



Fringe Benefits			
CITY OF APPLETON POLICY		SECTION:	Human Resources
ISSUE DATE:	April 2000	LAST UPDATE:	November 2024
POLICY SOURCE:	Human Resources Department		
POLICY AUDIENCE:	All Employees Excludes Valley Transit, Police and Fire protective employees covered by a collective bargaining agreement.		

#### I. PURPOSE

To outline for employees the fringe benefits available to all employees, excluding represented Valley Transit, Police and Fire protective employees.

#### II. POLICY

It is the policy of the City of Appleton to make available fringe benefits as outlined in this policy. It is also the policy of the City of Appleton to provide incentives, recognize significant levels of responsibilities, and to attract and retain qualified employees by offering comparable benefits.

#### III. DISCUSSION

This policy provides the current fringe benefits available. These benefits are subject to change with approval of the Common Council.

#### IV. DEFINITIONS

- A. Regular Full-Time (exempt): Employees who work a minimum of 2080 hours per year or 80 hours bi-weekly and not eligible for overtime or compensatory time for any hours worked beyond 40 hours per week. A full-time exempt employee is expected to work whatever hours necessary to complete the job they have been hired for. Employees who are classified as exempt are paid on a “salaried basis” meaning that the person will be paid the same full salary for any week in which work is performed without regard to the number of hours worked.
- B. Regular Full-Time (non-exempt): Employees who work 2080 hours per year and are eligible for overtime after working 40 hours per week.
- C. Regular Part-Time (exempt): Employees who are normally scheduled to work a minimum 1040 hours per year but less than 2080 hours per year and are not eligible for overtime or compensatory time for any hours worked beyond their standard bi-weekly hours.
- D. Regular Part-Time (non-exempt): Employees who are normally scheduled to work a minimum 1040 hours per year but less than 2080 hours per year and are eligible for straight time pay for hours worked beyond their standard biweekly hours and for overtime after working 40 hours per week.
- E. Non-represented: All employees whose benefits are not covered by a Collective Bargaining Agreement.
- F. Represented: Employees whose benefits are covered by a Collective Bargaining Agreement. Those include: Valley Transit Teamster Local 662, Appleton Professional Police Non-supervisory Unit and the Appleton International Association of Firefighters Local 257.
- G. Domestic Partner: Persons without registration that meet the following criteria:
  - a. Each individual is at least 18 years old and competent to enter into a contract;
  - b. Neither individual is married to, or in a domestic partnership with, another;
  - c. They share a common residence

- d. Their partnership must not violate Wisconsin Statutes which bar marriage between certain persons based on kinship and divorce;
- e. They must consider themselves to be members of each other's immediate family and
- f. They must agree to be responsible for each other's basic living expenses.

Employees who wish to utilize the funeral leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

- H. Look-Back Measurement Period: Rules set by Health Care Reform to offer coverage to an employee who at time of hire wasn't eligible for medical insurance coverage. If during measurement period the employee's hours increase to over 30 hours per week on average then must be offered medical insurance. Measurement Period is the 12 months the City will use to review hours worked in the calculation. Administrative Period is the 60-day period for the City to administratively compute hours work to know if insurance should be offered. Stability Period is the 12-month period of time that once an employee qualifies must be allowed to stay on medical insurance.

## **V. BENEFITS**

### **A. Health and Dental Insurance**

#### **1. Health Insurance:**

Regular full-time and part-time employees working 30 hours or more per week, shall be eligible for the health insurance benefit plan.

Effective January 1, 2013 part-time employees who are enrolled in the City health insurance program shall be grandfathered and will continue to be eligible for health insurance benefits provided they maintain their enrollment in the plan. If said employee chooses to drop coverage the part-time employee must work 30 hours per week to re-enroll.

Health insurance is effective on the 31<sup>st</sup> calendar day of employment. Employees who do not enroll at this time can make coverage election during the open enrollment period for the following calendar year. Employees who experience a qualifying status change may enroll mid-year.

Employees working less than 40 hours per week (1.0 FTE) will have premiums prorated. Premiums will be deducted from the employee's payroll check. All premiums will be taken on a pre-tax basis unless the employee notifies the Human Resources Department in writing of their desire to have the premium deducted on a taxable basis. Any missed payments for insurance premiums will be deducted at a later date, or the employee will be invoiced. Failure to make timely payments may cause cancellation of coverage.

Employees who have a spouse who also work for the City must select either one family plan or two single plans.

The City will follow the Health Care Reform Act look-back provision in order to determine if a previously not eligible employee becomes eligible for medical insurance. The Measurement Period will be November 1 through October 31. The Administrative Period will be November 1 through December 31. The Stability Period will be January 1 through December 31.

#### **2. Dental Insurance:**

Regular full-time and part-time employees working 20 hours or more per week, shall be eligible for the dental insurance benefit plan.

Employees working less than 40 hours per week (1.0 FTE) will have premiums prorated. Premiums will be deducted from the employee's payroll check. All premiums will be taken on a

pre-tax basis unless the employee notifies the Human Resources Department in writing of their desire to have the premium deducted on a taxable basis. Any missed payments for insurance premiums will be deducted at a later date, or the employee will be invoiced. Failure to make timely payments may cause cancellation of coverage.

Dental insurance is effective on the 31<sup>st</sup> calendar day of employment. Employees who do not enroll at this time can make coverage elections during the open enrollment period for the following calendar year. Employees who experience a qualifying status change may enroll mid-year.

Employees who have a spouse who also work for the City must select either one family plan or two single plans.

**B. Life Insurance**

1. **Basic Life Insurance:** Regular full-time and regular part-time employees are eligible for term life insurance in an amount equal to one time the employee's annual salary rounded to the next even thousand increment to a maximum of \$50,000. The City shall pay the full cost of the premium.
2. **Optional Life Insurance:** In addition to the \$50,000 term life insurance, regular full-time and regular part-time employees can purchase optional life insurance in \$10,000 increments. Optional life insurance can be purchased for spouse and dependent children. The employee must pay the full premium for all optional life insurance.

Life insurance is effective on the first of the month after thirty (30) calendar days of employment.

**C. Long-Term Disability Insurance**

Regular full-time and regular part-time employees will be eligible for long-term disability insurance. Coverage will be provided at 60 % of the employee's salary for non-work-related injuries or illnesses after a ninety (90)-calendar day waiting period. The carrier must deem employees eligible. The City shall pay the full cost of the premium.

Long-term disability insurance is effective on the first of the month after ninety (90) (uninterrupted) calendar days of employment.

**D. Wisconsin Retirement System**

The City shall pay one half of all actuarially required contribution for funding benefits under the retirement system for regular full-time and regular part-time employees, this excludes Police and Fire protective employees. Participation in the Wisconsin Retirement System is mandatory.

**E. Deferred Compensation Program (Section 457 Plan)/Roth**

Regular full-time and regular part-time employees are eligible to participate in the City Deferred Compensation Program upon enrollment into the program anytime on or after their first day of employment. Any amounts contributed to the program, which must be by payroll deduction, are paid for fully by the employee. Under this plan, you may contribute money (on a pre-tax basis) in a tax deferred investment of your choice to earn tax deferred interest until you are ready to receive distributions, usually at retirement. There is also a Roth option that must be by payroll deduction and is paid for fully by the employee. This allows you to contribute money (on an after-tax basis) to investments of your choice.

**F. Post Employment Health Plan (PEHP)**

The City of Appleton participates in the PEHP for Non-Represented Public Employees in accordance with the terms and conditions of the Plan's Participation Agreement.

1. **Monthly Contributions:**

The City agrees to contribute to the Plan on behalf of all regular full-time non-represented employees. The City shall contribute for each Eligible Employee the amount of ten dollars (\$10) per month.

The City shall pay the annual administration fee on behalf of the eligible active employee. The procedure for payment of the administration fee shall be accomplished by a deduction and reimbursement directly into the employee's account.

Regular part-time employees are not eligible for payment of the annual administration fee or the monthly contribution to the PEHP.

2. Additional Contributions:

In addition to the monthly contribution amount, the City will contribute upon retirement, the value of unused sick leave of an Eligible Employee's accumulated sick leave balance to the maximum as follows:

90 days for formerly represented AFSCME employees;

90 days plus any accumulated physical fitness bonus incentive for Police Captains and Lieutenants and;

120 days plus any accumulated physical fitness bonus incentive for Police/Fire administrative protective status personnel and

120 days for all other employees

(For purposes of the additional contribution, an Eligible Employee is an employee who is qualified for an annuity under the Wisconsin Retirement System.)

PEHP contributions are not reportable earnings to the Wisconsin Retirement System.

Contributions to the PEHP may only be used after an employee leaves employment with the City of Appleton. Monthly contributions are placed into an account that may be used to pay for IRS qualified expenses. The additional contributions are placed into an account that may be used to pay for premium contributions only.

- G. Flexible Spending Account: All regular full-time and regular part-time employees are eligible to participate in the dependent care flexible spending account program. Enrollment shall be January 1 of each year for existing employees or within thirty (30) calendar days for newly hired employees or for qualifying status changes. This program allows the employee to use pre-tax funds to pay for IRS qualified expenses for children under the age of thirteen (13) or day care expenses for disabled dependents.
- H. Worker's Compensation: Regular full-time employees and regular part-time employees shall receive worker's compensation benefits based on state worker's compensation laws, with the exception's that there shall be no cap on the weekly (TTD) temporary total disability payments and they be compensated for the first three days at 66 2/3% following the date of injury, after the 7 day period is met. All protected police and fire personnel shall receive the same benefit afforded to the represented employees in the department.
- I. Tuition Reimbursement: All regular full-time non-represented employees who successfully complete job-related continuing education courses toward a degreed program shall be reimbursed for fifty percent (50%) of the cost of tuition and books. The total amount reimbursed will not exceed fifty percent (50%) of the amount charged by the University of Wisconsin system for similar courses that is paid by the employee.

Library employees shall be reimbursed for up to 25% of the cost of tuition and books, paid by the employee, not to exceed that charged by the University of Wisconsin system for similar courses for graduate Library education.

The department head and the Director of Human Resources must approve participation in such courses, in advance. Successful completion shall mean a passing grade if the course or program is graded on a pass/fail basis or a grade of "C" or better if letter grades are issued. Class participation will be on the employee's own time.

All tuition reimbursement requests shall be subject to available departmental funds. Reimbursements from other sources will offset City contributions. (ie; grants).

- J. Direct Deposit: All employees are required to have their payroll checks direct deposited into a bank or credit union of their choice. The full amount of the deposit must go into one account.
- K. Employee Assistance Program (EAP): The City sponsors an EAP to help employees and those living in their households maintain healthy levels of emotional, work-life, and physical well-being, and to limit the effect of personal problems on job performance. All employees and those living in their households are eligible to utilize resources and services offered through the EAP. This benefit comes at no cost to the employee or participant and is designed to provide short-term confidential counseling and referral services, financial information and resources, legal support and resources, work-life solutions, and Guidance Resources Online. Services rendered by the EAP are provided through a contract with a private employee assistance consulting firm.

L. Vision Insurance

Regular full-time and part-time employees working 20 hours or more per week, are eligible to enroll in a voluntary vision insurance benefit plan.

Premiums will be deducted from the employee's payroll check. All premiums will be taken on a pre-tax basis unless the employee notifies the Human Resources Department in writing of their desire to have the premium deducted on a taxable basis. Any missed payments for insurance premiums will be deducted at a later date, or the employee will be invoiced. Failure to make timely payments may cause cancellation of coverage.

Vision insurance is effective on the 31<sup>st</sup> calendar day of employment. Employees who do not enroll at this time can make coverage elections during the open enrollment period for the following calendar year. Employees who experience a qualifying status change may enroll mid-year.

Employees who have a spouse who also works for the City must select either one family plan or two single plans.

- M. Other Benefits: Other voluntary benefits may be offered based on the City's discretion.

## **VI. PAID LEAVE**

Employees shall receive a total of twelve (12) holidays per year (this includes scheduled holidays, as listed below). When a holiday falls on Saturday or Sunday, it shall be determined by the Mayor in November of the previous year, if service to the public will be required on the Friday or Monday. If it is determined that service will be provided to the public, employees shall work those days as part of their normal workweek and will be given a floating holiday off in lieu of the Friday before and/or the Monday after a holiday to be scheduled with supervisory approval. Department Directors will inform employees the November prior to the beginning of the following year of any variations of the following schedules. For those employees who are not required to service the public as noted above, when New Years, Independence Day, or Christmas falls on Saturday they shall be observed on the preceding Friday and when they fall on Sunday it they shall be observed on the following Monday.

- A. Holidays: the City (excluding Valley Transit and Library) shall observe the following holidays:
  - 1. New Year's Day

2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Day after Thanksgiving
7. Last working day before Christmas
8. Christmas Day
9. Four floating holidays
10. Any additional holidays granted by the Common Council

Valley Transit shall observe the following holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Christmas Day
7. Six floating holidays
8. Any additional holidays granted by the Common Council.

The Appleton Public Library shall observe the following holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Christmas Eve
7. Christmas Day
8. New Year's Eve
9. Four floating holidays
10. Any additional holidays granted by the Common Council and Library Board

Regular full-time employees are eligible for holidays based on eight (8) hours for each of the above listed holidays. Police Lieutenants and Captains who are required to work (minimum staffing) hours on Thanksgiving Day, Day after Thanksgiving, Christmas Eve or Christmas Day shall be entitled to receive \$100 compensation.

Regular part-time employees are eligible for holidays pro-rated based on the approved budgeted position. If one of the above listed holidays falls on a regularly scheduled day off for a regular part-time employee, the employee may have the option, with department head approval, of taking pay for the holiday, taking an additional day off during the pay period or scheduling the holiday as a floating holiday to be used by December 31.

Floating Holidays may be charged in one quarter hour increments and/or pursuant to departmental policy. Floating Holidays must be used during the calendar year, or they will be lost. Department directors/ or designee shall approve the number of employees off on a floating holiday at any one given time, as well as how employees will pick floating holidays and whether or not employees will be allowed to cancel scheduled floating holidays.

In order for regular full-time and regular part-time employees to be eligible for holiday pay, they must work their regularly scheduled workday immediately preceding and following the holiday, except in the case of an employee on an approved paid leave. Floating holidays will be pro-rated in the year of hire and termination/resignation/retirement as follows:

	Hired	Leaving
January-March	3	0

April-June	2	1
July-September	1	2
October-December	0	3

Non-exempt employees who work on any of the scheduled holidays shall receive double time pay for all hours worked on the holiday unless otherwise noted in departmental policies or have received an additional day off as noted above.

When an exempt employee is required to work one of the holidays listed above, that supervisor shall be given an additional floating holiday off, to be scheduled with supervisory approval. This provision shall not apply to Fire personnel working a 24-hour shift.

Non-represented Fire Personnel working a 24-hour shift shall be granted pay for scheduled holidays in accordance with the current International Association of Fire Fighters Local 257 collective bargaining agreement. In addition to the pay for scheduled holidays, 24-hour shift personnel shall be entitled to floating holidays based on the following schedule:

Upon promotion or year of hire:	one (1) floating holiday
After five (5) years of city service:	two (2) floating holidays
After eight (8) years of city service:	three (3) floating holidays

Floating Holidays shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

- B. Vacation: All regular full-time employees shall be entitled to paid vacation benefits as of January 1 of each year based upon their length of continuous service. For purposes of determining future vacation eligibility, the year of hire shall be treated as a full year of service.

Regular part-time employees are eligible for vacation pro-rated based on the approved budgeted position. Regular part-time employees shall use vacation based on the number of hours scheduled to work on the day or days for which the vacation is requested.

Paid vacations shall be provided in accordance with the following:

Vacation Schedules: Existing employees shall be placed on the schedule below effective January 1, 2012. Employees will not lose earned vacation as a result of that placement and shall move to the next increment based on their years of service on the schedule below.

Year of hire: Persons hired prior to July 1 of any year shall receive one week (5 working days) of vacation during their year of hire subject to approval of their department head or Mayor if appropriate and in accordance with department policies.

1. Non-exempt:

- After one year of continuous service: one week of vacation (five working days.)
- After two years of continuous service: two weeks of vacation (ten working days.)
- After six years of continuous service: two weeks plus two days of vacation (twelve working days.)
- After eight years of continuous service: three weeks of vacation (fifteen working days.)
- After twelve years of continuous service: four weeks of vacation (twenty working days.)
- After fifteen years of continuous service: four weeks plus two days of vacation (twenty-two working days.)
- After twenty-years of continuous service: five weeks

2. Exempt:

After one year of continuous service: two weeks (ten working days.)  
After five years of continuous service: three weeks (fifteen working days)  
After eight years of continuous service: three weeks plus three days of vacation (eighteen working days.)  
After twelve years of continuous service: four weeks plus two-days of vacation (twenty- two working days.)  
After twenty years of continuous service: five weeks plus four days of vacation (twenty-nine working days.)

3. Fire Personnel working a 24-hour shift:

After one year of continuous service: three days of vacation.  
After two years of continuous service: six days of vacation.  
After five years of continuous service: seven days of vacation.  
After eight years of continuous service: ten days of vacation.  
After twelve years of continuous service: thirteen days of vacation.  
After sixteen years of continuous service: fourteen days of vacation.  
After twenty years of continuous service: sixteen days of vacation.

**Administration of Vacation:**

Department Directors/or designee shall approve the number of employees off on vacation at any one given time, as well as how employees will pick vacations and whether or not employees will be allowed to cancel vacations.

With the exception of the year of hire, vacation credits are earned in one year and are available for use in the following year.

Vacation benefits shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

When a holiday falls during an employee's vacation, he/she shall not be required to use a vacation day in lieu of the holiday.

In the event an employee or family member becomes ill during an employee's vacation, the employee will not be allowed to substitute sick leave for vacation unless the need for sick leave commences prior to the start of the approved vacation.

Regular employees who move from one position to another by transfer, promotion, or demotion, in the City, shall be credited with accumulated vacation leave in their new position.

An employee whose employment status is changed from temporary to regular status without a break in service shall receive vacation credits from the original date of hire. Library employees whose status is changed from temporary to regular status will have their vacation based on their status effective date change.

No credit for vacation leave shall be granted for time worked by an employee in excess of their normal workweek.

Use of vacation time must be approved in advance by the department head.

**Vacation Carry-Over:**

A full-time employee may carry over, from one year to the next, up to a maximum of five (5) days (forty hours) vacation. The hours for carry over will be pro-rated for part-time employees based on their full-time equivalence (e.g. if they are 50% full-time, then they can carry over 20 hours).



Non-represented Fire employees working a 24-hour shift may carry over, from one year to the next, three (3) days.

The process at year end for employees who have unused vacation will be as follows:

1. Any unused eligible balance up to forty hours (pro-rated for part-time employees as outlined above) will automatically be carried over to the next year.
2. Any remaining balance up to forty hours (pro-rated for part-time employees as outlined above) may be paid to the employees PEHP or H.S.A. account. (No more than a total of up to 40 hours for the two plans combined)

Any employee wishing to have their remaining balance paid to HSA or PEHP (up to 40 hours maximum), must enter the hours of the remaining balance in the payroll system on the payroll that includes 12/31. Instructions and the appropriate payroll codes will be provided annually.

Fire personnel employees who have vacation balances as of December 31, will have the unused eligible balance up to three days for Fire personnel working a 24 hour shift, automatically carried over to the next year and any remaining balance up to three days for Fire personnel working a 24 hour shift may be paid to their PEHP account or their H.S.A. account: (No more than a total of up to 40 hours for the two plans combined).

In both payout options, Fire employees working a 24-hour shift will have their shift hours converted to a 40 hour paid work week.

At termination or retirement, any unused vacation will be paid to the employee in a lump sum. Vacation cannot be used over payroll periods to extend the last day of employment.

Exceptions to the above vacation carryover and PEHP/HSA. contributions beyond forty hours and three days for Fire personnel working a 24-hour shift, may be made in unusual circumstances as pre-approved by the Department Director or Mayor as appropriate and the Human Resources Director.

The Human Resources Director may request exceptions to the vacation provisions as it relates to placement on the schedule, on a case-by-case basis with a report to the Human Resources Committee.

- C. Paid Time Off: (PTO) Employees shall receive six (6) PTO days January 1 of each year to be used as paid time off. Part-time employees shall receive a pro-rated amount based on their approved budgeted position. For newly hired employees, PTO days shall be pro-rated based on the month hired. Employees will be allowed to carryover three (3) PTO days not used as of December 31<sup>st</sup>. Any request made for PTO days shall follow the normal procedure for the type of leave being requested. (e.g. vacation, floating holidays and sick leave must follow the normal guidelines used for requesting that type of benefit)

PTO days shall be pro-rated in the year of hire/termination/resignation/retirement as follows:

	Hired	Leaving
January-February	5	0
March-April	4	1
May-June	3	2
July-August	2	3
September-October	1	4
November-December	0	5

Fire employees working a 24-hour shift shall receive four (4) PTO days on January 1<sup>st</sup> of each year to be used as paid time off. Fire employees will be allowed to carryover two (2) PTO days not used as of December 31<sup>st</sup>.

PTO days for Fire employees working a 24-hour shift shall be pro-rated in the year of hire/termination resignation/retirement as follows:

	Hired	Leaving
January-March	3	0
April-June	2	1
July-September	1	2
October-December	0	3

Employees who use more PTO than they are entitled to in the year they leave employment shall owe the City the time back unless the employee leaves employment as a result of physician certified disability.

PTO days shall be charged in one quarter hour increments and/or pursuant to departmental policies or guidelines.

- D. Sick Leave: Employees who have sick leave on the books will have that balance grandfathered as of December 31, 2011, and employees will no longer earn sick leave.

Sick leave that has been grandfathered may be used for an absence due to illness of, or injury to, the employee or an immediate family member living in the employee's residence, unless otherwise qualified under the Family Medical Leave Act.

Sick leave cannot be used until all Paid Time Off (PTO) days have been exhausted unless otherwise qualified under the Family Medical Leave Act. Employees must use the 2<sup>nd</sup> sick leave bank before accessing the regular bank;

1. PTO
2. 2<sup>nd</sup> sick leave bank
3. Regular sick leave bank

Sick leave and PTO may be used for doctor or dental appointments, which cannot be scheduled during an employee's regular time off. Employees are encouraged to schedule routine appointments that minimize the operational impact to the department.

Sick leave and PTO shall be charged in no less than one quarter-hour increments provided it is pre-approved by the employee's supervisor and/or pursuant to departmental policies or guidelines

A regular employee who moves from one position to another by transfer, promotion, or demotion, in the City, shall have their total sick leave credits transferred to the new department.

Employees who wish to utilize the sick leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) under Definitions (G) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

- E. Funeral Leave: In the case of the death of the employee's spouse, domestic partner, child, or stepchild, regular full-time employees may be paid for scheduled time lost up to ten (10) working days, but not to exceed (80) eighty hours, at the employee's regular straight time rate. Leave must be taken within 60 days of the death.

In the case of death in the immediate family of a regular full-time employee, the employee will be paid for the scheduled time lost up to three (3) scheduled workdays, but not to exceed (24) twenty-four hours at the employee's regular straight time hourly rate.

For purposes of funeral leave, immediate family shall be defined as the employee's grandchild; mother or stepmother; father or stepfather; legal guardian; sister or brother; mother-in-law or father-in-law; any other relative living in the employee's residence at the time of death; or the mother or father of the employee's domestic partner.

In the event of death of the grandparent of the employee, grandparent of the employee's spouse, or grandparent of the employee's domestic partner, the employee will be given leave for the day of the funeral, but not to exceed (8) hours at the employee's straight time hourly rate.

Fire employees working a 24-hour shift shall be eligible for funeral leave based on the following:

Spouse, domestic partner, child or stepchild: 5 workdays without loss of pay

Immediate Family: 2 workdays

Grandparent: 1 workday

Employees who wish to utilize the funeral leave benefits available for domestic partners must submit in writing to the Human Resources Department proof that the criteria listed above in (a-f) under Definitions (G) are met. Human Resources will make a determination on eligibility based on the information provided by the employee.

Regular part-time employees are eligible for funeral leave pro-rated based on the approved budgeted position.

F. Compensatory Time: Non-exempt regular full-time employees will be paid-overtime at time and one-half for all hours in excess of forty hours worked in a pay week. Non-exempt regular full-time employees, with the prior approval of their supervisor, may have the option of converting additional time worked to compensatory time off up to a maximum of 40 hours. Request for usage of compensatory time shall be pursuant to departmental policies.

G. Jury Duty/Witness Duty: Regular full-time and regular part-time employees shall receive full pay for any workday the employee serves as a juror or if subpoenaed on witness duty if the employee was scheduled for work. In order for an employee to be eligible for witness duty pay, the reason for being a witness must be related to their employment with the City of Appleton. As a condition for such payment, the employee shall report for work for their regularly scheduled hours immediately before and following such duty when reasonably possible and shall immediately notify the Employer upon receipt of the jury summons or subpoena. The employee shall complete a Jury Duty Request form and submit it to their supervisor as soon as they are notified by subpoena of their requested appearance.

In order to receive full pay the employee is required to, upon receipt of jury or witness pay, submit their jury or witness pay to the City payroll office. The payroll office will cash the employees check, retain the portion of the check representing per diem payments, and give the employee the mileage and meal reimbursement portions of the check.

Employees, at their option, may use paid time off for a day of jury or witness duty and thereby retain the jury or witness pay as well as full pay for the day(s).

## **VII. LEAVE OF ABSENCE**

Leaves of absence, outside of the entitlements covered by the Family and Medical Leave (FMLA) act, may be granted without pay subject to the conditions below. FMLA leaves of absence are covered in the City of Appleton FMLA policy and will be administered in accordance with Wisconsin and Federal laws.

Leaves will be granted at the total discretion of the Department Head and the Human Resources Director. A leave of absence must be requested at least 30 days prior to the taking of such leave, or in

emergency cases as soon as reasonable or practicable. An acceptable physician's certification shall be required for all medical leaves of absences.

A leave of absence may be considered for up to one calendar year. If leave is needed beyond one calendar year and it is related to a medical condition, then employee may be placed on an inactive status. Inactive status may only be considered if:

- The employee is not permanently restricted from returning to their position.
- There is no financial impact to the City (e.g. salary or fringe benefits) while on an inactive status.
- The position will not be held vacant.
- All other requirements under Leave of Absence in this policy are followed.

Employees returning from an inactive status will be eligible to return to the same or a like position in that department, if one exists, when they are deemed fit for duty. The inactive status will end no later than three years from the date of leave, at which point employment will terminate.

The employee must exhaust all available paid time off benefits prior to the commencement of an unpaid leave of absence.

Return to work earlier than the scheduled termination of leave date may be arranged by the department head and the employee with the approval of the Human Resources Director, provided it does not conflict with the physician's certification.

Employees on an unpaid leave of absence with the City may not be employed elsewhere unless otherwise approved by the Human Resources Director.

If an employee is unable to return to work on the date stipulated, they may submit a written request to extend their leave of absence, subject to the approval of the Human Resources Director. If, on the date following the expiration of the leave of absence, an extension is not requested and granted and the employee has not returned to their position, the employee shall be considered to have voluntarily resigned from City employment.

#### **VIII. BENEFIT STATUS DURING LEAVE OF ABSENCE**

An employee on a leave of absence without pay (non-FMLA leave) will have coverage on the medical, dental, and vision plan until the end of the month which their leave started. COBRA continuation coverage will be offered the first of the month following the start of the leave.

Any missed premiums for optional life insurance voluntary disability, and accident insurance during this leave will be collected through payroll deduction(s) when the employee has returned to work. If the leave continues into the new year, the employee will receive an invoice on the missed premiums.

Paid time off (vacation, floating holidays, and PTO) will not accrue during an employee's unpaid leave of absence (excluding approved FMLA) if the total unpaid leave taken in a year exceeds one month. For this purpose, one month is defined as the average number of hours the employee is budgeted to work each month. As a result, the employee's paid time off entitlement for the following year will be adjusted on a prorated basis.

#### **IX. PHYSICAL FITNESS PROGRAM-POLICE & FIRE SWORN PERSONNEL**

Exempt non-represented protective status personnel shall have the option of participating in the Physical Fitness Salary Incentive and Physical Fitness Bonus Incentive program.

All participating protective status personnel will be tested on the schedule for the represented employees within their respective departments annually (Fire and Police)

A. Physical Fitness Salary Incentive:

Annual Testing: Participating employees receiving a score of “excellent” will be paid a physical fitness salary incentive of 2% of base pay and those receiving a score of “good” will be paid a physical fitness salary incentive of 1% of their base pay until the next testing date. Such payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing results and shall be calculated on the basis of 2% or 1% of the employee’s annual base pay, calculated on the rate of pay at the time of the test. Employees receiving a score of “adequate” or “poor” will not be eligible for a physical fitness salary incentive.

B. Physical Fitness Bonus Incentive:

Annual Testing: Participating employees shall be eligible for eight (8) hours of physical fitness bonus pay for each testing period that the employee receives a score of “excellent” and four (4) hours of physical fitness bonus pay for each testing period that the employee receives a score of “good”. Employees who score as “adequate” or “poor” will not be eligible for a physical fitness bonus incentive.

The accumulated total physical fitness bonus incentive shall be paid to the eligible employee upon retirement (as defined by WRS) to the PEHP. Such payment will be made in accordance with and in addition to the retirement benefits outlined in section V. (Benefits) E. (Post Employment Health Plan) and section XI. (Termination Benefits) of this policy.

**X. TERMINATION BENEFITS**

- A. Retirement: Employees retiring, with proper notice, at or above the normal retirement age established under the Wisconsin Retirement System and/or eligible for a retirement annuity from the Wisconsin Retirement System shall be eligible for the following benefits:
- A lump sum pay-out of their accumulated and carry-over vacation balance \*
  - A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section IV-Paid Leave, of this policy.\*\*
  - A lump sum pay-out of their accumulated compensatory time.
  - Accumulated and unused sick leave to a maximum of one hundred and twenty (120) days, (90 days maximum for formerly represented AFSCME employees and Police Captains and Lieutenants), shall be paid to the Post Employment Health Plan. Additionally, any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the PEHP).
  - If the employee has completed at least five (5) years of service with the City, the employee may be eligible for a medical plan option excluding dental and vision coverage. Such medical option may be made available to employees and spouses at their own expense, up to the time the employee and/or spouse turns age 65 or becomes eligible for Medicare, provided they exercise this option prior to their last day of work.
  - The option of continuing dental, and/or vision coverage under COBRA through the City’s COBRA administrator in accordance with state and federal laws.
- B. Resignation: Employees who resign their employment with proper notice shall be eligible for the following benefits:
- A lump sum pay-out of their accumulated and carry-over vacation balance. \*
  - A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section IV Paid Leave, of this policy.\*\*
  - A lump sum pay-out of their accumulated compensatory time.
  - The option of continuing the medical, dental, and/or vision coverage under COBRA through the City’s COBRA administrator in accordance with state and federal laws.
- C. Retirement or Resignation without proper notice: Employees who retire or resign their employment without proper notice (unless the reason for lack of proper notice is due to a physician certified disability) may be eligible for the following benefits:
- A lump sum pay-out of any carry-over vacation balance.\*
  - A lump sum pay-out of any accumulated vacation balance based upon the following pro-ration
    - Employees required to give a (2) week notice will have a reduction of 10 days.

2. Employees required to give a (30) thirty-day notice will have a reduction of 30 days.
- c. Floating holiday and/or PTO\*\*
  - d. Employees will receive a lump sum pay-out of their accumulated compensatory time.
  - e. The option of continuing the medical, dental, and/or vision coverage under COBRA through the City's COBRA administrator in accordance with state and federal laws.
  - f. Accumulated and unused sick leave to a maximum of one hundred and twenty (120) days, (90 days maximum for formerly represented AFSCME employees and Police Captains and Lieutenants), shall be paid to the Post Employment Health Plan. Additionally, any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the PEHP).
- D. Termination: Employees benefits:
- a. A lump sum pay-out of any carry-over vacation \*
  - b. Floating holiday and/or PTO\*\*
  - c. Employees will receive a lump sum pay-out of their accumulated compensatory time.
  - d. The option of continuing the medical, dental, and/or vision coverage under COBRA through the City's COBRA administrator in accordance with state and federal laws.
- E. Death of an employee: In the event of the death of an employee, the following benefits shall be direct deposited into the employee's account:
- a. A lump sum pay-out of their accumulated and carry-over vacation balance.\*
  - b. A lump sum pay-out of floating holiday and PTO based upon the proration outlined in, Section VI Paid Leave, of this policy.
  - c. A lump sum pay-out of their accumulated compensatory time.
  - d. A lump sum pay-out of accumulated and unused sick leave to a maximum of ninety (90) working days. For those employees who are eligible, up to an additional thirty (30) days of accumulated sick leave (beyond the 90 days) and any accumulated physical fitness bonus incentive for protective status personnel shall be paid to the employee's spouse and if no spouse is living, the employee's estate.
  - e. A medical plan option excluding dental and vision, may be made available to the employee's spouse at their own expense, up to the time the spouse turns age sixty-five (65) or becomes eligible for Medicare, provided they exercise this option within thirty days of the employee's death.
  - f. The spouse shall have the option of continuing dental and vision coverage under COBRA through the City's COBRA administrator in accordance with state and federal laws.

\*Employees leaving with less than twelve (12) months of service shall owe the City back all vacation time used.

\*\*Employees who have used more floating holiday and/or PTO benefit than they were entitled pursuant to Section VI Paid Leave, of this policy in the last year of their employment will have an amount equal to the paid but unearned benefit deducted from their final pay (unless the employee leaves employment as a result of a physician certified disability).