principal Transportation Planner position is vacant and will be posted shortly and it is assumed that it will be filled within the 1<sup>st</sup> quarter. (The Work Program and Budget can be reviewed at the following link: <https://www.ecwrpc.org/documents/>)

A motion was made by Mr. Johnson and second by Vice Chair Connors to adopt of **Resolution 01-23**: Adopting the Final 2023 Work Program and Budget for East Central Wisconsin Regional Planning Commission as presented. Motion carried unanimously.

- D. Proposed Resolution 06-23: Amending Resolution No. 08-90 and Subsequent Resolutions Specifying the Personnel Policies for Persons Employed by the East Central Wisconsin Regional Planning Commission – Telework Policy. Ms. Otting, Controller shared with the Commission that continued review of the entire employee manual and an update is underway and will be ready for the Steering Committee and Commission Board consideration in March/April 2023. She noted that the leadership team felt that it would be important to continue to move forward with the telework policy, so that staff would be able to take advantage of the telework. This portion of the policy would allow staff, with approval from their supervisor and executive director, to be able to telework approximately 2-3 days a month. At any time, East Central leadership can request staff to come back and work in the office.

A motion was made by Vice Chair Connors and second by Mr. Koeppen to approve of **Resolution 06-23**: Amending Resolution No. 08-90 And Subsequent Resolutions Specifying the Personnel Policies for Persons Employed by The East Central Wisconsin Regional Planning Commission – Telework Policy. Motion carried unanimously.

- E. Proposed Resolution 07-23: Authorizing the Executive Director to enter into Contract for Professional Services with SRF Consulting Group. Ms. Kraemer-Badtke, Executive Director shared with the Commission that in the Appleton (Fox Cities) MPO Work Program, East Central staff and Valley Transit staff combined efforts to conduct and administer their ridership and fare payment survey. She noted that SRF Consulting Group, along with the core team of Valley Transit, East Central staff, and the City of Neenah staff, will evaluate locations, conduct an operations analysis, and cost analysis regarding the Neenah Transit Center. She also shared that to move this forward, East Central staff conducted a request for proposals of which SRF Consulting Group and their subconsultant GRAEF submitted a proposal. The Committee selected SRF Consulting Group and their subconsultant to complete the work with the anticipated completion by the end of July. Staff recommends that the Commission approve Resolution 07-23, which would authorize the Executive Director to enter into contract with SRF Consulting Group.

A motion was made by Mr. Albrecht and second by Vice Chair Connors to approve of **Resolution 07-23**. Authorizing the Executive Director to Enter into Contract for Professional Services with SRF Consulting Group Motion carried unanimously.

## 8. Informational/Discussion Items

- A. County Roundtable Discussion (*as time permits*)

## 9. Establish Time and Place for Next Commission Meeting

- A. ***Steering Committee Meeting***: *The next Steering Committee meeting will be Wednesday, March 15, 2023 at 1:30 p.m. Location TBD*
- B. ***Commission Meeting***: *The next Commission meeting will be held on Friday, April 27, 2023 at 10:00 a.m. - Virtual. An agenda and meeting materials will be forthcoming.*

10. **Adjourn** – A motion was made by Mr. Albrecht and second by Mr. Koeppen to adjourn with the time noted at 2:12 p.m.

Respectfully submitted by  
Leann Buboltz – ECWRPC Administrative Coordinator

## **East Central Wisconsin Regional Planning Commission – March 15, 2023 Report**

By Melissa Kraemer Badtke, Executive Director. Update on highlighted activities.

**Administration:** Clifton Larson Allen (CLA) staff conducted field work this past week for the 2022 Audit. The Commission's Audit will be presented to the Steering Committee and Commission Board at the April meetings.

### **Commissioner News:**

James Lowery from Menominee County recently resigned as Commissioner and his position on the Commission board will remain vacant until April.

Martin Farrell, the former chair of the Commission, received the Allen J. Buechel Leadership Award at the Envision Greater Fond du Lac Annual Meeting in February. Martin served as the Commission chair from 2019-2021 and was instrumental in the development of the strategic plan and reorganization plan for the Commission.

**Staff News:** Mike Zuege recently received the Wisconsin Land Information Association President's Award for his updated downtown Menasha Map.

**Fox Cities Sewer Service Plan Update:** East Central staff continues to work on the draft of the Fox Cities Sewer Service Area Plan and met with local communities and stakeholders regarding the draft chapters and the plan. It is anticipated that a draft will be reviewed and considered by the Community Facilities Committee in June.

### **Transportation Planning Program**

**Carbon Reduction Program:** The Wisconsin Department of Transportation will be sending out application materials and information regarding the Carbon Reduction Program on Friday, March 10<sup>th</sup>. The Carbon Reduction Program is a new program from the Bipartisan Infrastructure Law which provides funds for projects designed to reduce transportation emissions, defined as carbon dioxide emissions from on-road highway sources. East Central staff and Wisconsin Department of Transportation will be meeting with local communities within the Metropolitan Planning Organization areas (Appleton – Fox Cities, Oshkosh, and Fond du Lac) and the rural communities to discuss projects that may be eligible for this funding.

**Specialized Transportation Coordination Plans:** East Central staff will be working with the staff from the member counties, the Wisconsin Department of Transportation, and partner organizations on the Specialized Transportation Coordination Plans. These plans are required to be updated in order for Counties to receive Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program. This process is anticipated to begin in March/April 2023.

**Local Officials and Public Information meetings:** East Central staff recently attended local officials' meetings for the WI State Highway 29 and County Highway MMM (Shawano County) and the I-41 Corridor Project.

**Fond du Lac Safe Routes to School Action Plan:** East Central staff continued to work with the Fond du Lac Safe Routes to School task force on the development of their local SRTS action plan. The SRTS team met with the task force last week to discuss the bicycle and walk audit results along with recommendations.

## **Economic Development Program**

**Main Street Bounceback Grant Program:** The Main Street Bounceback Grant Program closed on December 31, 2022. East Central staff has been working with the Wisconsin Economic Development Cooperation to complete the paperwork needed to close out the program. East Central will be providing \$48,750 in funding back to WEDC from the program.

**Comprehensive Economic Development Strategy (CEDs):** East Central staff began the update of the Comprehensive Economic Development Strategy and hosted a kick off meeting with partner organizations from across the region. The purpose of the Comprehensive Economic Development Strategy is to bring together public and private stakeholders to develop a strategic plan for the region that helps diversify and strengthens the Region's economy. The Comprehensive Economic Development Strategy will also serve as a guide for the next three-year planning partnership grant through the Economic Development Administration (EDA), which the Commission will apply for in the fall, 2023. In addition, this is also a requirement of the Economic Development Administration (EDA) Planning Partnership grant and would allow communities in the region to secure additional EDA federal funding that will benefit economically distressed areas.

**TO:** Steering Committee  
**FROM:** Melissa Kraemer Badtke, Executive Director  
**DATE:** March 15, 2023  
**RE:** Update on the Implementation of East Central's Reorganization Plan

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In April, 2020, East Central approved a reorganization plan that aligns with the Commission's core program areas of Economic Development, Transportation, Water Quality Management (Sewer Service Area Planning) and the Regional Comprehensive Plan. The reorganization plan also identified ways the Commission would streamline both internal and external processes along with reducing the levy for each of the member counties.

Several items within the reorganization plan have been completed over the last two years and a few are listed below:

- Reduction in non-essential programs
- Adoption of the Strategic Plan
- Realignment of staff to core program areas
- Negotiated the Indirect Cost Rate
- Revised and update intergovernmental agreements between the City of Fond du Lac for MPO planning services and the member Counties that participate in the NR-135 Program.
- Balanced budget with levy reductions
- Securing CARES Act funding - \$400,000
- Securing funding, develop, and administer the Main Street Bounceback Program
- Development of strategies to evaluate completed projects
- Resolutions in support of removing the Gubernatorial appointments
- Update the employee manual

Two items that are currently in process include: the update of the Regional Comprehensive Plan and the MPO re-designation for the Appleton (Fox Cities) and Oshkosh Metropolitan Planning Organization. With the recent staff transitions, East Central staff developed a revised timeline for the Regional Comprehensive Plan, which was anticipated being approved in January, 2024. Recently, the Urban Areas were posted on the federal register and East Central staff will be working with the Wisconsin Department of Transportation, Federal Highway Administration and the Federal Transit Administration to begin the process for updating the urban areas. In addition, East Central recently hired a consultant to review the current MPO policy board structure, research best practices from other MPOs across the country, and provide options for the MPO policy board could function moving forward.

There are two items that have not been started by the Commission staff and those include:

- Review and possibly develop a policy regarding the use of contractors (sub-awards);
- Commissioner Relationship Opportunities/Mentorship Program.



Commission staff will be developing a contract policy and the process to evaluate projects in late 2023. It is anticipated that in 2023 or 2024, Commission staff will develop a Commissioner Orientation and a Mentorship Program for Commissioners.

In addition, East Central staff continues to evaluate the Commission's expenses including health insurance premiums, staff development, office space, and professional services, during the annual budget and work program process. East Central staff conducts an analysis of the staff capacity and qualification of the staff to align with deliverables required for the core program areas.

**Staff Recommendation:** Staff does not have a recommendation regarding the update on the implementation of the reorganization plan.

**East Central Wisconsin Regional Planning Commission**  
**Reorganization Plan Status**  
**Updated: 3/8/2023**

**Completed**

<b>2020</b>	<b>Administration</b>
	<ul style="list-style-type: none"> <li>• New Executive Staff Team (i.e. Executive Director, Deputy Director, Controller, etc.)</li> <li>• Reduction in non-essential programs to allow staff to focus on core services</li> <li>• Restart of the strategic plan with focus on core essential services/areas and staffing thereof by consensus among member Counties within the confines of the resulting budget</li> <li>• Negotiated Indirect Cost Rate with Department of Interior (Contractor for EDA)</li> </ul>
	<b>Core Services</b>
	<ul style="list-style-type: none"> <li>• Develop Sewer Service Area Schedule for plan updates</li> <li>• EDA Stimulus Funding – Received \$400,000 in CARES Act funding (2020-2022)</li> </ul>
	<b>Work Program and Budget Development</b>
Development of 2021 budget/work program focused on core services provided by the Commission. <ul style="list-style-type: none"> <li>• Balanced budget and levy reduction</li> </ul>	

<b>2021</b>	<b>Administration</b>
	<ul style="list-style-type: none"> <li>• Development of 2022 budget/work program focused on core services provided by the Commission</li> <li>• Meetings with key staff from member counties to have input in 2022 work program and budget</li> <li>• Updated intergovernmental agreement with the City of Fond du Lac for East Central to provide MPO staffing.</li> <li>• At this point, an organization should be in place that meets the needs of its member Counties and is financially sustainable.</li> <li>• Indirect Cost Rate – Fixed Carryover Rate and continued to work with the Department of Interior (Contractor for EDA)</li> </ul>
	<b>Core Services</b>
	<ul style="list-style-type: none"> <li>• ECWRPC Strategic Plan is adopted – Approved January, 2021</li> </ul>
	<b>Work Program and Budget Development</b>
Development of 2021 budget/work program focused on core services provided by the Commission. <ul style="list-style-type: none"> <li>• Balanced budget and levy reduction</li> <li>• Main Street Bounce Back Program funding received</li> </ul>	

<b>2022</b>	<b>Administration</b>
	<ul style="list-style-type: none"> <li>• Updated the NR-135 Non-Metallic Mining Agreement with five-member Counties</li> <li>• Review and analysis of audited financial statements from 2018-2021</li> <li>• Resolutions in support of removing the Governor’s Appointments</li> </ul>

**In progress**

	<ul style="list-style-type: none"> <li>• Regional Comprehensive Plan – a revised timeline will be developed due to staff transition (This is anticipated to be approved January, 2024)</li> <li>• Review and possibly develop a policy regarding the use of contractors (sub-awards) (anticipated late 2023)</li> </ul>
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	<ul style="list-style-type: none"> <li>• MPO re-designation for Appleton (Fox Cities) and Oshkosh MPOs – The urban areas are posted on federal register and will begin the update process with Federal Highway Administration and the Wisconsin Department of Transportation in the spring 2023. Also hired a consultant to look at options for the Metropolitan Planning Organization structure for the Appleton (Fox Cities) and Oshkosh MPOs. (anticipated 2023/2024)</li> <li>• Review and analysis of audited financial statements from 2018-2022.</li> </ul>
<b>Not Started</b>	
	<ul style="list-style-type: none"> <li>• Commissioner Relationship Opportunities/Mentorship Program (anticipated late 2023/2024)</li> </ul>
<b>Reviewed Annually</b>	
	<ul style="list-style-type: none"> <li>• Review and analyze the overhead budget to include health insurance premiums, staff development/conferences, rent (reduced office square footage needed), professional organizations, subscriptions, etc. – Reviewed with the Annual Budget.</li> <li>• Analysis of staff capacity and qualifications to align with the deliverables required in core program areas.</li> <li>• Development of strategies to evaluate completed projects.</li> </ul>

**TO:** Steering Committee  
**FROM:** Melissa Kraemer Badtke, Executive Director and Sara Otting, Controller  
**DATE:** March 6, 2023  
**RE:** Discussion regarding the updates to the Employee Manual

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Over the last year, the leadership team has updated the Commission's personnel policies document, now referred to as the employee manual. The last update for the Commission's Personnel Policies document was in August, 2019. The new employee manual has been re-formatted, policies have been clarified, and policy updates have been made. In addition, the leadership team included policies that were approved through separate resolutions in the updated version of the employee manual, so that there is a one document that contains a comprehensive list of the policies that employees can review. The employee manual has been reviewed and vetted through legal counsel and staff worked with legal counsel on any modifications that would impact the Commission's procedures, processes, and policies.

Outlined below are a few of the updates that can be found in the employee manual document.

- **Paid Parental Leave Policy:** A new policy that is included in the employee manual, is the paid parental leave policy. Currently, Commission employees need to use their sick and vacation time for the birth of a child or placement of a child through adoption or foster care. Challenges with the current leave policy is that new employees receive two weeks of vacation annually and twelve days of sick time, which can't be used in advance. This makes it incredibly challenging to accumulate enough time off to have paid time off with the birth of a child or placement of a child through adoption or foster care. Paid parental leave is one benefit that the Commission could offer to help to offset the amount of sick and vacation time staff are using for paid parental leave.

The leadership team is proposing a paid parental leave policy, which provides an employee up to two weeks of paid parental leave following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care.

The financial commitment to the Commission would vary year to year and from employee to employee. The average the cost will be about \$2,500 for two weeks per employee and would have a minimal impact to the Commission's indirect cost rate. The leadership team believes a paid parental leave policy could be an important benefit to attract and retain younger employees with minimal impact to the Commission.

- **Years of Service Bonuses:** As part of the total rewards strategy developed by the leadership team, we included a years of service bonus for staff members who remain at the Commission for 20+ years. This would be utilized as a retainment tool for the staff who remain at the Commission and are able to share their institutional knowledge. This is an item that staff would like to discuss with the steering committee.
- **Leave of Absences due to Illness or Disability:** The policy remains the same for this section, however, the title was adjusted to the leave of absences due to illness or disability per legal counsel's recommendation.

Moving forward, the employee manual will be reviewed annually by Commission leadership and legal counsel and any modifications or revisions will be brought to the Steering Committee and the Commission board for their consideration. The leadership team has included a copy of the updated employee manual for your review.

**Staff Recommendation:** Staff does not have a recommendation at this time, however, the leadership team would appreciate any feedback, revisions, or suggestions regarding the employee manual. It is anticipated that the employee manual will be brought back to the Steering Committee in April for consideration.



## **EMPLOYEE MANUAL**

**As amended on April xx, 2023**

Adopted:

November 8, 1979

Revised:

April 11, 1985

April 10, 1986

January 9, 1989

November 15, 1991

September 10, 1992

November 6, 1997

March 13, 2000

June 1, 2002

January 11, 2007

January 12, 2012

November 14, 2013

December 14, 2017

August 16, 2018

August 29, 2019

*Effective Date: April 26, 1990 as amended July 27, 1990; July 26 and October 25, 1991; January 26, 1996; April 25, 1997; October 31, 1997; January 26, 2001; October 31, 2003; July, 2005; January, 2006; April 25, 2008, January 30, 2009, January 27, 2012; October 28, 2016, and July 26, 2019.*

# Welcome

Welcome to East Central Wisconsin Regional Planning Commission! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further Commission's goals.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. With your active involvement, creativity, and support, East Central Wisconsin Regional Planning Commission will continue to achieve its goals. We sincerely hope you will take pride in being an important part of the Commission's success.

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or contact the Controller.



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## Employee Handbook Acknowledgement and Receipt

I hereby acknowledge receipt of the employee handbook of East Central Wisconsin Regional Planning Commission. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. The handbook, Commission practices, and other communications do not create an employment contract. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by management at any time without notice.

I further understand that I am an at-will employee and that neither this document nor any other communication shall bind the Commission to employ me now or hereafter and that my employment may be terminated by me or the Commission without reason at any time. I understand that no representative of the Commission has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Executive Director of the Commission may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Executive Director of the Commission.

\_\_\_\_\_  
Employee's Name in Print

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date Signed by Employee

**Note: All employees are required to acknowledge receipt of the Employee Handbook by signing this acknowledgment.**

**TO BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE**

**EMPLOYEE ACKNOWLEDGMENT AND RECEIPT OF HARASSMENT POLICY**

I have read and understand the Commission's Harassment Policy. My signature below confirms my knowledge, acceptance, and agreement to comply with the policy.

\_\_\_\_\_  
Employee's Name in Print

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

## INTRODUCTION

The general purpose of this Employee Handbook is to establish a uniform system of personnel administration that will provide for fair and impartial treatment for all the employees of the East Central Wisconsin Regional Planning Commission (hereinafter referred to as the Commission) and to serve as a guideline for the employer/employee relationship. The administration of the policies in this manual is the responsibility of the Executive Director and Deputy Director.

There are several things to keep in mind about this manual. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if an employee has any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to him/her, the employee should address his/her specific questions to the Executive Director.

Neither this handbook nor any other Commission document confers any contractual right, either express or implied, to remain in the Commission's employ. Nor does it guarantee any fixed terms and conditions of employment. Final interpretation and implementation of any of the policies in this manual are vested solely with management.

Second, the procedures, practices, policies and benefits described here are subject to change at any time by the Commission and are reviewed and revised periodically. The Commission will do its best to inform an employee of any changes as they occur.

Finally, some of the subjects described here, such as insurances, retirement, etc. are covered in detail in official policy documents. An employee should refer to these documents for specific information, since this handbook only briefly summarizes those benefits. Please note that the terms of the policy documents are controlling.

## DEFINITIONS

*ANNIVERSARY DATE:* The calendar date on which an employee was hired or promoted into his/her present position.

*CONTINUOUS SERVICE:* Includes all time in which an employee is on a **paid** status with the Commission.

*HIRE DATE:* The date an employee began employment on a paid status with the Commission. If the employee is reinstated, the original date of hire will be used.

*IMMEDIATE FAMILY:* For purposes of sick leave, immediate family shall include the husband, wife, son, daughter, father, mother, stepfather, stepmother, stepdaughter, or stepson of the employee. For the purpose of bereavement leave, immediate family shall additionally include: spouse, son, daughter, grandfather, grandmother, father, father-in-law, mother, mother-in-law, stepfather, stepmother, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, or grandchildren.

*INITIAL EMPLOYMENT PERIOD:* The first six months of employment with the Commission. During this time the employee's fringe benefit usage is limited, as described in the actual policies.

*JOB DESCRIPTION:* A statement of each job classification's distinguishing features, general duties and responsibilities, required knowledge and skill, and acceptable training and experience.

*PAID STATUS:* This includes compensation received for work performed, sick leave, jury duty, vacation pay, holiday pay, paid military leave, paid family medical leave, etc.

*PROFESSIONAL:* Those positions classified as Assistant Planner and above. These positions are considered exempt under the Federal and State Wage and Hour laws.

*TECHNICAL & CLERICAL:* An individual who is hired to perform support functions for the Commission as a whole or in a particular area of expertise for the Commission and its programs. Technical and clerical positions are considered non-exempt under the Federal and State Wage and Hour laws.

## POLICY STATEMENTS

### Employment at Will

Employment at East Central Wisconsin Regional Planning Commission is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the Chair of the Commission.

This means that either the employee or the Commission may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook creates or is intended to create an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no Commission representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended to and do not create an employment contract for any specific period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by law. Such activity may include employee communications regarding wages, hours, or other terms or conditions of employment. Commission employees have the right to engage in or refrain from such activities.

### Employment Classifications

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, the Commission classifies its employees as shown below. The Commission may review or change employee classifications at any time.

**Exempt:** Exempt employees are typically paid on a salary basis and are not eligible to receive overtime pay.

**Nonexempt:** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

**Regular, full time:** Employees who are not in temporary status and work a minimum of 30 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefit program.

**Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than 30 hours weekly but at least 20 hours weekly and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the Commission and are subject to the terms, conditions, and limitations of each benefits program.

**Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the Commission's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

**Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

## **Equal Employment Opportunity**

East Central Wisconsin Regional Planning Commission provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

East Central Wisconsin Regional Planning Commission expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

East Central Wisconsin Regional Planning Commission will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon East Central Wisconsin Regional Planning Commission's business operations.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Executive Director. The Commission will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. Employees who feel they have been subjected to any such retaliation should bring it to the attention of the Executive Director.

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- (1) Shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- (2) Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; *or*



(3) Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

### **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

East Central Wisconsin Regional Planning Commission is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the Commission's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the Commission. The Commission prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the Executive Director and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The Commission then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of East Central Wisconsin Regional Planning Commission to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. East Central Wisconsin Regional Planning Commission prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.

### **Commitment to Diversity**

East Central Wisconsin Regional Planning Commission is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the Commission and are valued for their skills, experience, and unique perspectives. This commitment is embodied in Commission policy and the way we do business at the Commission and is an important principle of sound business management.

## Harassment and Complaint Procedure

It is the Commission's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or third party based on actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), , sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws. Such conduct will not be tolerated by the Commission.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. The Commission will take all reasonable steps necessary to prevent and eliminate unlawful harassment.

**Definition of "unlawful harassment."** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

**Definition of "sexual harassment."** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" can include all of the above actions, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, a hostile, or an offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one's sex life; comments about an individual's body; and comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;

- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual or other harassment and retaliation against individuals for cooperating with an investigation of sexual or other harassment complaints violate the Commission's policy.

**Complaint procedure.** If you believe you have been subject to or have witnessed unlawful discrimination, including sexual or other forms of unlawful harassment, or other inappropriate conduct, you are requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or department manager, the HR director, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above. All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, the Commission will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

### **Conflicts of Interest**

The Commission expects all employees to conduct themselves and Commission business in a manner that reflects the highest standards of ethical conduct and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The Commission recognizes and respects the individual employee's right to engage in activities outside of employment that are private in nature and do not in any way conflict with or reflect poorly on the Commission.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises in which there is a potential conflict of interest, the employee should discuss this with a manager for advice and guidance on how to proceed. The list below suggests some of the types of activities that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another firm that is a competitor of or supplier to the Commission; or involves hours having a detrimental impact on work at the Commission as determined by the Commission's administration;
2. Carrying on Commission business with a firm in which the employee, or a close relative of the employee, has a substantial ownership or interest;

3. Holding a substantial interest in, or participating in the management of, a firm to which the Commission makes sales or from which it makes purchases;
4. Borrowing money from customers or firms, other than recognized loan institutions, from which our Commission buys services, materials, equipment, or supplies;
5. Accepting substantial gifts or excessive entertainment from an outside organization or agency;
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the Commission;
7. Participating in civic or professional organization activities in a manner that divulges confidential Commission information;
8. Misusing privileged information or revealing confidential data to outsiders;
9. Using one's position in the Commission or knowledge of its affairs for personal gains;  
*and*
10. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of Commission business.

Each employee is required to annually review and sign a Conflict of Interest statement. No employee may use his/her position to obtain financial gain for him/herself or his/her immediate family, or for any business with which s/he has a significant fiduciary relationship. No employee may use his/her position or influence to gain unlawful benefits, advantages, or privileges for him/herself, for the members of his/her immediate family, or for any other person.

### **Drug-Free and Alcohol-Free Workplace**

It is the policy of the Commission that all employees, as a condition of employment, are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the Commission's workplace, as is being under the influence of alcohol or non-prescribed controlled substances while on duty, including Commission auto and personal vehicles or any other location while in the duty of the Commission. Any employee in violation of this policy will be subject to disciplinary action, up to and including termination. The Commission reserves the right to request and require a test where there is reasonable suspicion to believe there is a violation of this policy. Refusing to test and/or testing positive for alcohol and/or illegal controlled substances will lead to termination of employment.

As a condition of employment, all Commission employees must abide by the terms of this policy and notify the Executive Director if she/he is arrested and/or convicted of a criminal drug violation occurring in the workplace no later than five (5) days after such arrest and/or conviction. The Commission will not take action against any employee on the basis of arrest or conviction unless they substantially relate to the employment position, and as it relates to the actual facts of the situation.

Alternatively, the Commission might require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. However, employees are encouraged to seek assistance early as necessary as such assistance most likely will not be provided after an event occurs leading to an investigation of a violation of this policy.

## **Grievance Policy**

The Commission has devised a process to address issues concerning workplace safety, discipline and termination. Employees should reference Resolution 28-20 effective September 28, 2020 for specific procedures under this policy.

This grievance procedure is adopted pursuant to Wisconsin Statute 66.0509(1m), and is intended to provide a process to address issues concerning workplace safety, discipline, and termination.

- Workplace safety is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment, and workplace violence.
- Discipline is defined as all levels of progressive discipline, but shall not include: actions taken to address work performance, including annual reviews; demotion, transfer or change in job assignment; or other personnel actions taken that not a form of progressive discipline.
- Termination is defined as action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following actions: voluntary resignation, layoff or failure to be recalled from layoff; retirement, job abandonment; or termination due to inability to perform job duties.

### **Procedures**

Employees should first discuss complaints or questions with the Executive Director. Every reasonable effort should be made to resolve questions, problems, or misunderstandings that have arisen before filing a grievance.

- a. The employee must provide the Executive Director with a written grievance within 10 business days of the occurrence, explaining the nature and circumstances of the grievance. A written grievance filed under this policy must contain the following information:
  - i. The name and position of the employee filing it;
  - ii. A statement of the issue involved;
  - iii. A statement of the relief sought;
  - iv. A detailed explanation of the facts support the grievance;
  - v. The date(s) the event(s) giving rise to this grievance took place;
  - vi. The identity of the policy, procedure, or rule that is being challenged;
  - vii. The steps the employee has taken to review the matter, either orally or in writing, with the executive director, and;
  - viii. The employee's signature and date.
- b. The Executive Director will meet with the grievant within 10 business days of the receipt of the written grievance and provide a written response. A copy of the Executive Director's response and the original written grievance will be filed in the grievant's personnel file.
- c. If the grievant does not feel the grievance has been satisfactory resolved, the grievant must send the written grievance and Executive Director's response to the Commission Board Chair within 10 business days of the Executive

Director's response for a hearing by an impartial officer. It is the Commission's responsibility to retain an impartial hearing officer. An impartial hearing officer should be a lawyer, professional mediator/arbitrator, retired judge or other qualified individual. The hearing date will be scheduled by the impartial hearing officer and will be no more than 60 business days from the receipt of the grievant's written request for a hearing. The impartial hearing officer will request documentation from both parties involved. The written decision of the impartial hearing officer will be sent to the parties involved within 10 business days of the hearing. The decision of the impartial hearing officer will be filed in the grievant's personnel file.

- d. If either the grievant or Executive Director does not feel the grievance has been satisfactory resolved at the hearing officer level, either the grievant or Executive Director must send a written request to the Commission Board Chair for review of the hearing officer decision. The grievance will be addressed at the next scheduled Executive Committee meeting based upon the record established at the hearing. The grievant may or may not attend the Executive Committee meeting as determined by the Executive Committee. The Executive Committee decision will be sent to the grievant and Executive Director within 10 business days of the Executive Committee meeting. A copy of the Executive Committee's response will be filed in the grievant's personnel file and shall be final.

#### **Other Considerations**

- a. The Commission office is open Monday through Friday and closed on those holidays listed in the Employee Handbook. Mail and other documentation that arrives while the Commission is closed will be accepted and reviewed the following business day.
- b. Any expenses incurred by a grievant in investigating, preparing, or presenting a grievance shall be the sole responsibility of the grievant. Each party (grievant and employer) shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees. The fees of the impartial hearing officer shall be divided equally between the parties with the grievant(s) paying half and the employer paying the other half.
- c. An employee must process his/her grievance outside of normal work hours, unless the employee elects to use accrued paid time (vacation or comp time) in order to be paid for time spent processing the grievance through the various steps of the process.
- d. The grievant may not file a grievance outside the time limits set forth above. If the grievant fails to meet the deadlines above, the grievance will be considered resolved.

## **Whistleblower Policy**

The Commission is committed to operating in furtherance of its statutory and tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, employees, or volunteers. Resolution 24-19, adopted on July 26, 2019, outlines a procedure for employees to report actions that an employee reasonably believes violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter which is related to Commission's business and does not relate to private acts of an individual not connected to the business of the Commission.

### Reporting

If an employee has a reasonable belief that an employee or ECWRPC has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the employee is expected to immediately report such information to the Executive Director. If the employee does not feel comfortable reporting the information to the Executive Director, he or she is expected to report the information to the Deputy Director or the Commission Chair.

### Investigation

All reports will be followed up promptly, and an investigation conducted. In conducting its investigations, ECWRPC will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review and investigation.

### No Retaliation

ECWRPC will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the Executive Director, the Commission Board or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

ECWRPC may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy or for those who file false reports. In addition, ECWRPC will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel or a court, truthful information relating to the commission or possible commission by ECWRPC or any of its employees of a violation of any applicable law or regulation.

### Training

Supervisors will be trained on this policy and ECWRPC'S prohibition against retaliation in accordance with this policy.

## **Outside Employment Policy**

No employee is prevented from accepting outside employment which does not interfere or conflict with the full performance of his/her duties at ECWRPC. Staff persons may accept outside employment in jobs or positions that will not jeopardize the public confidence in activities of the Commission, as long as such employee provides prior notice to the Executive Director and gains prior approval. Any outside job or position that implies a conflict of interest with activities of the Commission, as determined by the Executive Director or the Commission, will not be acceptable and may form the basis of dismissal of the employee. In addition, no employee will: 1) Use ECWRPC's time, facilities, equipment or supplies, or use the prestige or influence of their Commission position for private gain or advantage, 2) Accept for private gain or advantage money or anything of value from a business for the performance of an act required as part of official duties, and/or (3) involves hours having a detrimental impact on work at the Commission as determined by the Commission's administration. Employees may collect fees and honoraria for papers, talks, demonstrations or appearances made on their own time and not directly related to their official duties. Employees must notify the Executive Director prior to accepting fees and honoraria to insure no conflict exists.

Generally, any outside work would be viewed as acceptable unless: (1) the Commission could be viewed as being used for private gain; (2) the job or position would imply giving preferential treatment to any persons or organization; (3) the employment would impede the Commission's efficiency or economy; (4) the person could lose complete independence or impartiality of action; (5) the person would be in a job or position wherein the person could make a Commission decision outside of official channels; (6) the job or position adversely affects the confidence of the public in the integrity of the Commission; and (7) if in the opinion of the Executive Director, such work is affecting the efficiency, quality, and effectiveness of the employee's work with the Commission.

Staff persons may, if no conflicts exist as noted above, provide consultative services to persons, agencies or governmental units outside the ten county region of the Commission, but only with the prior notification, and written approval of the Executive Director of that county's Regional Planning Commission, if one exists.

Prior to engaging in any outside employment permitted under these provisions, the employee shall obtain the written permission of the Executive Director for such work.

## **Smoke Free Work Place**

Smoking is not allowed in Commission buildings or work areas at any time. "Smoking" includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly.

## **Workplace Violence Prevention**

East Central Wisconsin Regional Planning Commission is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of



aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at Commission-sponsored functions.

All East Central Wisconsin Regional Planning Commission employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or HR department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline. Any such act or threatening behavior from a Commission employee may result in disciplinary action up to and including termination.

Any individual engaging in violence against the Commission, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken.

East Central Wisconsin Regional Planning Commission prohibits the possession of weapons on its property at all times, including our parking lots or Commission vehicle. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages or cut string and for other miscellaneous tasks), martial arts paraphernalia, stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense.

The Commission reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on Commission property. In addition, East Central Wisconsin Regional Planning Commission may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all Commission property and other items that are in violation of Commission rules and policies.

### **Commitment to Safety**

Protecting the safety of our employees and visitors is the most important aspect of running our business.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, notify the appropriate emergency personnel by dialing 9 for an outside line, then dialing 911 to activate the medical emergency services.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

## **Public Records**

The Commission is an authority for the purpose of record keeping as defined in WI Statute 19.34(1) and as such records retained at the Commission are available for inspection to any person making a request between the hours of 8:00 a.m. and 4:00 p.m. Monday through Thursday and 8:00 a.m. – noon on Friday. Requests should be submitted to the Executive Director as custodian of the records and/or the Deputy Director as deputy records custodian.

## **Personnel Files**

Employee files are maintained by the Controller and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis. Employees may inspect their own personnel files and may copy them, but may not remove documents from their file. Inspections by employees must be requested in writing to the Executive Director and will be scheduled at a mutually convenient time or as required under state law. The file may not be released in whole or in part to other persons or agencies without the written consent of the Executive Director **and** the employee. Personnel files are to be reviewed in the Human Resources (HR) department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Certain information, such as dates of employment and rehiring eligibility, are available by request only. The Commission will not respond to a request for information regarding an employee's compensation without that employee's written permission.

Access to the employee's personnel file, other than by the employee, shall be limited to the Executive Director and the administrative staff for administrative purposes. The file may not be released in whole or in part to other persons or agencies without the written consent of the Executive Director **and** the employee; or unless otherwise provided by law.

Employee information is considered to be private and only accessed on a need-to-know basis. An employee's healthcare information is completely confidential unless that employee chooses to share it. In some cases, employees and management may receive guidelines ensuring adherence to the Health Insurance Portability and Accountability Act (HIPAA).

## **Travel Policy**

The Commission is the recipient of federal funds which requires the adoption of a formal Travel Policy. The policy ensures that (a) adequate cost controls are in place, (b) travel and other expenditures are appropriate and consistent with federal and state guidelines, and (c) provides a uniform and consistent approach for the timely reporting and reimbursement of authorized expenses incurred by employees. Only reasonable and necessary expenses actually incurred by employees and substantiated with detailed receipts or supporting documentation are allowed. Maximum meal reimbursements follow the guidelines posted at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem). The policy meets the requirements of an accountable plan and therefore eliminates the need to include reimbursements in employees' taxable income. *See separate travel policy for detailed information.*

## Internet and Computer Network Policies

- 1. User IDs and Passwords.** Every employee accessing the Commission computing resources will be assigned a User ID and password that functions as your method of access to our computing facilities. You should guard this information just as you would guard any other identifying material like your home phone number, address, or bank account numbers. Users will be held fully accountable for activity that occurs on any Commission computing facility under your User ID and password, regardless of whether the person assigned to the User ID and password is the actual user. Therefore, great care should be taken not to share or otherwise disclose this information to another person; except to the IT Manager and/or Executive Director

User IDs and passwords should never be written in a conspicuous place, written down together, or shared with any third party. If you lose or forget your password (or User ID and password together), you must immediately inform the IT Manager so your account can be temporarily deactivated and a new password assigned.

- 2. Internet Use Policy.** The Commission provides access to the vast information resources of the Internet to help Commission employees do their job faster, smarter, and in the most productive manner possible. The facilities which provide internet access represent a considerable commitment of Commission resources for telecommunications, networking, software, storage, and support, etc. Moreover, the cost of providing these resources is significant. As such, Commission considers the Internet and its usage a Business Tool, and is to be used as a specific part of the employee's job duties. The following policies shall apply:

- a. Like the Commission computer, network and information system, Internet access is Commission property. As such, Commission employees may use the Internet for only legitimate Commission-purposes.
- b. Private use is prohibited and the Internet shall not be used for commercial, unauthorized, or political advocacy purposes.
- c. Employees may not download or install destructive program, viruses, or self-replicating programs on Commission computers or networks.
- d. Equally, employees may not save, copy, download, or distribute software system files, programs, or information from the Internet or Commission networks unless for legitimate Commission business purposes, or without expressed permission from supervisors, managers, or the IT Manager.
- e. Unlawful Internet usage may also garner negative publicity for the Commission and expose you or the Commission to significant legal liabilities.
- f. Employees forgo a level of freedom when using the Commission computer, network, information system, and the Internet. An employee shall have no expectation of privacy as to the use of the Commission computer, network, information system, and the Internet.
- g. Employees waive any right to privacy in anything that is created, stored, sent or received on the computer or the Internet that is owned by the Commission. All actions taken on a

Commission computer or internet are deemed to be the property of the Commission and are subject to review, search, or confiscation as required.

- h. The Commission has the right, but not the duty, to monitor any and all aspects of its computer, network system and computer usage, including, but not limited to, monitoring sites employees visit on the Internet, monitoring and reviewing materials downloaded or uploaded by employees and reviewing email sent or received.

**3. Web Basics and Legal Considerations.** The following is a list of legal, ethical, and common-sense considerations to adhere to while using the Internet. While on the Internet:

- a. Conduct yourself in a professional manner and only for Commission-business purposes. Employees shall use the same care in communicating over the computer as they would in using any other form of communication.
- b. Comply with all software licenses, usage and distribution restrictions, contracts, copyrights, patents, and all other state, federal and international laws governing intellectual property rights and on-line activity.
- c. Do not download, use, obtain, or distribute "pirated" software or any type of music or movie file downloaded through illegal methods.
- d. Close other programs that may impede performance to your Internet activity. Having several applications running in the background adversely affect computer, network, and Internet performance.
- e. Use the Internet in a manner, that is not hateful, harassing, threatening, abusive, malicious, anti-social, or to disrupt another employee's work.
- f. Employees shall not communicate, transmit, or download any form of obscene, pornographic, or sexually explicit material or participate in any Internet source, which concerns the same. An employee shall not store, archive, save, edit, or record such material through the use of Commission computer, network, or information system. The Commission reserves the right to identify as inappropriate any Internet site consisting of sexual material and block access to such material.
- g. Employees should disconnect immediately from any site they incidentally connected to that has sexual materials. Periodic monitoring of internet usage by employees may occur by the IT Manager or Executive Director.
- h. Employees shall avoid being involved in computer crimes or any other activity characterized as illegal, fraudulent, unethical, or unacceptable which seeks to gain access to the resources of the Internet, disrupts the Commission's use of the Internet, wastes Internet resources, destroys or compromises the integrity of the Commission network, information system, and the privacy of its users.

**4. Emails.** Use of email is encouraged as a means of better communication within the Commission organization and its vendor, suppliers, or other departments. Incidentally, as with telephone calls, personal email messages do & will come in and employees do have permission to answer such messages. However, as stated in the preceding paragraph, all incoming or outgoing information will be considered Commission property, and will be

handled as such. Abuse of email privileges may bring disciplinary action against an employee.

**5. Social Networking Policy.** The following is the Commission's social media and social networking policy as it relates to the use of Commission Internet or network resources as noted in the Internet Policy. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. Consult with your manager or supervisor if you are uncertain.

- a. Social media may be used within the confines of the office for specific Commission purposes as approved by the Executive Director. Such usage shall be for the promotion and public awareness of projects which warrant its consideration as an effective tool for communication. Reasonable staff time shall be provided to utilize, monitor, and update social networking information as needed for the particular stage of the project/process.
- b. Personal blogs and social networking sites/activities are not prohibited by the Commission, however; their utilization during regular office hours, with the exception of breaks and/or lunch is prohibited. Should, in consultation with the IT Coordinator, the Executive Director feel that it is in the best interest of the Commission (for network security reasons or for employee abuse of privileges) to eliminate access to social networking sites, the Executive Director shall authorize such action. Regardless of accessibility during Commission office hours, all personal blogs/social networking sites or activities shall comply with the following requirements:
  - i) Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the Commission. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the Commission.
  - ii) Information published on your blogs should comply with the Commission's confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other blogs, forums, and social networking sites.
  - iii) Be respectful to the Commission, other employees, customers, partners, and citizens.
  - iv) Social media activities should not interfere with work commitments. Refer to Internet and Computer Network Policies.
  - v) Your online presence reflects the Commission. Be aware that your actions captured via images, posts, or comments can reflect that of our Commission.
  - vi) Do not reference or site Commission clients, partners, or customers without their express consent. In all cases, do not publish any information regarding a client during the engagement.
  - vii) Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.
  - viii) Commission logos and trademarks may not be used, nor may an employee 'endorse' the Commission in any way, without written consent.

- 6. Sanctions:** All employees shall abide by the Internet and Computer Network Policy. The Commission reserves the right to modify and revise the policy at the discretion of the Executive Director, Deputy Director or IT Manager. Employees will be given the revisions as they occur. Employees shall implement the new policy immediately, upon receipt. Use of the Commission computer, network, information system, and the Internet is a privilege. Any employee found violating Commission computer, network, and Internet Usage Policies will be subject to disciplinary action, including suspension or revocation of usage privileges or termination from employment. The severity of the violation shall dictate the severity of the disciplinary action. Management shall investigate any violation and consult with the Information Technology Manager to determine the severity of the violation. The employees may also be subject to civil and criminal prosecution depending upon whether the employee has also violated relevant computer and Internet laws.

### **Workplace Inspections**

The Commission has a responsibility to protect its employees and its property. For this reason, the Commission reserves the right to inspect the following, at any time, with or without notice:

- Offices
- Computers and other equipment
- Commission vehicle
- Any personal possessions brought onto Commission premises, such as handbags, briefcases, cell phones and other electronic devices and vehicles.

All inspections are compulsory. Those who resist inspection may be denied access to Commission premises.

### **Disciplinary Procedure**

The Commission expects employees to comply with the Commission's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, the Commission endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees at will or in any way restrict the Commission's right to bypass the disciplinary procedures suggested.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

**Step 1: Informal Discussion:** When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee.

**Step 2: Counseling:** If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor and the Executive Director should meet with the employee and (a) review the problem, (b) permit the employee to present information regarding the problem, (c) advise the employee that the problem must be corrected,

(d) inform the employee that failure to correct the problem will result in further disciplinary action that may include discharge, and (e) issue a counseling notice to the employee.

Step 3: Reprimand: If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and a representative from the leadership team should meet with the employee in private and proceed via (a) through (d) above and issue a reprimand notice to the employee.

Step 4: Suspension: Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the Executive Director. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, such as a written policy prohibiting sexual harassment or workplace violence.

Step 5: Failure to improve: Failure to improve performance or behavior after the written warning or suspension can result in termination.

The progressive disciplinary procedures described above also may be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior. Again, the above steps are suggestions but are not required and as such may be disregarded as determined by the Executive Director. A supervisor may place the employee on administrative leave (with or without pay), pending an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

## **Telecommuting Policy**

Telecommuting allows employees to work at home under the guidelines presented below to efficiently meet the needs of the Commission. The Commission considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not an organization wide benefit, and it in no way changes the terms and conditions of at-will employment with the Commission.

## **Procedures and Eligibility**

Telecommuting can be informal, such as working from home for a short-term project or a formal, set schedule of working away from the office as described below. Either an employee can request or a manager can suggest telecommuting as a possible work arrangement. Any telecommuting arrangement made will be considered to be made on a trial basis and may be discontinued at will and at any time at the request of either the telecommuter or the supervisor. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

An employee may telecommute up to a maximum of 22.50 hours per month. The 22.50 hours per month must be used during either a Monday or a Friday, and every employee must be working in the office Tuesday through Thursday. The Executive Director has the sole authority to give an option for employees to work remotely any day of the week when weather is a factor or due to any other unforeseen circumstance. The Executive Director also has the sole authority to implement telecommuting for longer periods of time to respond to emergencies, natural

disasters, office closures, pandemics, equipment failures, or any other circumstance as conditions warrant.

New employees are not eligible to begin telecommuting during their month of hire. New employees may enter into a telecommuting agreement beginning the first full month following their start date, provided that a telecommuting agreement is a viable work option for the new employee as recommended by the employee's supervisor and determined by the Executive Director.

Employees are required to enter into a telecommuting agreement with the Commission prior to telecommuting unless waived by the Executive Director. Before entering into any telecommuting agreement, the employee and their supervisor, with the assistance of the Controller and Executive Director, will evaluate the suitability of such an arrangement, reviewing the following criteria:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.
- The employee understands that he/she is responsible for all equipment needs related to a home workspace. The Commission will provide the laptop.

If the employee and supervisor agree, and the Controller and Executive Director concurs, a telecommuting agreement will be prepared and signed by all parties.

Evaluation of telecommuter performance will include regular interaction, by phone and e-mail between the employee and their supervisor as well as periodic meetings to discuss work progress and problems.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the telecommuting agreement. The manager and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

## **Equipment**

The employee will be responsible for providing/acquiring the appropriate equipment needs other than the laptop provided by the Commission (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement, at their own expense. The Controller and IT manager will serve as resources in this matter. The Commission reserves the right to make determinations as to appropriate equipment, subject to change at any time, and in ensuring proper security is in place to protect Commission related data.



The employee will establish an appropriate work environment within his or her home for work purposes. The Commission will not be responsible for costs associated with the setup of the employee's home office such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

### **Security**

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and client information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

### **Safety**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

## **BENEFITS AND COMPENSATION PROGRAMS**

### **Health Insurance**

Any employee who works at least 30 hours per week is eligible to participate in the group health insurance coverage. To be eligible for coverage, without health underwriting, an employee must enroll in the group within 30 days of his/her hire date or during an annual open enrollment period. Coverage will be effective on the first day of the month following receipt of the application by the Commission.

Per State Law, the Commission will not pay more than 88% of the average of the Tier 1 plans that are available as determined by the Group Insurance Board (GIB). Premiums are determined annually by the GIB. The Commission will contribute an established amount toward the cost of the insurance for active employees (the amount is established by the Commission in its annual budget).

Coverage and commission share of the cost will continue if the employee is on an approved Family & Medical Leave.

The Commission contribution will cease at the end of the month in which an employee becomes ineligible (i.e., reduces hours, terminates, leave of absence). Under Wisconsin State Statutes 632.897, most terminated Commission employees have the right to continue on the Commission's group health insurance for the maximum number of months stated in that statutes at their own cost.

Each full-time employee who so chooses, shall receive the benefit of health insurance through the Wisconsin Public Employers' Group Health Insurance Program.

### **Life Insurance**

All full-time employees are eligible to participate in the state Wisconsin Group Life Insurance Fund providing term life insurance in the amount of the employee's previous year's annual salary, rounded to the next higher thousand. The employee pays 100% of the premium; premiums are set by the Wisconsin Department of Employee Trust Funds and are determined annually. The employee also has the option to purchase additional insurance up to three times his/her salary at the employee's expense. The employee's share of the premium is withheld in full as a payroll deduction. The effective date is the first of the month that falls within 30 days from the date of hire. Furthermore, the Commission is required to contribute 20% of the base amount to cover life insurance for retirees, of which the policy value declines to 25% over a three-year period.

### **Income Continuation Insurance (ICI)**

The Commission has elected to participate in the Wisconsin Public Employer's Income Continuation Insurance Program. The Commission pays 100% of the monthly premium based upon a minimum 180-day elimination period of disability. The effective date is the first of the month following 30 days from the date of hire. *Supplemental ICI can be purchased by employees making over \$64,000 per year with no Commission contribution.*

## **Employee Paid Supplemental Disability Insurance**

The Commission participates in a voluntary supplemental insurance program providing coverage for short-term disability, hospitalization, cancer, etc. Individual staff can elect to purchase supplemental insurance through an outside vendor at full employee expense. Depending on the policy selected, the premium may be withheld in full as a pretax or post-tax payroll deduction. There is no Commission financial contribution.

## **Employee Paid Supplemental Health Insurance for Dental and Vision**

The Commission participates in a voluntary supplemental insurance program providing additional dental and vision coverage. Individual staff can elect to purchase supplemental insurance through an outside vendor at full employee expense. There is no Commission financial contribution.

## **Flexible Spending Account (FSA)**

The Commission provides for voluntary enrollment in a Flexible Spending Account for personal health/medical and dependent care costs. As a cafeteria-type IRS section 125 plan, flexible spending provides for equal pre-tax deductions to an account which can be reimbursed solely for eligible costs. It should be noted that a) upon termination, the fund balance is frozen unless COBRA is selected, and b) if the employee has an available balance in health/medical fund at the end of any calendar year, the remaining amount beyond \$550 is forfeited to the Commission. Upon termination, the employee has up to 90 days to submit claims for services that took place during the employment period. COBRA is also an option if the employee has a large balance and is responsible for any fees. Otherwise the balance is forfeited to the Commission.

## **Wisconsin Retirement System (WRS)**

The Commission participates in the Wisconsin Retirement System and new employees must make application in accordance with State laws. Beginning in August 2011, the Commission pays its share of the required annual contribution to the WRS. Employees are required to contribute their required share as determined annually by the Wisconsin Retirement Board.

## **Deferred Compensation Program (457(b) Plan)**

The Commission participates in the Wisconsin Deferred Compensation Program. Any payroll deductions are optional to the employee up to a maximum in accordance with IRS regulations. There is no Commission financial contribution. This option allows an employee to direct or defer a portion of his/her salary into investment options provided by the Plan.

An employee has two options for making contributions:

- **After-tax Contributions** through the Roth Option: When an employee chooses the Roth option, he/she pays taxes on the money when he/she contributes to the account. As long as he/she meets certain requirements, when he/she retires all distributions from that employee's Roth account are tax free.
- **Before-tax Contributions:** Under this option an employee will not pay taxes on his/her contributions when he/she makes them. An employee pays the taxes when he/she takes a distribution from his/her account.

## **Unemployment Compensation**

The Commission shall provide unemployment compensation benefit insurance in compliance with and as determined by Chapter 108 of the Wisconsin Statutes.

## **Worker's Compensation**

The Commission shall provide insurance coverage for employees who receive injury as a result of their employment with the Commission in compliance with and as determined by Chapter 102 of the Wisconsin Statutes. Employees should immediately report any work related injuries to their supervisor.

## **Cell Phone Reimbursement**

The Commission does not provide cell phones, nor requires its employees to have one, with the exception of the Executive and Deputy Directors. However, with approval of the Executive Director on a case-by-case basis, authorization for the reimbursement of personal cell phone usage may be accommodated. This benefit is added to the employee's payroll.

## **Professional Conferences, Meetings, and Presentations**

Commission staff members may be permitted to attend technical, scientific, and professional society meetings, conferences, institutes, and seminars in accordance with the following policy and procedures. Travel, meals, lodging, and other necessary expenses may be claimed for attendance at such technical, scientific, and professional society meetings, conferences, institutes, and seminars in accordance with the Commission's travel policy and the prior approval of the Executive Director.

The Executive Director has full discretion over staff attendance at conferences, professional meetings, and presentations. The following policy relative to staff attendance at professional conferences and meetings shall serve as a guide to the Executive Director in administering these regulations.

Several general factors will be considered to determine the Commission's support for attendance and participation in conferences and presentations, including:

- Whether the conference is important for fulfillment of current grant/program obligations;
- Whether the conference has potential to assist in obtaining future grants or revenue streams;
- Whether the conference has potential for staff development related to Commission work;
- Whether the employee has been invited to speak or appear on a panel that is related to Commission work and offers the opportunity to share Commission accomplishments;
- Whether the employee has recently attended previous professional conferences.
- Budgetary, work program, and scheduling factors.

Subsequent to the conference attendance, a written report shall be filed with the Executive Director detailing outcomes of the conference or presentation. The Commission will strive to ensure that all members of the professional staff are given a fair chance to attend conferences and make presentations and that such participation is balanced among staff members.

The following rules of procedure shall, in general, govern attendance at professional meetings:

- Membership in a professional organization, subject to the approval of the Executive Director, may allow any staff member to attend meetings of that organization without loss of pay.
- A "professional" organization shall be defined to include the Association of Wisconsin Regional Planning Commissions, American Society of Civil Engineers, American Institute of Certified Planners or American Planning Association, the Institute of Traffic and Transportation Engineers, the Transportation Research Board, the American Public Works Association, Wisconsin Land Information Association, Wisconsin Government Finance Officers Association, American Society of Landscape Architects, Wisconsin Public Health Association and similarly recognized groups approved by the Executive Director.
- When a formal presentation is to be given, which is based in whole or in part upon Commission work, the content of the proposed presentation must have the prior review and approval of the employee's supervisor or the Executive Director unless otherwise waived by the Executive Director.
- Additional personal time (salaried) may be required on behalf of the employee during evenings and weekends at such events and it is not expected that this time would be credited to the employee for an equal amount of time off or extra compensation beyond normal working hours.
- Where budgets do not permit, staff may be required to pay some or all conference/meeting costs in order to attend.

A formal written request for registration/attendance/participation at any professional conference, meetings, or presentation shall be made to the Executive Director at least 21 days in advance of the event whenever multiple days and/or overnight accommodations are necessary. Single day or local event requests shall be submitted at least 7 days prior to the event. The requests shall outline an estimate of event costs including travel, lodging, meals and other incidentals (parking, registration fees, etc.) as well as work program categories for cost-allocation purposes.

Circumstances and demands of the Commission may make exceptions to these rules governing conference, meetings, and presentations necessary and such exceptions will be determined by the Executive Director.

### **Commission Work Related Training, Continuing Education, and Certifications**

When it is desirable or necessary that an employee be formally trained in order to increase their competency and skills related to their position at the Commission, the Executive Director may direct that such training be accomplished and that all appropriate expenses incurred in the pursuit of such training be paid by the Commission or reimbursed to the employee. It is understood that the results of such training will be documented and when feasible, extended by the trained employee to other employees involved in the same work tasks.

The Commission encourages employees to pursue higher education related to their role at the Commission. An employee who wishes to pursue a higher academic degree or certificate in a career field which directly relates to the work of the employee at the Commission may request time off during regular Commission working hours to pursue such education with such time off being made up on the employee's own time on an hour-for-hour basis within the pay period that

the time off was taken. The Executive Director, after reviewing this request, may authorize such time off and may request that a copy of any written documents resulting from such educational pursuit be transmitted to the Executive Director for the Commission files.

The Commission encourages employees to obtain professional certifications in alignment with their role at the Commission. To that end, the Commission may financially support the costs of professional certification for Commission employees, limited to no more than two certifications for each employee. The Commission recognizes certain certifications that are common and desirable for professional staff to attain, in alignment with their role, including the following:

- American Institute of Certified Planners (AICP)
- Certified Economic Developer (CEcD)
- Certified Public Accountant (CPA)
- Community Health Specialist (CHES) or Master Community Health Specialist (MCHES)
- Drone Operator Certificate (Part 107)
- Geographic Information Systems Professional (GISP)
- League Certified Instructor (LCI)

The Commission will financially support certifications listed above or other certifications by contributing 50% of the cost to maintain those certifications. The Commission may also contribute 50% of the cost of other certifications not listed that are deemed desirable for staff to attain and receive subject to prior approval by the Executive Director. Recognizing the importance of the AICP credential, the Commission will pay 75% of the cost to maintain AICP status however APA dues will only be covered at 50%. For certifications requiring an exam fee, the Commission will pay for the cost for the employees to take the exam. However, if employees need to retake the exam, the Commission will not pay for multiple attempts for the same exam.

Before paying for an employee's certification, the employee will need to receive prior written approval from the Executive Director to pursue or maintain each certification. For certifications requiring ongoing maintenance, employees seeking reimbursement from the Commission will need to receive approval annually.

Circumstances and demands of the Commission may make exceptions to these rules governing certifications necessary and such exceptions will be determined by the Executive Director.

### **Performance Management System**

The Commission typically conducts an annual performance review for all employees by November of each calendar year. Employees are required to prepare a self-assessment on the work they have completed in the past year prior to their review. Supervisors are required to complete a performance assessment for each of their direct reports. The employee will then meet with their supervisor and discuss through their self-assessment, the supervisor's assessment, and the employee's work performance. In addition, they will work to collectively develop new goals for the employee to strive to achieve in the subsequent year.

In approximately June every year, a mid-year review will also be completed between the employee and their supervisor. The mid-year review provides both an opportunity to discuss how the year is going and what changes may need to be made in order to achieve the employee's work deliverables along with the employee's goals.

## Years of Service Bonuses

The Commission would like to recognize employees for their years of service. The bonuses would be paid to employees at the end of the calendar year in which the employee attains the anniversary mark.

Years of Service Bonus	
Years of Service	% of salary bonus
20	5.00%
25	5.50%
30	6.00%
35	6.50%
40	7.00%

## Payroll Period

Employees are paid on a semi-monthly basis with pay dates on the 15<sup>th</sup> day of the month and at the end of the month. Payroll will be processed at least 2 business days before the pay date as required by the Commission's bank. If the pay date falls on a weekend or paid holiday, employees will receive their direct deposit payment on the preceding business day. Any payroll changes need to be brought to the Controller before processing of the payroll. All payroll is to be direct deposited to employee's bank accounts and no paper checks will be issued. The paystubs will be emailed to employees by the pay date, if not sooner.

## Overtime and Compensatory Time

It shall be the policy of the Commission to avoid overtime. The Executive Director may authorize overtime when such overtime work is necessary to meet work deadlines and to efficiently utilize total staff resources; all overtime must be pre-approved by the Executive Director.

## Deductions from Pay

The Commission does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

**Permitted deductions:** The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for 1 or more full days for personal reasons other than sickness or disability;
- Absence from work for 1 or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees or for military pay;

- Unpaid disciplinary suspensions of 1 or more full days imposed in good faith for workplace conduct rule infractions; and
- Any full workweek in which the employee does not perform any work.

During the week an exempt employee begins work for the Commission or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Leave of Absences due to Illness or Disability.

**Improper deductions:** If an employee classified as exempt believes that an improper deduction has been taken from the employee's pay, the employee should immediately report the deduction to the Controller. The report will be promptly investigated, and if it is found that an improper deduction has been made, the Commission will reimburse the employee for the improper deduction.

### **Timesheets**

All employees are required to keep their timesheets updated daily on our timekeeping program. At the end of the month each employee is required to submit a timesheet for the month. Supervisors will review and approve the monthly timesheet in our timekeeping program.

### **Commission Credit Card**

Most employees are given a Commission credit card to use when conducting Commission business. Every time an employee uses their Commission credit card they are required to complete a "green sheet" for the charge and route it to their supervisor and possibly a second member of the leadership team for approvals. Then the green sheet is given to the Controller to tie to the monthly credit card statement and code it to a project or general ledger account as necessary. Safe Routes to School team members use a "pink sheet" for all project related charges.



## **TIME OFF & LEAVE OF ABSENCES**

### **Vacation**

The Commission recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The Commission provides paid vacation time to full-time employees for this purpose, and employees are encouraged to take vacation during the year.

Full-time employees will earn paid vacation according to the following schedule (annual totals should be rounded to the nearest whole day).

<b><u>Service Period</u></b>	<b><u>Monthly Vacation Accrual</u></b>
0-2 years of continuous service	75.0 hours per year
For each additional year of service	additional 7.5 hours per year
After 17 years of continuous service	187.50 hours per year

Generally, employees should submit vacation plans to their supervisor at least 4 weeks in advance of the requested vacation date. Vacation may be scheduled in increments of .25 hours. Vacations scheduled for 2 weeks will require the approval of the Executive Director. Supervisors have the right to designate when some or all of vacations must be taken.

The Commission encourages employees to use available vacation time. If vacation time is not used by the end of a calendar year, accrued unused vacation up to 10 days (75 hours) will be carried over by employees into the following calendar year.

Upon resignation or termination from a position, the Commission shall payout the equivalent dollar value of the earned and unused vacation time to the employee within 2 weeks following their employment termination date. In the event of an employee's death, earned, unused vacation time will be paid to the employee's estate or designated beneficiary. Vacation payouts are not subject to Wisconsin Retirement System contributions.

### **Holidays**

The Commission observes nine (9) holidays and allows time off with pay for the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas

If the holiday falls on a Saturday, the Commission will select either the following Monday or the preceding Friday as a substitute holiday. If a paid holiday falls on a Sunday, it will be observed on the following Monday. The Commission reserves the right to pay eligible employees in lieu of time

off if the holiday falls on Saturday. The week in which a holiday falls, the rest of the week employees will work 7.5 hours per day instead of their normal schedule, if different.

At the discretion of the Executive Director, and in consultation with Commission staff, the New Year's Day holiday may be moved to the prior calendar year if necessary (i.e. January 1 falls on a Saturday, to allow the holiday to be taken on Friday, December 31 instead of Monday, January 3).

### **Sick Leave**

Full-time employees shall accrue sick leave with pay from the date of the employment at the rate of 7.5 hours for each completed month of continuous service. Employees who work less than 37.50 hours a week shall accrue sick leave in a manner which is prorated on the percent time worked in any given month. Sick leave shall be recorded as used on the basis of actual hours, or fractions thereof. Sick leave cannot be used for holidays or vacation time.

Employees may carry accrued sick days over from 1 year to the next with a maximum of 1,000 hours to be carried over during any given calendar year. If the need for sick leave is foreseeable, employees are required to give advance notice whenever possible. If the need for sick leave is not foreseeable, employees are asked to notify their supervisor as soon as is practical.

If an employee misses 3 or more consecutive days because of illness, the Commission may require the employee to provide a physician's written permission to return to work.

Except as required by state law, unused sick days are forfeited when an employee's employment ends for any reason.

### **Bereavement Leave**

Employees may take up to 5 days of paid sick leave upon the death of a member of their immediate family. Employees may take up to 1 day of paid vacation leave to attend the funeral of an extended family member.

### **Paid Parental Leave**

East Central will provide up to 2 consecutive weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Leave of Absences due to Illness or Disability, as applicable.

### **Eligibility**

Eligible employees must meet the following criteria:

- Has worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Is a full- or part-time, regular employee (temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Has given birth to a child.
- Is a spouse or committed partner of a woman who has given birth to a child.
- Has adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

#### **Amount, Time Frame and Duration of Paid Parental Leave**

- Eligible employees will receive a maximum of 2 weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple births, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 2-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 2 weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a semi-monthly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-month time frame.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.
- Upon termination of the individual's employment at the Commission, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

#### **Coordination with Other Policies**

- After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of any further leave will be compensated through employee's accrued sick or vacation time. Upon exhaustion of accrued sick or vacation, any remaining leave will be unpaid leave.
- The Commission will maintain all benefits for employees during the paid parental leave period just as if they were taking any other Commission paid leave such as paid vacation leave or paid sick leave.
- If a Commission holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

#### **Requests for Paid Parental Leave**

- The employee will provide his or her supervisor and the human resource (HR) department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.
- As is the case with all policies, the Commission has the exclusive right to interpret this policy.

### **Personal Leave of Absence due to Illness or Disability**

As a smaller employer with less than 50 employees, the Commission, is not covered under either the state or federal family and medical leave laws. However, a medical leave or other personal or family leave may be granted to eligible employees who are temporarily unable to work due to illness or disability or otherwise for personal family matters. For purposes of this policy, illness or disabilities include: inpatient or outpatient care in a hospital, hospice, or residential medical care facility, illness where the employee is unable to report to work, for the care for an illness of an immediate family member.

**Eligibility** - After having completed 6 months of employment, regular full-time, regular part-time and per-diem employees may request a leave of absence for medical reasons. Exceptions to the length of service requirement will be considered at the Commission's sole discretion.

#### **A Request for a Leave of Absence**

A request for a medical leave must be submitted in writing at least 30 days in advance or as early as possible for unforeseeable events. A healthcare provider's statement must be submitted in writing verifying the reason for the disability and the leave's beginning and expected ending dates.

The employer reserves the right to approve or deny any request for a leave of absence. If a leave is necessitated because of an illness or disability covered under ADA or any other applicable state disability laws please specifically state the reason in your request.

**Length of Leave**—An unpaid medical leave of absence may be granted for a reasonable period of time based on the facts of the situation. You will be required to use any accrued sick leave and paid vacation before taking unpaid medical leave. Any combination of accrued paid time off and unpaid medical leave may not exceed the approved time for the leave.

The Commission may request a second opinion, to verify the length of time you will be on leave. The second opinion will be paid by the Commission.

**Reporting on Progress**—Employees are required to report directly to the employer every 30 days regarding your medical status and your intention to return to work.

**Salary and Benefits**—The leave of absence is without pay. You do not accrue sick or vacation time while on an unpaid personal leave of absence.

Medical insurance benefits, if applicable, will continue while the employee is on leave. Each employee will work with HR to determine payment of benefits while on a leave of absence.

When you return from leave, benefits will begin to accrue according to the applicable policies and plans.

**Reinstatement to Work**—So that your return to work can be properly scheduled, please provide at least 30 days advance notice in writing of the date you intend to return to work. If you take a leave because of a personal serious health condition, you must provide a note from your physician verifying that you are able to return to work and can assume your

regular work duties. The letter must also state if there are any restrictions pertaining to duties or the number of hours you can work.

Unless applicable state or local laws require otherwise, reinstatement cannot be guaranteed to any employee returning from medical leave.

The Commission will endeavor to place employees returning from leave in their former position or in a position comparable in status and pay, subject to budgetary restrictions, the Commission's need to fill vacancies, and the ability to find qualified temporary replacements.

## **Military Leave**

The Commission supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the HR department and the employee's supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

## **Jury Duty**

The Commission supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

Employees will be paid for up to 2 weeks of jury duty service at their regular rate of pay minus any compensation received from the court for the period of service. All employees may use any accrued time off if required to serve more than 2 weeks on a jury.

If an employee is released from jury duty after 4 hours or less of service, the employee must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, vacation days will be used for this purpose.

## **Time Off for Voting**

Commission recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodations.

## **BASIC COMMISSION INFORMATION**

### **Office Hours**

The Commission office is open Monday thru Thursday from 8:00 a.m. - 4:00 p.m. and Friday from 8:00 a.m.-12:00 p.m.

### **Hours of Work**

The Commission offers a flexible schedule with 4 schedule options to choose from:

Standard Schedule (5 days, 1/2 hour unpaid lunch)	M-F 8:00 a.m. - 4:00 p.m.
Standard Schedule (5 days, 1 hour unpaid lunch)	M-F 8:00 a.m. - 4:30 p.m.
Standard Schedule (4.5 days, 1/2 hour unpaid lunch)	M-Th 7:30 a.m. - 4:15 p.m., F 7:30 a.m.- 12:00 p.m.
Standard Schedule (4 days, 1/2 hour unpaid lunch)	M-W 7:00 a.m. - 5:00 p.m., Th 7:00 a.m. - 4:30 p.m.

Employees will need to submit a schedule request form at the time of employment or if an employee would like to change their schedule during the calendar year. All schedule request forms will be approved by the Executive Director.

### **Official Closings**

When appropriate the Executive Director is empowered to close the office due to inclement weather or conditions beyond staff control. Such declarations may be made and communicated prior to the start of the workday or during the workday for the balance of the workday. The maximum number of hours that an employee can claim for a full day of office closure is 7.5 hours, unless the employee works less than 37.5 hours per week then the maximum hours per day is prorated.

### **Use of Commission Resources**

The use of Commission resources (office equipment, supplies, etc.) is generally not allowed for personal use.

### **Attendance, Punctuality and Dependability**

The Commission is heavily dependent on its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify the office not more than 30 minutes after his/her scheduled starting time on every day he/she expects to be late or absent. Absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

## **Appearance and Conduct**

Employees are expected to wear customary business casual attire and to display a professional appearance and attitude during normal working hours or whenever conducting official Commission business.

## **Cell Phone Safety and Driving**

Safe driving is the first priority when operating a vehicle while driving on East Central Wisconsin Regional Planning Commission business. Your first responsibility is to pay attention to your driving. Never allow a cell phone or other mobile device to distract you from concentrating on driving. Under no circumstances should you feel that you need to place yourself or others at risk while driving to fulfill business needs. You should follow these procedures to avoid distracted driving:

- Follow all applicable state and local laws that address the use of cell phones and other mobile devices while driving.
- Avoid using your cell phone while driving, and do not use it as a hand-held device. Find a safe place to pull over to make or receive phone calls, send or receive text messages, or manipulate navigation apps.
- Program your destination into navigation apps or GPS devices before you start driving.
- Do not read or respond to text messages or e-mail or browse social media or the Internet while driving.
- Be aware of distractions from in-car “infotainment” systems. Just because they are built into the vehicle does not mean they do not create a hazardous distraction.
- Employees who don’t follow cell phone safety may be disciplined

## **Safety in the Workplace**

Safety in the workplace is the Commission's number one priority. You must inform the Executive Director or the Deputy Director in the event of unsafe conditions, accident or injury, and use safe working methods at all times.

## **Breastfeeding**

In accordance with the Patient Protections and Affordable Care Act the Commission wishes to provide a supportive environment to enable nursing mothers who have returned to work to express breast milk during work hours. The Commission will provide breaks as needed for the purpose of expressing milk and a private space for the mother’s use during these breaks.

## **Bulletin Boards**

All required governmental postings are posted on the boards located in the break area. These boards may also contain general announcements.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state and local laws, including your rights under law to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions and benefits. Employees have the right to engage in or refrain from such activities.



## **TERMINATION POLICY**

Every Commission employee, except for the Executive Director, has the status of “employee-at-will” meaning that no one has a contractual right, express or implied, to remain in the Commission’s employ. The Commission may terminate an employee’s employment, or an employee may terminate his/her employment, with or without cause, and with or without notice, at any time.

### **Resignations**

When an employee resigns a position with the Commission, the employee is asked to give written notice to the Executive Director at least one (1) month in advance of the termination date if the employee holds a key leadership position or two (2) weeks in advance of the termination date for other personnel, whenever possible.

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisors in advance of the last day of work. The notice must be actual working days. Holidays and vacation time will not be counted toward the notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire.

### **Dismissals**

If an employee is terminated, the employee shall be given written notice by the Commission that his/her employment shall terminate immediately without further compensation other than accrued vacation time.

### **Layoffs**

If an employee is permanently laid off, the Commission shall give that employee at least one month written notice in advance of the termination date if the employee holds a key position as defined in A above and two (2) weeks in advance of his/her termination date for other personnel.

### **Abandonment of Employment**

If an employee is absent from the office for three or more working days without notifying the Commission, that employee is deemed to have abandoned his/her employment. Abandonment will result in forfeiture of any earned and unused vacation or personal holiday pay.

### **Return of Commission Property**

When an employee leaves the Commission, that employee is required to:

1. Return all Commission property including computers, credit cards, access cards and keys, Commission records, paperwork and documents, identification cards and any other relevant property.
2. Hand over all current work to the appropriate people/person in order to ensure continuity of business/service; and
3. Hand over to the Executive Director all notes of confidential information which the employee may have acquired during his/her employment including user names and

passwords to all Commission licensed software, Commission owned devices and any other user names and passwords assigned to the employee for use during his/her employment with the Commission.

### **Termination Pay**

Employees who have been employed by the Commission for at least six months and have either: 1) voluntarily resigned with the proper notice; or 2) been permanently laid off, will receive pay for all earned, unused vacation. Such payment shall be made in the final check to the employee and pro-rated for the portion of the year worked. If there are unpaid obligations to the Commission, the final paycheck will reflect the appropriate deductions.

### **Exit Interview**

Prior to separation from employment with the Commission the departing employee will be invited to attend an exit interview. The interview will normally be scheduled within 5 days of termination notification as COBRA paperwork is required to be given within that time period. This interview is aimed at helping us understand how we can improve our organizational performance. It will focus on aspects of the employment relationship with the Commission including remuneration, training, working conditions, benefits, management practices, etc. The Commission aims to learn from your comments and use these to make improvements where appropriate. The Commission will make every effort to keep all information gathered confidential.

**TO:** Steering Committee  
**FROM:** Melissa Kraemer Badtke, Executive Director  
**DATE:** March 15, 2023  
**RE:** Discussion regarding the updates to the Commission By-Laws

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Over the past few month, the Commission's leadership team reviewed the Commission's By-laws and has a few suggested changes for the Steering Committee and the Commission Board to consider.

**Standing Committee Consolidation:** With the removal of the Gubernatorial appointments, a few of the standing committees only have a few members on their committee. Staff is recommending the consolidation of the Regional Comprehensive Plan Committee, the Open Space Recreation Committee, and the Community Facilities Committee to become the Environmental Management Planning Committee. This committee would oversee the Water Quality Management Program (also known as the sewer service area program), the NR-135 Non-metallic Mining Program, Geographic Information System, and environmental planning projects as outlined in the work program. The Economic Development and Transportation Standing Committees would remain in place. This consolidation will allow for more equal distribution of the Commissioners across the standing committees.

In addition, the Regional Comprehensive Plan chapters would be provided to each of the standing committees and the steering committee and the Commission board would review and consider the plan update once it is completed.

The nominating committee will be meeting later this month and staff will be working with the committee regarding any potential modifications that would be made to the standing committee structure.

Additionally, minor edits and revisions have been made to the By-Laws including renaming the Steering Committee to the Executive Committee.

**Staff Recommendation:** Staff does not have a recommendation at this time, however, the leadership team would appreciate any feedback, revisions, or suggestions regarding the By-Laws. It is anticipated that the By-Laws will be brought back to the Steering Committee in April for consideration.

**BY-LAWS**  
**of the**  
**EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION**

As amended on April xx, 2023

DRAFT

Adopted September 27, 1972  
As Amended February 8, 1973  
As Amended March 11, 1976  
As Amended May 13, 1976  
As Amended May 8, 1980  
As Amended May 14, 1981  
As Amended May 13, 1982  
As Amended April 25, 1985  
As Amended April 28, 1988  
As Amended April 26, 1990  
As Amended April 30, 1993  
As Amended April 28, 1995  
As Amended May 23, 2001  
As Amended April 26, 2002  
As Amended April 27, 2006  
As Amended, April, 25, 2008  
As Amended, October 30, 2009  
As Amended, April 29, 2011  
As Amended, October 26, 2013  
As Amended, April 25, 2014  
As Amended, July 25, 2014  
As Amended, January 30, 2015  
As Amended July 26, 2019  
As Amended April 30, 2021  
As Amended April xx, 2023

These By-laws were adopted by the Commission on the 27th day of September, 1972, as further amended on the 8th day of February, 1973, the 11th day of March, 1976, the 13th day of May, 1976, the 8th day of May, 1980, the 14th day of May, 1981, the 13th day of May, 1982, the 25th day of April, 1985, the 28th day of April, 1988, the 26th day of April, 1990, 30th day of April, the 28th day of April, 1995 the 23<sup>rd</sup> day of May, 2001, the 26<sup>th</sup> day of April, 2002, the 27<sup>th</sup> day of April, 2006, the 25th day of April, 2008, the 29<sup>th</sup> day of April, 2011, the 26<sup>th</sup> day of October, 2013, the 25<sup>th</sup> day of April, 2014, the 25<sup>th</sup> day of July, 2014, the 30<sup>th</sup> day of January, 2015, the 26<sup>th</sup> day of July, 2019, the 30<sup>th</sup> day of April, 2021, and the xx<sup>th</sup> day of April, 2023.

**BY-LAWS**  
**of the**  
**EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION**

**PREAMBLE**

These By-laws, consistent with the statutes of the State of Wisconsin, and the Articles of Organization of the East Central Wisconsin Regional Planning Commission, further define, regulate, and provide rules of procedure for the East Central Wisconsin Regional Planning Commission and those Committees and officers established by and responsible to it, and have been adopted by the Commission for that purpose. Where the word "Commission" appears hereinafter, it shall be construed to mean the East Central Wisconsin Regional Planning Commission. It is the express intent of the Commission and the purpose of these By-Laws to advance the regional function of the Commission as provided for by applicable law and to carry on the business of regional metropolitan and non-metropolitan planning and development in all of its ramifications and branches and to render professional and technical services in conjunction therewith.

**ARTICLE I - OFFICES**

**Section 1.** The Commission shall establish its offices at such location as it may from time to time, except that such location will be within the East Central Wisconsin Region, which is comprised of the Counties of Calumet, Fond du Lac, Menominee, Outagamie, Shawano, Waupaca, and Winnebago.

**ARTICLE II -POWERS, DUTIES AND RESPONSIBILITIES**

**Section 1. PURPOSE:** The purposes for which the Commission is created are to engage in any lawful activity within the purposes for which regional planning commissions may be created under Section 66.0309 of the Wisconsin Statutes, as amended.

**Section 2. POWERS, FUNCTIONS AND RESPONSIBILITIES:** In general, the Commission shall have all of the powers necessary to enable it to perform its functions and promote regional planning.

The functions of the Commission shall be solely advisory to the local governments and local governmental officials comprising the area and shall include but not be limited to the following because of enumeration.

- A. The Commission may conduct all types of research studies, collect and analyze data, prepare maps, charts and tables and conduct all necessary studies for the accomplishment of its other duties.

- B. The Commission may make plans for the physical, social and economic development of the region and may adopt by resolution any plan or the portion of any plan so prepared as its official recommendation for the development of the region.
- C. The Commission may publicize and advertise its purposes, objectives and findings and may distribute reports thereon.
- D. The Commission may provide advisory services on regional planning problems to the local government units within the region and to other public and private agencies in matters relative to its functions and objectives.
- E. The Commission may act as a coordinating agency for programs and activities of such local units and agencies as they relate to its objectives.
- F. The Commission may accept aid in any form for the purpose of accomplishing regional planning for all governmental agencies whether local, state or federal if the conditions under which such aid is furnished is not incompatible with the provisions of Section 66.0309 of the Wisconsin Statutes, as amended.
- G. The Commission may accept gifts and grants from public or private individuals, entities or agencies if the conditions under which such grants are made in accordance with the accomplishment of its objectives.
- H. The Commission shall make an annual report of its activities to the legislative bodies of the local governmental units within the region, and shall submit two copies of such report to the Wisconsin Legislative Reference Bureau per Wisconsin State Statutes § 66.0309(8)(b), as amended.
- I. The Commission shall prepare a comprehensive planning program for the physical development of the region and adopt a regional comprehensive plan consistent with Wisconsin State Statutes §66.1001(9) as outlined in the Wisconsin State Statutes §66.0309(9) and §66.0309(10), as amended. The Commission may amend, extend or add to the comprehensive planning program or carry any part of such matter into greater detail.
- J. The Commission shall annually on or before July 31 of each year prepare and approve a preliminary budget reflecting the cost of its operation and services to the participating governmental units within the region. The Commission's final budget shall be approved by or before January 31 of the year following.

### ARTICLE III - MEETINGS

**Section 1. ANNUAL MEETING:** There shall be an annual meeting of the Commission in conjunction with, and following, the April Quarterly Meeting for the appointment of standing committee membership, a presentation of the Commission's Annual Report of its activities and any other business as may properly come before it.

**Section 2. QUARTERLY MEETINGS:** In addition to the annual meeting, quarterly meetings of the Commission shall be held during the last full business week of January, April, July, and

October, except when a different time is designated by the officers. When the agenda of any meeting does not include resolutions for deliberation by the Commission or consideration of said resolutions may be delayed to the next meeting without adversely impacting the work flow of the Commission, the Chairperson may cancel and then reschedule any meeting at their discretion, but may not cancel two consecutive meetings. The election of officers shall be conducted by the Commission at the April quarterly meeting. The levy and draft annual budget shall be adopted by the Commission at the July quarterly meeting. The annual budget and work program (not levy) shall be re-affirmed at the subsequent January meeting.

**Section 3. SPECIAL MEETINGS:** Special meetings may be called at any time by the Chairperson of the Commission. Special meetings shall also be called by the Chairperson upon written request by three or more members of the Commission.

**Section 4. NOTICE OF MEETINGS:** The Secretary of the Commission shall send to each and every member of the Commission notice of all meetings quarterly and the annual meeting, not less than five (5) days prior to said meetings and such notice shall state the day, time, place and general purpose of such meeting. Notices for special meetings, as described in Section 3 shall be e-mailed, mailed, or posted not less than three (3) business days prior to said meeting. In no case, shall an agenda, or amended agenda, be e-mailed or posted less than 24 hours in advance of said meeting.

**Section 5. QUORUM:** The presence at any meetings (including Standing Committees, unless otherwise noted) of a majority (defined as  $\geq 50\%$ ) of the current Commission members, which majority shall also include representation from a majority (defined as  $\geq 50\%$ ) of the member Counties assigned to the Committee, shall be necessary and sufficient to constitute a quorum for the transaction of any business and the election of officers. All matters relating to business shall require an affirmative vote of a simple majority of those members attending a legal meeting (when a quorum is present), unless otherwise noted as a  $2/3$  vote requirement.

**Section 6. PUBLIC MEETINGS:** Member County Planning/Zoning Directors and State Legislative Representatives from the region (unless already a member of the Commission), and the Wisconsin Economic Development Corporation, the Department of Natural Resources and other agencies, as may be determined from time to time, shall be notified of all meetings pursuant to Article III, Section 4. Meeting notices shall be e-mailed or mailed to local media, posted on ECWRPC premises, and posted to the Commission's website, [www.ecwrpc.org](http://www.ecwrpc.org) for public viewing.

## ARTICLE IV - COMPOSITION OF COMMISSION

**Section 1. GENERAL:** Adhering to the principle of representation based on population, the membership of the Commission shall be created pursuant to the provisions of § 66.0309 (3) (b) of the Wisconsin Statutes, as amended, determined and allocated among participating counties as follows:

- A. The Chairperson and the County Executive from each member county within the Commission. If a member county is organized without a County Executive, the County Chairperson shall appoint a member of the County Board to serve as the second elected official from that county.
- B. One elected official from the largest city, if the member County has a population of 50,000 or more as defined by the U.S. Decennial Census. If the member County



does not have a population of 50,000 or more per the U.S. Decennial Census, the member County may appoint a County Supervisor to the Commission Board.

- C. In addition to the representation specified in subsections A. and B., above, Counties with a population greater than 50,000 based on the U.S. Decennial Census are entitled to one additional member to the Commission Board for each full unit of 50,000 population that exceeds the 50,000 base number described in subsection B., above. (For purposes of illustration only, a County with a population of 180,000 would be entitled to 2 additional members to the Commission Board under this subsection C.)
- D. One ex-officio representative of the Wisconsin Department of Transportation (WisDOT) may participate on transportation issues, subjects of concern and interest to their geographic areas, or due to noted/recognized expertise. This member must be appointed by WisDOT.
- E. One ex-officio representative of a public agency that administers or operates major modes of transportation in the Fox Valley metropolitan planning organization area, including representation by providers of public transportation. *[Note: This position will be held by the Transit Manager for Valley Transit].*

**Section 2. TERM OF OFFICE:** Commissioners shall serve for a term of two (2) years, or until they cease to hold their public office, whichever comes first. Voting, ex-officio members shall serve continuously at the pleasure of the appointing body.

**Section 3. COMMISSION ALTERNATES:** Any member of the Commission selected pursuant to Section 1, of this Article may designate, in writing and with the concurrence of the Commission, a designee

**Section 4. RESIGNATION:** Any Commissioner who resigns his or her Commission membership or his or her elective office shall submit his or her resignation effective as of the last day in office, and thereafter the vacancy shall be filled by appointment for the unexpired term by the County Board Chairperson (if a county) or the city council.

## ARTICLE V - OFFICERS

**Section 1. NUMBER:** The officers of the Commission shall be comprised of a Chairperson, Vice-Chairperson, and Secretary-Treasurer, subject to the express condition that the offices of Chairperson and Vice-Chairperson shall never be concurrently held by Commissioners from the same County.

**Section 2. ELECTION:** The offices of Chairperson and Vice-Chairperson of the Commission shall be selected as the last order of business at the April quarterly meeting of the Commission, to take office effective as of said date, and they shall hold their terms of office for a period of two years or until their successors have been duly elected and qualified. The Chairperson shall appoint a Nominating Committee for the purpose of nominating Commission members for election as officers, and the Chairperson shall advise the Commission of his or her selection of such a Nominating Committee at the January meeting.

**Section 3. REMOVAL:** Any of the officers may be removed for cause and may be removed if

incapacitated or unable to attend meetings and perform the duties of his office. Removal from office shall require a two-thirds (2/3rds) vote of the Commissioners present, voting at a legal meeting.

**Section 4. VACANCIES:** Should any office become vacant for any cause, the Commission shall select a successor from among the Commission members who will serve until the next April quarterly meeting of the Commission when the regular elections are held.

**Section 5. CHAIRPERSON:** The Chairperson of the Commission shall preside, and may vote, at all meetings of the Commission. He or she may present to the Commission such matters as, in his or her judgment, require attention, and he or she shall perform such other duties as are entrusted to the Chairperson by statute or by these By-laws. Subject to any contrary requirements in these By-laws, the Chairperson shall be guided by Robert's Rules of Order in the conduct of meetings. In no event shall any one member serve as Chairperson for more than three consecutive terms. The Chairperson may also act on behalf of the Executive Committee and/or full Commission in the rare instances that a timely commitment of County levy funds is required in order to take advantage of state or federal grant funding opportunities. In such cases, the Chairperson's may approve such commitments for an amount equal to or less than \$50,000. In all cases, when such action is used, the item shall be placed on the next available Executive Committee agenda for review and follow up action by the Executive Committee as a whole. The Commission Chairperson will be compensated an additional annual net stipend of \$1,000 beginning in 2020, with the first payment to be made in March, 2021 and then annually thereafter.

**Section 6. VICE-CHAIRPERSON:** The Vice-Chairperson shall preside in the absence of the Chairperson or in the event that the Chairperson is incapacitated or unable to serve, and in the absence or disability of the Chairperson, his or her duties shall be performed by the Vice-Chairperson.

**Section 7. SECRETARY-TREASURER:** The Executive Director of the Commission shall be designated as the Secretary-Treasurer of the Commission and shall keep and distribute minutes of all meetings of the Commission and shall counter-sign all documents as required to be executed, and shall keep and preserve all resolutions, transactions, findings and determinations of the Commission. In the absence of the Secretary-Treasurer, the Chairperson may name a Deputy Secretary-Treasurer who shall perform the duties of the Secretary-Treasurer at that meeting, or until the office shall have been filled as heretofore provided. The Secretary-Treasurer of the Commission shall keep all the funds of the Commission except those funds held by governmental agencies in trust for the Commission, and shall deposit them in a depository authorized by the Commission, and shall keep an accurate record of all receipts and disbursements. He or she shall be required to supply a bond in the amount of Fifty-Thousand Dollars (\$50,000), the premium for which shall be paid out of the Commission's funds, and he or she shall make all the disbursements under the direction of the Commission.

**Section 8. ADDITIONAL OFFICERS:** The Commission, at an annual, special or quarterly meeting, may create such additional officers as it may deem in its judgment advisable and prescribe their duties.

## ARTICLE VI - MANAGEMENT

**Section 1. COMMISSION BOARD:** The Commission Board shall be comprised of the entire Commission membership as set forth in Article IV.

**Section 2. STANDING COMMITTEES:** Appointments to standing committees shall be made by the Chairperson at its Annual Meeting based on recommendations of the Nominating Committee. Such appointments shall not include designation of the committee chairperson and vice-chairperson as such positions are nominated and elected by the committees themselves.

There shall be Standing Committees and sub-committees including but not limited to the following:

- A. **Executive Committee:** The Executive Committee shall be composed of one representative from each member county who serves as the respective county board chair or their designee. The Chairperson and Vice-Chairperson positions for the Committee can, but are not required to be, the same as the current Commission Chairperson and Vice-Chairperson positions. The Secretary-Treasurer of the Commission shall be the secretary of the Executive Committee and shall attend all meetings of the Committee, keep a record of the proceedings and perform such other duties as may be designated to him or her by the Committee. The Secretary-Treasurer shall be an ex-officio member of this Committee without voting privileges. The duties of the Committee shall include:
1. Ensure proper coordination and cooperation among the planning committees of the Commission and their respective citizens' or technical advisory committees.
  2. Act in emergency situations with the full power and authority of the Commission taking appropriate action until action is taken at the next Commission meeting, subject only to the limitation of \$50,000 for any expenditure resulting from such action. Refer also to Article V, Section 5 regarding additional Chairperson authorities for the timely approval of County levy commitments for state and federal funding opportunities, and the Commission's Financial Procedures Manual for authorities of the Executive Director.
  3. Keep the Commission advised of pending legislation affecting the Commission, its policies and its programs.
  4. Prepare and submit at the quarterly July meeting a preliminary budget and work program for the purposes of establishing the levy.
  5. Recommend entering into contracts with member governmental units for the provision of staff planning services.
  6. Recommend the employment of auditors to audit the financials of the Commission.
  7. Direct the payment of any bills, claims or expenses incurred on behalf of and approved by the Commission.
  8. Recommend the appointment of employees necessary to administer and carry

out the functions of the Commission.

9. Recommend the salaries and wages of all employees of the Commission.
10. Recommend a per diem compensation, mileage and other expenses to be paid members of the Commission.
11. Direct and monitor the current planning, information system and administration, and overhead program elements.

**B. Planning Committees:** The composition of the various planning committees shall be determined by the Executive Committee. The general functions of the committees include:

1. Elect a Committee Chairperson and Vice-Chairperson as their first order of business at the first regular Committee meeting following the Annual Meeting.
2. Provide orientation information for new Planning Committee members at the first meeting following the Annual Meeting.
3. Prepare the annual work program statement of activities for their respective program element(s).
4. Review detailed study designs for major work elements.
5. Monitor progress on work activities, review staff drafts of analytical reports and alternative plan and program proposals.
6. Report, advise and recommend on activities for their respective program element(s) including their responsibilities for elements of the regional comprehensive plan to the full Commission for action.
7. Review specific project proposals for conformance with adopted plans and policies.
8. Coordinate activities with those of other committees when necessary and desirable.
9. Maintain liaison with appropriate citizen and technical advisory committees.

The specific duties of the Planning Committees are as follows:

- a) **Economic Development Committee:** This Committee directs and monitors the economic development and housing work program elements and maintains liaison with respective technical advisory committees, including the Comprehensive Economic Development Strategy (CEDS) Committee. The CEDS Committee composition and operational structure is managed through the guidelines adopted by the Commission in Resolution No. 29-09.
- b) **Environmental Management Committee:** This committee oversees the Water Quality Management Program (also known as the sewer service area program), the NR-135 Non-metallic Mining Program, Geographic Information Systems, and environmental planning programs as outlined within the Annual Work Program.

- c) **Transportation Committee:** This committee directs and monitors the transportation work program element in accordance with state and federal regulations. In addition, this Committee maintains liaisons with the Transportation Policy Advisory Committees and the Transportation Technical Advisory Committee.

**Section 3. SPECIAL PROJECT COMMITTEES:** The Commission may from time to time create special project committees from the Commission membership to perform under delegated authority of the Commission.

**Section 4. ADVISORY COMMITTEES:** The Commission shall seek the advice and cooperation of interested citizens, public officials and agency administrators. Citizen and Technical Advisory Committees shall be established as the Commission shall deem necessary to effectively carry out the purposes of the organization. The membership of the Citizen and Technical Advisory Committees shall be established in such manner as determined by the Commission.

**Section 5. NOMINATING COMMITTEE:** The Nominating Committee shall consist of one Commissioner from each County appointed by the Chairperson and approved by the Commission at their January meeting, provided that no officer may serve on the Committee. The nominating Committee shall review the results of an internal survey of Commissioners (developed and sent out by staff) as part of their deliberations on Committee assignments. The Committee may, at its discretion, develop and institute a standard rotation schedule of Committee assignments based on agreed upon criteria.

**Section 6. STAFF:** The Commission may conduct its operations through a permanent staff hired in a manner that the Executive Committee may determine, or through retention of part-time professional, technical and clerical employees, through consultants or through other personnel that it may deem qualified to assist in its business. The Commission may delegate to the staff and to those persons hired by it those functions that the Commission may determine, but the said Commission will remain solely responsible in all matters.

**Section 7. DEPOSITORY:** The Commission shall determine a depository for the funds of the Commission and direct the Secretary-Treasurer therein to deposit the funds in such designated depository in such manner so the deposits will not be made inconsistent with Wisconsin Law and which may be subject to review by the Commission as a body. The terms and conditions of the agreements between the depository and the Commission shall be incorporated as a part of the by-laws of the Commission.

**Section 8. MEETING PAYMENTS AND EXPENSES:** A payment for meetings, mileage, and other expenses shall be paid to Commissioners-by the Commission. All members shall be reimbursed for actual expenses incurred as members of the Commission in attending meetings and in carrying out the work of the Commission.

## **ARTICLE VII - CONTRACTS AND EXECUTION OF INSTRUMENTS, CHECKS AND DRAFTS**

**Section 1. CONTRACTS:** The Commission may enter into such contracts which are necessary to carry out the purposes and duties of the Commission and which are not inconsistent with the

provisions of the Wisconsin law. The Commission may apply, contract for, receive, and expend for its purposes, any funds, grants, gifts or donations from any local governmental unit, the State of Wisconsin, the Federal Government or any other source.

**Section 2. EXECUTION OF INSTRUMENTS:** When the execution of any contract, conveyance or other instrument has been authorized without specification of the executing officers, the Chairperson or Vice-Chairperson, and the Secretary-Treasurer may execute the same in the name and behalf of the Commission per the limits expressed in the Financial Procedures Manual. The Commission shall have the power to designate the officers and agents who shall have authority to execute any instrument in behalf of the Commission.

**Section 3. CHECKS AND DRAFTS:** The Commission may authorize and direct the Secretary-Treasurer to issue such checks, drafts and vouchers as it may deem necessary for the payment of bills and expenses incurred for and on behalf of the Commission. All disbursements made by check drawn on the Commission's depository bank shall be signed by the Secretary-Treasurer. In the Secretary-Treasurer's absence, the Deputy Director may sign checks, drafts, and vouchers. To facilitate prompt payment of small bills and expenses, there is established a petty cash fund of \$100. This petty cash fund is authorized to be placed in the custody of the Secretary-Treasurer, or their designee, who may make payment of claims up to \$100.

#### **ARTICLE VIII - FISCAL YEAR**

**Section 1.** The fiscal year of the Commission shall be the calendar year.

#### **ARTICLE IX - SEAL**

**Section 1.** The Commission shall procure an official seal which shall contain the following legend: "EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION."

#### **ARTICLE X - AMENDMENTS**

**Section 1.** Except as described in Section 2, below, these By-laws may be amended at any quarterly meeting of the Commission. The Secretary-Treasurer shall be sent out to each member of the Commission a copy of the proposed amendment or amendments to the By-laws. This shall be done not less than five (5) days prior to the date of the meeting at which they will be considered. Amendment of these By-laws shall require a majority vote of the Commissioners present, voting at a legal meeting (when a quorum is present).

**Section 2.** Article IV, Section 1 hereof shall be amended only in accordance with resolutions approved by the governing bodies of a majority of local units within the Commission, and these units shall have in the aggregate at least half of the population of the region.

#### **ARTICLE XI - COMPLIANCE WITH FEDERAL AND STATE OF WISCONSIN LAW**

**Section 1. INCONSISTENCIES:** In the event that these By-laws, or any provisions herein contained, should in any manner be contrary to or violate of the provisions of Federal or State of Wisconsin Law, the provisions of the Federal or State of Wisconsin Law shall prevail.

## **ARTICLE XII – METROPOLITAN PLANNING ORGANIZATION FUNCTION & RESPONSIBILITIES**

**Section 1. PURPOSE:** To implement Federal and State level transportation planning requirements as the designated Metropolitan Planning Organization (MPO) for the Fox Cities and Oshkosh Metropolitan Planning Areas (MPAs).

**Section 2. OFFICIAL DESIGNATION:** The East Central Wisconsin Regional Planning Commission (Commission) through cooperative partnership agreements with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the Wisconsin Department of Transportation (WisDOT) is the designated Metropolitan Planning Organization (MPO) for the Appleton (Fox Cities) Transportation Management Area (TMA) and the Oshkosh Metropolitan Planning Area (MPA).

**Section 3. URBANIZED AREA BOUNDARY & METROPOLITAN PLANNING AREA:** Per the 2010 Decennial Census, the Appleton (Fox Cities) and Oshkosh Urbanized Areas and Metropolitan Planning Areas (MPAs) includes portions of Calumet, Outagamie and Winnebago Counties.

**Section 4. MPO POLICY BOARD:** The Appleton (Fox Cities) and Oshkosh Metropolitan Planning Organizations (MPOs) are governed by a single MPO Policy Board containing the same representation of elected and appointed representatives as those of the Commission. All functions, responsibilities, and authorities conveyed in these Bylaws, as they pertain to the Commission, are conferred to the MPO Policy Board when exercising such authority on transportation related policy matters or decisions.

**Section 5. MPO STAFF:** MPO staff is responsible for carrying out the federal transportation planning process in conjunction with its partners. The Commission is the hosting body for the MPO staff. As such, MPO staff are Commission employees.

**Section 6. RESPONSIBILITIES MPO POLICY BOARD:** In addition, all other Bylaw responsibilities afforded to the Commission, the MPO Policy Board is the body that reviews and approves all transportation related activities of the MPO. This includes being a forum for cooperative decision-making with the following responsibilities:

- A. Approve goals and objectives of the transportation planning process;
- B. Review and approval the Long Range Transportation Plans (LRTPs) and its updates or revisions;
- C. Review and adopt changes in transportation planning concepts;
- D. Review and approve the Unified Planning Work Program (UPWP);
- E. Review and adopt the Transportation Improvement Program (TIP) including project priorities and approve any changes in the priority schedule;
- F. Ensure the efficient and effective use of the Federal Highway Administration (FHWA) Section 112 and the Federal Transit Administration (FTA) Section 5303 planning funds;
- G. Serve as liaison representatives between various governmental units in the study area to obtain optimum cooperation of all governmental units in implementing various elements of the plan;
- H. Ensure citizen participation and transparency within the transportation planning process through proactive policies and procedures.

**Section 7. MPO SUBCOMMITTEES & INTERLOCAL AGREEMENTS:** The MPO Policy Board shall have the authority to form temporary (or permanent) subcommittees to conduct the following activities in order to carry out MPO Policy Board functions:

- A. To negotiate the terms of possible funding agreements with member agencies;
- B. To investigate how MPO functions might be improved;
- C. To evaluate the MPO Director's performance and make recommendations;
- D. To conduct research and/or fact-finding regarding MPO plans, policies or operations.

All findings, recommendations and/or proposals submitted by MPO subcommittees shall not be binding, but are subject to review and final approval of the MPO Policy Board.



**TO:** Steering Committee  
**FROM:** Melissa Kraemer Badtke, Executive Director  
**DATE:** March 6, 2023  
**RE:** Discussion regarding a possible contract with the Southeast Regional Directors Institute (SERDI) to conduct a Board Assessment

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In December, the Commission leadership staff was contacted by the National Association of Development Organizations (NADO). NADO is a national association that promotes regional development strategies, partnerships, and initiatives that strengthen economic competitiveness and quality of life within local communities across the country. NADO staff reached out to East Central leadership staff requesting input and insight regarding the roles and responsibilities of an Executive Director position. NADO is currently developing an executive director training manual template that will be shared with regional councils of government and regional planning commissions across the country. During the conversation, the NADO staff mentioned that they would be willing to connect the East Central staff with peers from across the country. Since January, we have had the pleasure of connecting with leadership staff from the following organizations:

- Former Executive Director of Buckeye Hills Regional Council
- Mid-Ohio Regional Planning Commission
- Region 9 Economic Development District of Southwest Colorado
- Apalachee Regional Planning Commission (Florida)
- Southeast Regional Directors Institute (SERDI)

One of the recommendations from the peer organizations, was to work with the Southeast Regional Directors Institute (SERDI) to conduct a board assessment. SERDI is a voluntary professional development association for regional council executive directors in the southeastern portion of the United States. SERDI has conducted 64 assessments since 1994 and they have been customized to the regional planning commission/regional council of governments. The would build an assessment tool that would be most beneficial for East Central.

- 1. Online Survey of Regional Leaders.** At a minimum, your Board of Directors needs to be asked to participate in an online survey to gauge their thoughts on East Central and their support of the local governments in the region. We will develop and conduct up to 4 additional online surveys of regional leaders if you decide you would want to do that... Other surveys for example might be the other chief elected and appointed local government leaders that are not on the Board, local government managers, and other sector interests (ex. workforce, aging, planners, etc.).
- 2. Focus Group Sessions.** Up to 7 focus groups can be held. We would need to decide whether you want to do the sessions by geography or by sector (ex. local government professionals, transportation leaders, workforce etc. The session will be up to 1 1/2 hours in length and should not exceed 20 participants.

- 3. One-on-one Interviews with identified Regional Leaders.** Up to 15 30-minute interviews of regional leaders, current or projected; involved or not involved with East Central but key to future of East Central and the region. The interviews will be conducted at a site chosen by the regional leader. The results of the interview will not be part of the complete record report of the assessment, the interview results are for the benefit of the East Central executive director and its use are the responsibility of the executive director.
- 4. Work Session with East Central Board of Directors.** SERDI staff will facilitate an hour to hour-and-one-half work session with the Board of Directors and if desired, other elected officials not on the Board. The purpose of the work session will be to review the results of the interviews and one-on-one interviews, and, to review preliminary and refine recommendation strategies with action steps, responsible parties, and, financial and other commitments to ensure implementation of strategies to enhance the future of East Central and its role in the region. It will be up to Board to determine whether it wants the work session to be held as part of the their regularly scheduled Board meeting or at a separate date.
- 5. Complete Record Report.** The complete record report of the assessment will be submitted to the East Central Executive Director and Board Chair within 30 days of the completion of the Work Session.

**Assessment Process Costs.** The cost of the SERDI Assessment Process is \$4,500 plus travel reimbursement of SERDI staff costs related to the process. The \$4,500 fee will be assessed with the submission of the complete record report. Travel reimbursement will be paid upon request.

With the anticipated completion of the reorganization plan and an update of the strategic plan, this would be a great opportunity for the Commission Board and regional stakeholders to provide input and have ownership regarding the direction of the Commission for the future.

**Staff Recommendation:** Staff does not have a recommendation at this time, however, the leadership team would appreciate any feedback, thoughts, or suggestions regarding a possible Board Assessment with SERDI.