



City of Appleton

225 N. Oneida Street
Appleton WI, 54911

Meeting Agenda - Final Library Board

Tuesday, July 24, 2018

3:30 PM

225 N. Oneida Street

Personnel & Policy Committee Meeting

1. Call meeting to order
2. Roll call of membership
3. **Public Hearings**

[18-1104](#) Library's Internet Access and Computer Use Policy Update

Attachments: [Notice of Public Hearing .pdf](#)
[Internet Access and Computer Use Policy and Guidelines 2018 draft markup wi](#)
[Internet Access and Computer Use Policy and Guidelines July 2018 clean.pdf](#)

4. **Action Items**

[18-1097](#) Library Director's 2018 Mid-Year Evaluation

[18-1101](#) Meeting Room and Study Room Use Policy

Attachments: [Meeting and Study Room Policy \(Lab Revision July 2018\).pdf](#)

[18-1098](#) Eliminate APL Digital Media Lab Policy

[18-1099](#) Internet Access and Computer Use Policy and Guidelines

Attachments: [Internet Access and Computer Use Policy and Guidelines 2018 draft markup wi](#)
[Internet Access and Computer Use Policy and Guidelines July 2018 clean.pdf](#)

[18-1102](#) City of Appleton FLSA Policy

Attachments: [FLSA Policy 2018.pdf](#)

[18-1103](#)

City of Appleton Salary Administration Policy

Attachments: [Salary Administration Policy March 2018-2.pdf](#)

Closed Session

The Committee may meet in Closed Session pursuant to WI Statute 19.85(f)(c) to discuss personnel matters and then resume meeting in Open Session.

5. Adjournment

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

APPLETON PUBLIC LIBRARY– PERSONNEL & POLICY COMMITTEE

NOTICE OF PUBLIC HEARING

LIBRARY’S INTERNET ACCESS AND COMPUTER USE POLICY UPDATE

NOTICE IS HEREBY GIVEN that the Internet Access and Computer Use Policy will be presented to the Appleton Public Library (APL) Personnel & Policy Committee in the Board Room of the Appleton Public Library, 225 N. Oneida Street, Appleton WI 54911 on Tuesday, July 24, 2018 at 3:30 P.M., or as soon thereafter as can be heard, for the purpose of considering an update to the Internet Access and Computer Use Policy.

This notification invites you to appear before the APL Personnel & Policy Committee, and you will be given an opportunity to express your views or concerns regarding the update to the Library’s Internet Access and Computer Use Policy. You may also address the APL Personnel & Policy Committee by letter at the address below. The APL Personnel & Policy Committee makes a recommendation to the APL Board of Trustees who makes the final decision on the Policy.

Any questions regarding this matter should be directed to Library Director Colleen Rortvedt at (920) 832-6170.

APL BOARD OF TRUSTEES
APPLETON, WISCONSIN

APPLETON PUBLIC LIBRARY
225 N ONEIDA STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6170

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

INTERNET ACCESS AND COMPUTER USE POLICY AND GUIDELINES

I. PURPOSE

The Appleton Public Library ("library") provides access to informational, educational, recreational and cultural resources for all library users. -To support that, the library provides internet access via library computers and through wireless internet access during open library hours. ~~-Use of library equipment and/or the library's network is bound by this policy.~~ the Internet via the Library's network is also bound by this policy.

Not all sources on the internet are accurate, trustworthy or legal.- The library cannot monitor or accept responsibility for material accessed from other internet sources.- The library provides access to resources via the internet and assumes no responsibility for the information provided by non-library websites, databases, social media platforms or any other web based services. ~~To ensure appropriate use of Internet resources within the Library.~~

II. POLICY

1. Responsibilities of the library.

a. The library makes every effort to maintain internet access via computer, networks and wireless access throughout all hours of operation. -Short down times may occur and, -when possible, will be posted in advance ~~but the library cannot control external factors and unexpected down times will occur.~~

b. Library staff may be able to assist users with personal laptops, phones or other devices but cannot be expected to know every device and platform. -Patrons who request assistance with their devices hold the City of Appleton and their employees harmless for liability. -Staff have the right to refuse to assist users with their personal devices.

c. Patron computer use is covered by the library's Privacy Policy.- Search history files are deleted from library computers at the end of each session. -Internet sign in use is maintained for 90 days via the library's PC management system and filter.

d. ~~The Library staff cannot control specific information on the Internet. Libraries do not vouch for or endorse either written material in their collections or electronic information. The Library expressly disclaims any liability or responsibility arising from access to or use of information obtained through its electronic information system equipment or network, or any consequences thereof. Selection policies that govern the Library's purchase of written materials may not apply to electronic resources.~~

e. ~~The wireless network is an unsecure network. Users should take precautions accordingly to protect themselves.~~

2. ~~Responsibilities of Users. The Library provides workstations for free public access to the Internet as an informational, educational and recreational resource. Use of the Internet via the Library's network is also bound by this policy.~~ Use of electronic information resources, including the Internet, must be responsible and ethical, consistent with the purpose for which these resources are provided. ~~This includes:~~

a. ~~Users should be aware that the library is a busy public place shared by people of diverse ages, sensibilities and values.~~

~~Using resources~~b. ~~Resources are~~ for educational, informational, ~~and~~ recreational ~~and~~ cultural purposes only; ~~resources are~~ not for unauthorized, illegal or unethical purposes.

c. ~~Patrons must r~~Respecting the privacy of others ~~by not misrepresenting oneself as another user;~~ by not attempting to modify or gain access to files, passwords, or data belonging to others; ~~by not seeking unauthorized access to any computer system ("hacking") or damaging or altering components of any network or database.~~

d. ~~Complying~~Patrons must comply with ~~Respecting the privacy of others by not interfering with their use.~~

~~Copyright laws.~~ Title 17 of the United States Code protects created works and describes permissible and prohibited uses of protected works. ~~Use of works and infringement is not easily defined and responsibility for interpreting fair use and any consequences of copyright infringement lies with the patron. Making only authorized copies of copyrighted or licensed software or data.~~

e. ~~Patrons must use their own library card number to access a computer. All Wisconsin residents are eligible to obtain a card to access the internet. Visitors may obtain a guest pass with photo ID.~~

f. ~~Illegal and Prohibited Uses. While respecting individual users' right to privacy, the Library staff reserves the right to monitor use of computer workstations and the network to~~

Commented [CR1]: Moved to purpose

ensure compliance with this policy.- Examples of unacceptable uses include, but are not limited to:

- i. Misrepresenting oneself as another user,
- ii. Harassing other users,
- iii. Not respecting the privacy of others by interfering with their use,
- iv. Sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public or attempting to access the same.
Websites acceptable in the adult department may not be acceptable in the children's section.
- v. Exposing children to harmful materials as outlined set forth with-in Sec. 948.11 of the Wisconsin Statutes-
- vi. Violating software licensing agreements,
- vii. Overuse of system resources such as bandwidth,
- viii. Attempting to access unauthorized areas of the library's systems or networks or altering components of any network, database or system,
- ix. Making unauthorized changes to the setup or configuration of library software or hardware.:-
- x. Failure to adhere to Rules of Conduct, time limits, printing, and use of headphones.

Commented [CR2]: CIPA compliance item

3. Internet Safety for Children and Teens.

Commented [CR3]: CIPA compliance item

- a. The Library, unlike schools, does not serve in loco parentis (in place of a parent). Library staff cannot act in the place of parents in providing constant care and supervision of children as they explore the internet.
- b. The library supports the right for each family to decide the appropriate internet use for their children. ~~assumes no responsibility for the use of the Internet by children. Subject to the above restrictions, it is the responsibility of the user (or the parent, guardian or caregiver) to determine what is appropriate.~~ Use of the internet provides families an opportunity to discuss sites and content that they feel are appropriate or inappropriate. -The library can help support parents and guardians in their efforts to exercise their rights and responsibilities regarding their children's use of electronic resources by providing assistance in determining search strategies and finding and evaluating sites. For more information on children's internet safety see <http://www.safekids.com> and <http://www.connectsafely.org>.
- c. Parents may choose to place a restriction on the child's library card to prevent them from accessing internet computers within the library.
- d. The following recommendations can help children have positive, safe online experiences:

i. Use the internet together. -Encourage children to use sites recommended on the library's website. -Talk with your children about sites you consider inappropriate for them and why. Help them learn to be savvy digital consumers.

ii. Provide guidelines for your children on the amount of time they should spend online.

iii. Provide guidelines on acceptable use of resources including social media, email and apps.

iv. Parents and guardians should instruct minors to safely share personal information on the internet including, but not limited to: name, address, password, phone numbers, schools, credit card numbers. This includes through email, instant messaging, online shopping, social media, apps and other commercial sites.

v. Before giving out any personal information, minors should be confident that they are dealing with someone who is known and trusted by them and their parents or guardians.

vi. Computers in the Children's Services area are generally available only to children up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.

vii. Library staff assumes that those under age 18 have parental permission to use library resources, including the internet.

viii. In compliance with the Children's Internet Protection Act (CIPA), Appleton Public Library the library utilizes internet filters to protect children from harmful online content. Generally speaking, these filters restrict indecent internet content all internet access provided by the within the library, including wireless access. In keeping with the U. S. Supreme Court's 2003 decision, AaAdult patrons, 5-17 years of age and older, may choose to disable the filter for unrestricted Internet access for any lawful purpose that meets the library's policies and guidelines have the right to request the internet filter be disabled, without justification, and in a timely manner. Requests to disable the filter should be made at either the Information or Reference Desks. Regardless of whether the filter is in place, patrons are expected to use the internet in a manner that is responsible and ethical, consistent with the purpose for which library resources are provided.

Commented [CR4]: unauthorized disclosure requirement of CIPA

4. Compliance.

a. Not sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public. Websites acceptable in the adult department may not be acceptable in the children's section.

~~Not making unauthorized changes to the setup or configuration of Library software or hardware.~~

~~The Library assumes no responsibility for the use of the Internet by children. Subject to the above restrictions, it is the responsibility of the user (or the parent, guardian or caregiver) to determine what is appropriate. Library staff assumes that those under age 18 have parental permission to use Library resources, including the Internet.~~

~~The Library staff cannot control specific information on the Internet. Libraries do not vouch for or endorse either written material in their collections or electronic information. Selection policies that govern the Library's purchase of written materials may not apply to electronic resources.~~

Library staff may impose restrictions, such as time limits or types of use, on library equipment. Staff may require a valid library card or staff-issued guest ~~permit~~ pass for some computers, such as Internet. Computers in the Children's Services area are generally available only to children in 8th grade or younger up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.

b. Staff members may stop a patron from using library equipment, or may contact a supervisor about a patron's use of equipment, if the use violates a rule or policy or if any individual or group creates a disturbance that limits the effective use of the library by others as outlined in the library's Safety and Security Policy. Supervisors may restrict patrons from using public access computers for 30 days. Should the violation warrant, the library director or assistant director may determine to restrict patron from using the library in its entirety. Misuse or abuse of computers or internet access may result in suspension of internet access, restriction from the library in its entirety as described in the library's Security and Safety Policy, and may also be subject to prosecution by local, state or federal authorities.

5. Appeals.

A person directly affected by and dissatisfied with a decision made by the Library Director as it relates to this policy may appeal the decision to the Library Board as described in the Appleton Public Library Board of Trustees Bylaws.

~~While respecting individual users' right to privacy, the Library staff reserves the right to monitor use of computer workstations to ensure compliance with this policy.~~

~~Respecting the privacy of others by not interfering with their use.~~

~~Not sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public. Websites acceptable in the adult department may not be acceptable in the children's section.~~

~~The Library staff may ask users to remove themselves from Library equipment if they observe behavior in conflict with this policy. Misuse or abuse of computers or Internet access may result in suspension of~~

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Approved: 1/07. Amended: 7/2018



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c. Patron computer use is covered by the library's Privacy Policy. Search history files are deleted from library computers at the end of each session. Internet sign in use is maintained for 90 days via the library's PC management system and filter.

d. Library staff cannot control specific information on the internet. Libraries do not vouch for or endorse either written material in their collections or electronic information. The library expressly disclaims any liability or responsibility arising from access to or use of information obtained through its equipment or network, or any consequences thereof.

e. The wireless network is an unsecure network. Users should take precautions accordingly to protect themselves.

2. Responsibilities of Users. Use of electronic information resources, including the internet, must be responsible and ethical, consistent with the purpose for which these resources are provided.
- a. Users should be aware that the library is a busy public place shared by people of diverse ages, sensibilities and values.
 - b. Resources are for educational, informational, recreational and cultural purposes only; resources are not for unauthorized, illegal or unethical purposes.
 - c. Patrons must respect the privacy of others by not attempting to modify or gain access to files, passwords, or data belonging to others.
 - d. Patrons must comply with copyright laws. Title 17 of the United States Code protects created works and describes permissible and prohibited uses of protected works. Use of works and infringement is not easily defined and responsibility for interpreting fair use and any consequences of copyright infringement lies with the patron.
 - e. Patrons must use their own library card number to access a computer. All Wisconsin residents are eligible to obtain a card to access the internet. Visitors may obtain a guest pass with photo ID.
 - f. Illegal and Prohibited Uses. While respecting individual users' right to privacy, library staff reserves the right to monitor use of computers and the network to ensure compliance with this policy. Examples of unacceptable uses include but are not limited to:
 - i. Misrepresenting oneself as another user,
 - ii. Harassing other users,
 - iii. Not respecting the privacy of others by interfering with their use,
 - iv. Sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public or attempting to access the same. Websites acceptable in the adult department may not be acceptable in the children's section,
 - v. Exposing children to harmful materials as set forth within [Sec. 948.11 of the Wisconsin Statutes](#)
 - vi. Violating software licensing agreements,
 - vii. Overuse of system resources such as bandwidth,
 - viii. Attempting to access unauthorized areas of the library's systems or networks or altering components of any network, database or system,
 - ix. Making unauthorized changes to the setup or configuration of library software or hardware.

3. Internet Safety for Children and Teens.

- a. The library, unlike schools, does not serve in loco parentis (in place of a parent). Library staff cannot act in the place of parents in providing constant care and supervision of children as they explore the internet.
- b. The library supports the right for each family to decide the appropriate internet use for their children. Use of the internet provides families an opportunity to discuss sites and content that they feel are appropriate or inappropriate. The library can help support parents and guardians in their efforts to exercise their rights and responsibilities regarding their children's use of electronic resources by providing assistance in determining search strategies and finding and evaluating sites. For more information on children's internet safety see <http://www.safekids.com> and <http://www.connectsafely.org>.
- c. Parents may choose to place a restriction on the child's library card to prevent them from accessing internet computers within the library.
- d. The following recommendations can help children have positive, safe online experiences:
 - i. Use the internet together. Encourage children to use sites recommended on the library's website. Talk with your children about sites you consider inappropriate for them and why. Help them learn to be savvy digital consumers.
 - ii. Provide guidelines for your children on the amount of time they should spend online.
 - iii. Provide guidelines on acceptable use of resources including social media, email and apps.
 - iv. Parents and guardians should instruct minors to safely share personal information on the internet including, but not limited to: name, address, password, phone numbers, schools, credit card numbers. This includes through email, instant messaging, online shopping, social media, apps and other commercial sites.
 - v. Before giving out any personal information, minors should be confident that they are dealing with someone who is known and trusted by them and their parents or guardians.
 - vi. Computers in Children's Services are generally available only to children up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.
 - vii. Library staff assumes that those under age 18 have parental permission to use library resources, including the internet.

viii. In compliance with the Children's Internet Protection Act (CIPA), the library utilizes internet filters to protect children from harmful online content. Generally speaking, these filters restrict indecent internet content within the library, including wireless access. Adult patrons, 17 years of age and older, have the right to request the internet filter be disabled, without justification, and in a timely manner. Requests to disable the filter should be made at either the Information or Reference Desks. Regardless of whether the filter is in place, patrons are expected to use the internet in a manner that is responsible and ethical, consistent with the purpose for which library resources are provided.

4. Compliance.

- a. Library staff may impose restrictions, such as time limits or types of use, on library equipment. Staff may require a valid library card or staff-issued guest pass for some computers, such as Internet.
- b. Misuse or abuse of computers or internet access may result in suspension of internet access, restriction from the library in its entirety as described in the library's Security and Safety Policy, and may also be subject to prosecution by local, state or federal authorities.

5. Appeals.

A person directly affected by a decision made by the Library Director as it relates to this policy may appeal the decision to the Library Board as described in the Appleton Public Library Board of Trustees Bylaws.

Approved: 1/07. Amended: 7/2018

MEETING AND STUDY ROOM POLICY

I. PURPOSE

Appleton Public Library ("Library") encourages the use of its meeting and study rooms by the public when the use does not interfere with the normal function of the Library and when the use conforms to the guidelines of this policy. Meeting and study rooms are available to the public free of charge regardless of the beliefs or affiliations of the individual or group requesting the use.

II. POLICY

1. Guidelines and General Rules.

- a. To use a meeting or study room, a person must sign up in advance of the use of the room and must agree to abide by this policy, as well as all other applicable laws, regulations and policies.
- b. Preference for meeting and study room reservations is given to library sponsored and co-sponsored programs first. Secondary preference is given to the City of Appleton ("City"), other government agencies and local non-profit/community groups.
- c. The following are prohibited uses of meeting and study rooms:
 - i. Use that involves the sale, advertising, solicitation (including the solicitation of donations and gifts), and/or promotion of products and services, with the exception of self-authored books and original music that is ancillary made available for sale by the author or creator.
 - ii. Personal, company and family meetings and parties.
 - iii. Use that requires a fee of any kind, including entrance fees or participation fees, with the exception of library fundraising activities and for fees associated with participating in City sponsored functions.
 - iv. Use intended, directly or indirectly, to obtain clients or customers for a for-profit service or company.
 - v. Use that involves illegal activity and/or activity that may pose a safety risk to persons or property, including any activity that involves combustible materials or any other device or object that may trigger a smoke alarm.
 - vi. Any other use that the Library reasonably believes will violate the purpose of this policy.
- d. Meeting and study rooms must be left in an orderly condition after their use and users agree to accept responsibility for any and all damage caused to the room and/or equipment in the room.

- i. If library staff must provide more than reasonable cleanup, a minimum fee of \$25 will be charged to the individual who signed up for the use of the room pursuant to paragraph 1.a above. The total fee amount will depend on the actual cost of cleaning and/or repair.
 - ii. Any fee charged must be paid in full before the individual may reserve or use a meeting or study room again.
- e. Temporarily or permanently attaching items to the walls of the meeting or study rooms is prohibited.
- f. Directional signs may be posted on the first floor using a library provided stand. Reasonable amounts of signs may be used in the basement. All signs must comply with library policies.
- g. Light refreshments may be served. No alcohol may be served.
- h. The Library retains the right to monitor all meetings, programs and events conducted on the premises to ensure compliance with library regulations.
- i. Library staff must have free access to meeting rooms at all times and no entry or exit door may be locked or barred.
- j. The Library reserves the right to take photographs of events for its own records and for future promotional materials. Before taking a photograph of a person that may be used for marketing or non-internal library use, the Library will first obtain written consent.
- k. The Library does not advocate or endorse the viewpoints of meetings or meeting room users, and meeting room users must not publicize their event in any manner that implies that it is sponsored, co-sponsored, endorsed or approved by the Library unless permission to do so has been given in advance by the library director.
- l. In the event a person fails to comply with this policy, or any other applicable law, regulation or policy, he or she may be removed from the Library and denied the right to use the Library's meeting and study rooms in the future, in addition to any other applicable penalties and charges.

2. Meeting Room Rules.

- a. The meeting rooms in the lower level of the Library are available for use by groups for the presentation of informational, educational or recreational meetings and programs.
- b. Meetings held in meeting rooms must be open to the public and must be held during regular library hours
- c. Meeting rooms are intended for larger groups, and therefore a minimum attendance requirement may be imposed. Meeting rooms are not intended for one-on-one discussions, study or tutoring (see study room information below).
- d. No single group may have more than three (3) meetings reserved in advance in a six (6) month period. Exceptions are library sponsored and co-sponsored activities, or library system sponsored programs, and events offered by the City.
- e. Meeting rooms may be reserved at least one week and up to six months in advance through the

online meeting room booking system or by calling the library administration.

- f. An authorized member of the group requesting the use of the meeting room will be required to sign or electronically submit a "Meeting Room Request Form" which provides information regarding the program and the requested room set up.
- g. Anyone using the Community Piano must comply with the Piano Policy.
- h. The Library may require proof that any public audiovisual presentation is not in conflict with copyright laws.
- i. The Library may schedule non-library programs in the children's program rooms when lower level meeting rooms are not available so long as the meeting complies with the Library Children's Room Appropriate Use Policy.

3. Study Room Rules.

- a. The Library provides study rooms for individuals and small groups to meet and work quietly. These rooms are reserved through the Reference Desk.
 - i. Individuals and small groups may request a study room when they are available on a first-come, first-served basis.
 - ii. Tutors may reserve a study room up to one (1) month in advance by calling the Reference Desk.
 - iii. Individuals may reserve a room the day of in person or by calling the Reference Desk.
- b. Rooms may be reserved for up to two (2) hours. Extensions may be granted if no one is waiting to use the room.
- c. Study rooms may be booked in coordination with library administration following the meeting room reservation process for the following circumstances:
 - i. Groups not meeting minimum size requirement for a meeting room may use a study room, which may be booked in advance with the approval of library administration.
 - ii. Employers and employment agencies may use study rooms for open job interviews with the approval of library administration.
 - iii. Individuals and groups providing people free social services information may use study rooms with the approval of the library administration.
 - iv. Individuals may request a specific room, however rooms will be assigned by library staff based on the size of group, room availability and needs of the user.

4. Lab Rules

- a. The library provides the Lab specifically for use by library staff and community partners.

- i. The Lab must be reserved by library staff either for library programs or for community partners. Community partners, meeting room users and the public cannot reserve the Lab directly.
- ii. A group of laptops is available for reservation in conjunction with the Lab. This should be booked at the same time as the room.

Approved: 12/98; Amended: 11/01; 09/09; 2/13; 10/15; 12/16; 3/17; 7/18

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- b. The library supports the right for each family to decide the appropriate internet use for their children. ~~assumes no responsibility for the use of the Internet by children. Subject to the above restrictions, it is the responsibility of the user (or the parent, guardian or caregiver) to determine what is appropriate.~~ Use of the internet provides families an opportunity to discuss sites and content that they feel are appropriate or inappropriate. -The library can help support parents and guardians in their efforts to exercise their rights and responsibilities regarding their children's use of electronic resources by providing assistance in determining search strategies and finding and evaluating sites. For more information on children's internet safety see <http://www.safekids.com> and <http://www.connectsafely.org>.
- c. Parents may choose to place a restriction on the child's library card to prevent them from accessing internet computers within the library.
- d. The following recommendations can help children have positive, safe online experiences:

i. Use the internet together. -Encourage children to use sites recommended on the library's website. -Talk with your children about sites you consider inappropriate for them and why. Help them learn to be savvy digital consumers.

ii. Provide guidelines for your children on the amount of time they should spend online.

iii. Provide guidelines on acceptable use of resources including social media, email and apps.

iv. Parents and guardians should instruct minors to safely share personal information on the internet including, but not limited to: name, address, password, phone numbers, schools, credit card numbers. This includes through email, instant messaging, online shopping, social media, apps and other commercial sites.

v. Before giving out any personal information, minors should be confident that they are dealing with someone who is known and trusted by them and their parents or guardians.

vi. Computers in the Children's Services area are generally available only to children up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.

vii. Library staff assumes that those under age 18 have parental permission to use library resources, including the internet.

viii. In compliance with the Children's Internet Protection Act (CIPA), Appleton Public Library the library utilizes internet filters to protect children from harmful online content. Generally speaking, these filters restrict indecent internet content all internet access provided by the within the library, including wireless access. In keeping with the U. S. Supreme Court's 2003 decision, AaAdult patrons, 5-17 years of age and older, may choose to disable the filter for unrestricted Internet access for any lawful purpose that meets the library's policies and guidelines have the right to request the internet filter be disabled, without justification, and in a timely manner. Requests to disable the filter should be made at either the Information or Reference Desks. Regardless of whether the filter is in place, patrons are expected to use the internet in a manner that is responsible and ethical, consistent with the purpose for which library resources are provided.

Commented [CR4]: unauthorized disclosure requirement of CIPA

4. Compliance.

a. Not sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public. Websites acceptable in the adult department may not be acceptable in the children's section.

~~Not making unauthorized changes to the setup or configuration of Library software or hardware.~~

~~The Library assumes no responsibility for the use of the Internet by children. Subject to the above restrictions, it is the responsibility of the user (or the parent, guardian or caregiver) to determine what is appropriate. Library staff assumes that those under age 18 have parental permission to use Library resources, including the Internet.~~

~~The Library staff cannot control specific information on the Internet. Libraries do not vouch for or endorse either written material in their collections or electronic information. Selection policies that govern the Library's purchase of written materials may not apply to electronic resources.~~

Library staff may impose restrictions, such as time limits or types of use, on library equipment. Staff may require a valid library card or staff-issued guest ~~permit~~ pass for some computers, such as Internet. Computers in the Children's Services area are generally available only to children in 8th grade or younger up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.

b. Staff members may stop a patron from using library equipment, or may contact a supervisor about a patron's use of equipment, if the use violates a rule or policy or if any individual or group creates a disturbance that limits the effective use of the library by others as outlined in the library's Safety and Security Policy. Supervisors may restrict patrons from using public access computers for 30 days. Should the violation warrant, the library director or assistant director may determine to restrict patron from using the library in its entirety. Misuse or abuse of computers or internet access may result in suspension of internet access, restriction from the library in its entirety as described in the library's Security and Safety Policy, and may also be subject to prosecution by local, state or federal authorities.

5. Appeals.

A person directly affected by and dissatisfied with a decision made by the Library Director as it relates to this policy may appeal the decision to the Library Board as described in the Appleton Public Library Board of Trustees Bylaws.

~~While respecting individual users' right to privacy, the Library staff reserves the right to monitor use of computer workstations to ensure compliance with this policy.~~

~~Respecting the privacy of others by not interfering with their use.~~

~~Not sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public. Websites acceptable in the adult department may not be acceptable in the children's section.~~

~~The Library staff may ask users to remove themselves from Library equipment if they observe behavior in conflict with this policy. Misuse or abuse of computers or Internet access may result in suspension of~~

~~Library privileges. The Library staff may ask users to remove themselves from Library equipment if they observe behavior in conflict with this policy. Misuse or abuse of computers or Internet access may result in suspension of Library privileges.~~

Approved: 1/07. Amended: 7/2018



INTERNET ACCESS AND COMPUTER USE POLICY AND GUIDELINES

I. PURPOSE

The Appleton Public Library ("library") provides access to informational, educational, recreational and cultural resources for all library users. To support that, the library provides internet access via library computers and through wireless internet access during open library hours. Use of library equipment and/or the library's network is bound by this policy.

Not all sources on the internet are accurate, trustworthy or legal. The library cannot monitor or accept responsibility for material accessed from other internet sources. The library provides access to resources via the internet and assumes no responsibility for the information provided by non-library websites, databases, social media platforms or any other web based services.

II. POLICY

1. Responsibilities of the library.

a. The library makes every effort to maintain internet access via computer, networks and wireless access throughout all hours of operation. Short down times may occur and, when possible, will be posted in advance.

b. Library staff may be able to assist users with personal laptops, phones or other devices but cannot be expected to know every device and platform. Patrons who request assistance with their devices hold the City of Appleton and their employees harmless for liability. Staff have the right to refuse to assist users with their personal devices.

c. Patron computer use is covered by the library's Privacy Policy. Search history files are deleted from library computers at the end of each session. Internet sign in use is maintained for 90 days via the library's PC management system and filter.

d. Library staff cannot control specific information on the internet. Libraries do not vouch for or endorse either written material in their collections or electronic information. The library expressly disclaims any liability or responsibility arising from access to or use of information obtained through its equipment or network, or any consequences thereof.

e. The wireless network is an unsecure network. Users should take precautions accordingly to protect themselves.

2. Responsibilities of Users. Use of electronic information resources, including the internet, must be responsible and ethical, consistent with the purpose for which these resources are provided.
- a. Users should be aware that the library is a busy public place shared by people of diverse ages, sensibilities and values.
 - b. Resources are for educational, informational, recreational and cultural purposes only; resources are not for unauthorized, illegal or unethical purposes.
 - c. Patrons must respect the privacy of others by not attempting to modify or gain access to files, passwords, or data belonging to others.
 - d. Patrons must comply with copyright laws. Title 17 of the United States Code protects created works and describes permissible and prohibited uses of protected works. Use of works and infringement is not easily defined and responsibility for interpreting fair use and any consequences of copyright infringement lies with the patron.
 - e. Patrons must use their own library card number to access a computer. All Wisconsin residents are eligible to obtain a card to access the internet. Visitors may obtain a guest pass with photo ID.
 - f. Illegal and Prohibited Uses. While respecting individual users' right to privacy, library staff reserves the right to monitor use of computers and the network to ensure compliance with this policy. Examples of unacceptable uses include but are not limited to:
 - i. Misrepresenting oneself as another user,
 - ii. Harassing other users,
 - iii. Not respecting the privacy of others by interfering with their use,
 - iv. Sending, receiving, or displaying text or graphics that may reasonably be construed by Library staff as offensive to the public or attempting to access the same. Websites acceptable in the adult department may not be acceptable in the children's section,
 - v. Exposing children to harmful materials as set forth within [Sec. 948.11 of the Wisconsin Statutes](#)
 - vi. Violating software licensing agreements,
 - vii. Overuse of system resources such as bandwidth,
 - viii. Attempting to access unauthorized areas of the library's systems or networks or altering components of any network, database or system,
 - ix. Making unauthorized changes to the setup or configuration of library software or hardware.

3. Internet Safety for Children and Teens.

- a. The library, unlike schools, does not serve in loco parentis (in place of a parent). Library staff cannot act in the place of parents in providing constant care and supervision of children as they explore the internet.
- b. The library supports the right for each family to decide the appropriate internet use for their children. Use of the internet provides families an opportunity to discuss sites and content that they feel are appropriate or inappropriate. The library can help support parents and guardians in their efforts to exercise their rights and responsibilities regarding their children's use of electronic resources by providing assistance in determining search strategies and finding and evaluating sites. For more information on children's internet safety see <http://www.safekids.com> and <http://www.connectsafely.org>.
- c. Parents may choose to place a restriction on the child's library card to prevent them from accessing internet computers within the library.
- d. The following recommendations can help children have positive, safe online experiences:
 - i. Use the internet together. Encourage children to use sites recommended on the library's website. Talk with your children about sites you consider inappropriate for them and why. Help them learn to be savvy digital consumers.
 - ii. Provide guidelines for your children on the amount of time they should spend online.
 - iii. Provide guidelines on acceptable use of resources including social media, email and apps.
 - iv. Parents and guardians should instruct minors to safely share personal information on the internet including, but not limited to: name, address, password, phone numbers, schools, credit card numbers. This includes through email, instant messaging, online shopping, social media, apps and other commercial sites.
 - v. Before giving out any personal information, minors should be confident that they are dealing with someone who is known and trusted by them and their parents or guardians.
 - vi. Computers in Children's Services are generally available only to children up to the age of 14, to caregivers of children in the area, or to persons doing research involving children's materials.
 - vii. Library staff assumes that those under age 18 have parental permission to use library resources, including the internet.

viii. In compliance with the Children's Internet Protection Act (CIPA), the library utilizes internet filters to protect children from harmful online content. Generally speaking, these filters restrict indecent internet content within the library, including wireless access. Adult patrons, 17 years of age and older, have the right to request the internet filter be disabled, without justification, and in a timely manner. Requests to disable the filter should be made at either the Information or Reference Desks. Regardless of whether the filter is in place, patrons are expected to use the internet in a manner that is responsible and ethical, consistent with the purpose for which library resources are provided.

4. Compliance.

- a. Library staff may impose restrictions, such as time limits or types of use, on library equipment. Staff may require a valid library card or staff-issued guest pass for some computers, such as Internet.
- b. Misuse or abuse of computers or internet access may result in suspension of internet access, restriction from the library in its entirety as described in the library's Security and Safety Policy, and may also be subject to prosecution by local, state or federal authorities.

5. Appeals.

A person directly affected by a decision made by the Library Director as it relates to this policy may appeal the decision to the Library Board as described in the Appleton Public Library Board of Trustees Bylaws.

Approved: 1/07. Amended: 7/2018

CITY OF APPLETON POLICY	TITLE: FAIR LABOR STANDARDS ACT	
REVIEW DATE: December 2006 August 2009	LAST UPDATE: August 2009 August 2015	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All Employees	TOTAL PAGES: 4
Reviewed by Legal Services Date: September 2004 February 2005 August 2009 August 2015 December 2015	Committee Approval Date: October 13, 2004 September 23, 2009 August 24, 2015 December 7, 2015	Council Approval Date: October 20, 2004 October 21, 2009 September 24, 2015 December 16, 2015

I. PURPOSE

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments. The purpose of this policy is to apply the Fair Labor Standards Act (FLSA) to City of Appleton employees.

II. POLICY

It is the policy of the City of Appleton to comply fully with the provisions of the FLSA as well as applicable state laws and City of Appleton Collective Bargaining Agreements. Questions regarding this policy can be directed towards the employees supervisor, Human Resources, or the City Legal Services department. Failure to follow this policy will result in discipline up to and including discharge of employment.

III. PROCEDURES

A. Covered Employees

The FLSA identifies two types of covered employees: exempt and non-exempt. The employee's duties, responsibilities, and salary determine whether or not an employee is considered exempt or non-exempt under the FLSA.

1. Designation of exempt or non-exempt status is the responsibility of the Human Resources Department. Human Resources and/or the City's compensation consultant will review the positions based on the actual work responsibilities and salary assigned to each position.
2. Employees who are covered by the Wage and Hour provisions of FLSA and are eligible for overtime after 40 hours worked in a work week are considered FLSA non-exempt employees.
3. Employees exempted by the Wage and Hour provisions of FLSA must meet certain category criteria as stated in the regulations. FLSA exempts some employees from its overtime pay and minimum wage provisions and others from the overtime pay provisions if their work assignments fall into one of the following categories: executive, professional, outside sales, administrative, and certain skilled computer professionals. Also certain seasonal recreational

employees can be considered exempt from specific provisions. Exempt employees are expected to put in those hours necessary to complete their job and are not eligible for overtime.

B. Non-covered Employees

Non-covered employees include elected officials and their personal staff, policy-making appointees, legal advisors, legislative employees, volunteers, independent contractors, prisoners and certain trainees.

C. Work Period

1. The standard FLSA work period is a fixed period of seven (7) consecutive calendar days. Note: Fire Protection and Law Enforcement employees may have a fixed work period of up to 28 calendar days.
2. The work period defines the time of day and day of the week when the employee's work period begins and ends.
3. An established work period may be changed if the change is intended to be permanent and not for the purpose of avoiding the accrual of FLSA overtime.

D. Time Worked

1. Time worked includes all time non-exempt employees are required to be on duty at their prescribed work places and all time during which they are permitted to work.
 - a. Non-exempt employees will be compensated for all time they are required or asked to work which supervisors know or have reason to know they are working.
 - b. Non-exempt employees who work without authorization are subject to disciplinary action, up to and including discharge.
 - c. Non-exempt employees are required to report all time worked and are required to accurately reflect this on their timecard or in the City's time system. Failure to correctly record or falsification of actual work time is subject to disciplinary action, up to and including discharge.
 - d. Supervisors are not to ignore unauthorized work that non-exempt employees do on their own time, ~~unless de minimis (8 minutes or less)~~. This is a violation of policy and illegal under FLSA. Supervisors who know or have reason to know that non-exempt employees are performing unauthorized work on their own time should address the situation by ensuring that the employee's unauthorized time is recorded in the City's payroll system and advising the employee that the unauthorized time will be compensated; and, that because the work was not previously authorized the employee is subject to disciplinary action as determined by the supervisor.
 - e. The supervisor who signs an employee's time card or approves his/her time record must have personal knowledge of the hours worked by the employee and may not ask an employee to record more or fewer hours than were actually worked. Such an action is not only a violation of policy but is also illegal under FLSA and may subject the employee and or supervisor to disciplinary action up to and including discharge. Any illegal act may also result in legal action.
2. Exempt employees are paid on a salary basis and are not eligible for overtime. Time records for exempt employees should still reflect an accurate accounting of time worked and paid time off.

- E. Meal Periods - Although meal periods are not required by FLSA, it is the policy of the City of Appleton that meal periods are provided to employees. If meal periods are not provided, there must be specific work-related reasons or departmental needs for not allowing the meal period. (Refer to the applicable Collective Bargaining Agreements and departmental policies for represented employees and to the Conditions of Employment Policy for non-represented employees).
- F. Break Periods - Break periods are not required by FLSA. However, up to two 15-minute break periods per day may be authorized for City employees as per the applicable Collective Bargaining Agreement, the Conditions Of Employment Policy for non-represented employees, or through department Work Rules.
- G. Meetings/Training – Time spent by non-exempt employees attending meetings, training, and similar activities must be counted as time worked unless ALL of the following criteria are met:
1. The attendance is outside of the non-exempt employees' regular working hours;
 2. The attendance is voluntary;
 3. The meeting, training, or similar activity is not directly related to the non-exempt employees' positions; and
 4. The non-exempt employees perform no work related to their positions while in attendance.
- Lunch breaks at training are not considered time worked for non-exempt employees, provided the employee is free to leave and there is no formal instruction during the lunch period.
- H. Travel
1. Normal travel, for a non-exempt employee, from home to work and return to home is not work time. This is true whether the non-exempt employee has a fixed workplace or works at different locations.
 2. Travel to work assignments at sites within reasonable commuting distance of the non-exempt employee's primary work site is considered in the "home to work" category and is not work time. If, however, a non-exempt employee is required to stop by the primary work site for instructions or to pick up materials, the travel from the primary work site to the work assignment will be counted as time worked.
 3. Travel between a non-exempt employee's normal work site and another place of assignment, or travel between one assignment and another during the work day, is considered time worked.
 4. Travel associated with a one-day assignment at a different location will be considered time worked to the extent that the travel exceeds the time spent in the non-exempt employee's normal travel between home and work.
 5. FLSA exempt employees are not entitled to any FLSA compensation for travel time either outside of, or in addition to, their normal hours of work.
- I. Overtime
1. If overtime occurs (non-exempt employee is to receive time and a half compensation or FLSA compensatory time at the same rate for the amount of overtime worked. All authorized paid leaves with the exception of PTO Sick and Sick shall be considered as time worked for the purpose of computing overtime.

2. Non-exempt employees must receive prior approval from their supervisor to work overtime.
 3. Non-exempt fire protection employees, who have an assigned work period of 28 calendar days, are entitled to overtime compensation after working 212 hours in the work period.
 4. Non-exempt law enforcement employees, who have an assigned work period of 28 calendar days, are entitled to overtime compensation after working 171 hours in the work period.
 5. FLSA exempt employees are not entitled to overtime compensation or FLSA compensatory time for time worked over 40 hours in a work period unless specifically provided for in another policy.
- J. Exempt employees can be subject to an unpaid disciplinary suspension of a full workweek or one or more full days for violations of an employer's workplace or conduct rules, as defined in the regulations, without destroying the exempt status.
- K. Non-exempt employees can be subject to unpaid disciplinary suspensions of one or more full days for violations of an employer's workplace or conduct rules, as defined in the regulations.
- L. Child Labor Laws – The type of work that may be performed by employees under the age of 18 is restricted by federal and state laws. Please refer to the Federal and State Posting in each worksite for more detail.

IV. COMPLAINT PROCEDURE

Any employee who feels he/she has had improper pay deductions or has not been paid appropriately should immediately file a written complaint with the Human Resources Department that includes specific information supporting the basis of the complaint of an inappropriate payment or improper deduction. The Human Resources Department will review the situation and determine if an improper deduction has been made and, if so, work with the employee to resolve the situation and, if applicable, ensure proper reimbursement is made within a reasonable period of time and will take steps to prevent a similar inappropriate payment or improper deduction from occurring in the future.

CITY OF APPLETON PERSONNEL POLICIES	TITLE: SALARY ADMINISTRATION	
ISSUE DATE: February 18, 2005	LAST UPDATE: September 4, 2001 February 2006 September 10, 2003 October 2006 February 18, 2004 July 2008 February 17, 2005 August 2009 December 2011 September 2012 September 2013 July 2014	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All regular full and part-time benefited employees covered by the Non-represented compensation plan. Excludes represented employees.	TOTAL PAGES: 7
Reviewed by Legal Services Date: December 2000 September 12, 2003 February 2006 September 2009 August 2013 July 2014	Committee Approval Date: March 9, 2000 September 24, 2003 May 12, 2004 February 9, 2005 February 22, 2006 July 23, 2008 October 28, 2009 December 12, 2011 September 24, 2012 September 9, 2013 August 11, 2014 October 6, 2014	Council Approval Date: March 15, 2000 October 1, 2003 May 19, 2004 February 16, 2005 March 1, 2006 August 6, 2008 November 4, 2009 December 21, 2011 October 3, 2012 September 18, 2013 August 20, 2014 October 15, 2014

I. PURPOSE

To outline the guidelines utilized for administration of the compensation plan.

II. POLICY

It is the policy of the City of Appleton to provide competitive compensation to attract and retain competent staff and to encourage and reward superior performance within the financial resources available.

III. DISCUSSION

This policy provides the current salary administration guidelines. This policy is subject to change with approval of the Common Council. The Human Resources Director shall be responsible for the administration of the compensation policy.

IV. DEFINITIONS

A. Fair Labor Standards Act (FLSA): A federal act that sets minimum wage, overtime pay, equal pay, record keeping and child labor standards for employees who are covered by the act and who are not exempt from specific provisions. An employee classified in the compensation plan as "Exempt" is

not eligible for the overtime compensation provisions of FLSA.

B. Base Pay: An employee's initial rate of compensation, excluding extra lump sum compensation, shift differential etc. An employee's base pay can be expressed as a base hourly rate of pay or as an annual salary.

C. Compensation Plan: A schedule of pay ranges listing the job classifications Minimum, Maximum and Control Points. All regular positions shall be placed in one of these ranges based on a job questionnaire and point factor job evaluation.

~~C.D. Emergency: For purposes of this policy, an emergency shall be defined as an unplanned, significant event that affects the operation, or service level of the department (as determined by the Department Director and/or the Mayor) or impacts the minimum staffing level for a 24/7 department.~~

~~D.E. Interim Assignment: When an employee is assigned to a different position on a temporary basis, because of a vacancy.~~

~~E.F. Job-Questionnaire (JQ): A job analysis that outlines the responsibilities and the requirements necessary to perform the functions of the position. The JQ is utilized to evaluate the position responsibilities using the City's point factor job evaluation system for allocation to the appropriate pay grade. A JQ also functions as the key document for pay plan maintenance.~~

~~F.G. Non-base pay adjustment: Pay adjustments generally in the form of a lump sum or other forms that do not increase the employee's base pay.~~

~~G.H. Red-circled: The maintenance of an employee's pay rate above the established range maximum. An employee whose pay rate is at or above the range maximum shall not be eligible for general pay adjustments but may be eligible for a non-base performance adjustment. Exception: Employees who are above the maximum of the assigned pay grade as a result of implementation of the 2013 pay plan shall be eligible for a general pay adjustment and for a non-base performance adjustment until the employee changes positions or leaves City employment.~~

V. PROCEDURES

A. DETERMINATION OF PAY RANGES

The compensation plan shall be based on the principle of equal pay for equal work. Pay ranges within the compensation plan shall be determined with regard to factors including, but not limited to: uniformity of pay for each class; relative difficulty, complexity, and responsibility of work; competitive recruiting, education and experience requirements; and prevailing rates of pay for similar jobs in public and private employment as determined by the City.

B. ENTRANCE PAY RATE

The entrance pay rate shall be within the Minimum and the Control Point of the pay range. All appointments (including department heads) above the Control Point must be authorized, in advance, by a majority of the Mayor, Human Resources Committee Chair and Human Resources Director.

C. RECLASSIFICATION

The Position Classification Review Process is the method for determining pay range assignment of new positions or reclassification actions involving substantial changes in the duties and responsibilities of an existing position.

(a) Classification or Reclassification Consideration

A request for reclassification of a current position or the classification of a new position may be initiated by a staff member seeking reclassification, by the staff member's department director, or by the Human Resource Director. Requests for reclassifications may occur throughout the year as positions are created or become vacant.

Reclassification consideration for existing positions requires that the employee and the department director document substantial changes in existing duties since the most recent review. Duty changes may be from substantial, immediate reassignment of duties due to reorganization, or may be the result of a logical and gradual change of responsibilities over a period of time.

To be considered for reclassification, changes should be stable and typically should have been in effect for at least six months preceding the reclassification request so that it is clear that the changes that exist are likely to remain for some period of time. Reclassification will not be considered for temporary changes in duties.

A request for classification or reclassification consideration must be in writing and include a new JQ with notes indicating duties that have changed since the last review. The Questionnaire must be completed and signed by the employee, then reviewed and signed by the supervisor and department director. The supervisor and department director must verify or comment on the accuracy of the responses.

(b) Review of Requests

Following internal review by the Human Resource Director, the Human Resource Director may submit the Questionnaire and any supporting documentation to the consultant for evaluation if the criteria for reclassification is met. If the reclassification is appropriate, the consultant will recommend a grade assignment for the position. The consultant may request further information from the Human Resource Director and may request that other positions affected by the reclassification changes be reviewed as well.

(c) The Employer's Response to the Consultant's Recommendations

The employee and the department director will be informed of the final decision in writing, ~~and the consultants recommendation will be reported out informationally to the Human Resources Committee. Classification decisions for existing positions will normally take place on the first pay period following approval by the employer.~~ The effective date of any compensation changes will be based on the specific circumstance of the reclassification.

D. COMPENSATION PLAN COMPONENTS

(a) Pay Range Adjustment

Pay Range adjustments are typically made on an annual basis. The Human Resources Director

shall recommend such adjustments to the Mayor and Finance Director based on the general level of pay adjustments in the job markets where the City competes for its staff, as well as internal adjustments (e.g. collective bargaining settlements). These adjustments are also made in consideration of general changes in cost-of-living indices.

The adjustment takes the form of an adjustment to pay ranges with the goal of maintaining market competitiveness of the pay plan.

No increase will be made to an employee's pay as a result of a pay range adjustment.

(b) Pay for Performance

The amount allocated for performance pay shall be established each year by the Mayor and included in the annual budget, subject to approval by the Common Council. Upon approval of the budget the amount will be divided and allocated to each individual department based on total base wages of eligible employees within the plan. Upon conclusion of the annual employee performance review process, individual department directors will then divide the allocated amount to individual employees within their department based on the employee's annual performance evaluation score.

The maximum Pay for Performance Adjustment shall not exceed the approved Pay Range Adjustment plus 3%.

E. PAY RATE ADJUSTMENTS

The Human Resources Director and the applicable Department Director shall determine the pay status of an employee based on the following:

- (a) Transfers - When an employee is transferred from one class to another with a common pay range, he/she shall continue to receive the same pay rate unless a different rate is deemed appropriate.
- (b) Promotion - When an employee is promoted from one class to another having a higher pay range, he/she shall receive an increase as deemed appropriate but not to exceed the Control Point of the range unless approved by the Committee as outlined in the above Entrance Pay Rate section. If the employee's pay rate is higher than the control point of the new position prior to promotion, no authorization is needed from the Committee. For consideration of placement into the new salary range, such factors as the average value of overtime lost, average value of extra hours worked in a non-exempt capacity as well as other internal and external factors shall be considered.
- (c) Demotion - When an employee accepts a position in a lower pay grade for any reason, a rate of pay shall be determined. For consideration of placement into the new salary range, such factors as experience, qualification, length of service, average value of overtime lost and the level of pay similar to employees in the pay range shall be considered.
- (d) Upward Re-Classification - When an employee's position is reclassified into a higher pay grade, the reclassification shall be treated the same as a promotion under (b) above.
- (e) Downward Re-Classification - When an employee's position is reclassified into a lower pay grade, the reclassification shall be treated the same as (c.) above.

(f) Equity Adjustments

Equity adjustments are salary changes outside of the normal salary programs (as listed above) to remedy salary issues such as external pressure in high demand areas, internal salary compression, and/or retention considerations.

F. MINIMUM AND MAXIMUM RATES

Generally, an employee shall be paid within the pay range of his/her position.

An employee may be paid below the minimum of his/her pay range as the result of not receiving a pay adjustment due to their performance.

An employee who receives a base pay adjustment cannot exceed the maximum of their pay range.

In the event of a reclassification, or re-evaluation of a pay range that results in an employee's pay falling outside the maximum of the newly assigned pay range, such employee's pay rate may be red-circled.

G. OVERTIME

- (a) Employees in the Compensation Plan who meet the exemption under the Fair Labor Standards Act shall be exempt from all premium pay provisions except as otherwise outlined in this policy.
- (b) Employees who are required to work Sunday, not part of their regular schedule, shall receive double time pay. Utility Department employees who work Sunday, as part of their regular schedule, shall receive double time pay.
- (c.) All non-represented non-exempt employees in the Compensation Plan shall be paid no less than the minimum compensation required pursuant to the FLSA, including overtime compensation on a time and one half basis, for all hours worked in excess of 40 hours per week subject to the following:
 - 1. Compensatory Time, Sick leave, PTO Sick, approved non-paid leave and FMLA non-paid leave hours shall not be counted as hours worked for purposes of computing overtime compensation; and,
 - 2. Scheduled City holiday hours, vacation, PTO, funeral leave, jury duty and approved paid FMLA leave (except PTO Sick, see #1 above) may be counted as hours worked for purposes of computing overtime compensation (except when employee is called to work, then see #3 below); and,
 - 3. Hours worked and paid at a Sunday or Holiday double time rate*, where the employee is also paid an additional call pay premium, shall not be counted as hours worked for purposes of computing overtime compensation.

*Holiday double time rate refer to Fringe Benefit Policy.

- (c) Battalion Chiefs and Deputy Fire Chiefs who fill in for other Chief Officers, when overtime would otherwise be required, shall receive straight time pay for all such hours worked in addition to his/her regular bi-weekly rate. Operations Battalion Chiefs who are required by the Chief to attend extended (generally more than four (4) hours) training on his/her off-duty time may be eligible for straight time pay for attendance at such training at the discretion of the Fire Chief.

- (d) Police Lieutenants and Captains will receive compensation at time and one half of the top senior sergeant rate when working beyond their normal schedule for Grants, Off-Duty Police Services, Avenue Detail and special events.
- (e) Overtime shall be approved in advance by the Department Director or supervisor and reviewed periodically by the Department Director. Overtime shall be kept to a minimum and shall be utilized to relieve specific occasional peak workloads or emergencies.

H. SHIFT DIFFERENTIAL PREMIUM

~~Utility Department non-exempt employees working a rotating shift shall receive a shift premium of \$.67 per hour added to their pay and all other non-exempt employees designated by departmental policy may~~ shall receive a shift differential premium of \$1.00 per hour added to their base pay if hired to work a regular 2nd or 3rd shift (while working a 2nd or 3rd shift). \$.30 per hour between the hours of 5:00 PM and 5:00 AM. This shall not include Library employees, an extension of the workday of two (2) hours or less, or employees working a modified schedule
 Non-exempt employees shall be eligible for a \$.50 shift premium added to their base pay if the employee is regularly scheduled (through shift selection or designated assignment) to work a 2nd or 3rd shift schedule (3rd or 4th shift schedule for Police).

I. HIGHER RATE OF PAY

~~Employees of the Public Works Department assigned for one week or longer shall be paid a higher rate differential of \$1.00 per hour for all actual hours worked performing the approved eligible tasks as listed below of the Public Works Department shall be eligible for higher rate of pay per departmental policy.~~
Mason work (dig, form and pour)
Water construction work (dig, pipe installation or repair)
Forestry work (tree removal while climbing or in aerial)
Asphalt paver operation
Laborer plowing snow (off site)
Loader operation (off site)
Grader operation (off site)
Backhoe operation (off site)
Sewer truck operation (Leader)
Parking Operator I temporarily assigned to Supervisory duties
Parking Ramp Attendant temporarily assigned to Parking Enforcement
Wood Hog Chipper

J. CERTIFICATION PAY

1. Public Works Department

Assessor Certification—any Inspection employee who obtains this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications.

2. Lead Community Service Officer

~~Animal Control Certification—the Lead Community Service Officer shall be paid an additional \$.25 per hour to obtain and maintain the Animal Control Certification. The employee must receive approval by their supervisor prior to obtaining the certification.~~

~~2. Competent Person Trenching/Shoring Certification—any employee who is required to obtain this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications. The City shall determine how many employees will get this certification.~~

~~3. Pesticide Application Certification—any employee who is required to obtain this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications.~~

~~2. Utilities Department~~

~~Advanced Wastewater Certifications—A \$1.00 certification premium will be applied to the base wage of any Wastewater operations employee who successfully passes and maintains the Advanced General Wastewater exam and the advanced subclass exams for:~~

- ~~• Advanced General Testing~~
- ~~• A1 Biological Treatment—Suspended Growth~~
- ~~• B Solids Separation~~
- ~~• C Biological Solids/Sludge Handling and Processing~~
- ~~• D Disinfection~~
- ~~• L Laboratory~~
- ~~• P Phosphorus~~
- ~~• SS Sanitary Sewer Collection System*~~

~~*Currently not available, will be required after re-issuance of WPDES permit, requiring the subclass SS (i.e., > year 2020). As in the past, it is the employee's responsibility to manage their own certification requirements.~~

K. TELEPHONE CALL

Non-exempt employees who are called by a supervisor on the telephone, outside of his/her regularly scheduled hours, to provide information related to the operation of the department shall be paid for the time actually spent on the telephone, but not less than one hour's straight time ~~pay in either pay or time off to be determined by his/her supervisor.~~ This does not apply to employees receiving the Stand-by Duty pay.

L. EMERGENCY CALL-IN/~~EMERGENCY SHIFT CHANGE~~

Non-exempt employees who have left the worksite or are in a paid leave status, and who are called to return to work outside of their regularly scheduled hours to handle emergency situations that could not be anticipated, will be eligible for 3 hours call-in pay a lump sum of \$100 as call-in pay. ~~in or whose~~

~~shift is changed may be eligible for call time or shift change allowance as designated by departmental policy.~~

M. ~~EMERGENCY~~ ASSIGNED SHIFT CHANGE

This applies to Department of Public Works and Utilities employees who operate on shifts.

When a non-exempt employee is ~~scheduled for~~ **required to** work outside **their assigned shift as a result of an emergency**, of his/her range of typical hours, he/she will be paid as follows:

Employees notified for a change of assigned shift for a duration of more than one week and are given 48 hours or more notice shall be paid \$1.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift for a duration of ~~less than~~ one week ~~or less~~ and are given 48 hours or more notice shall be paid \$2.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift and are given less than a 48 hour notice shall be paid \$50 per day for the first 48 hours and then the employee shall be paid pursuant to the above.

The \$1.00 and \$2.00 premium pay shall be added to the employee's regular base rate for purposes of calculating the overtime rate.

~~Non-exempt employee eligible for the Assigned Shift pay include the following departments who operate on shifts: DPW and Utilities.~~

~~a call time allowance of two (2) hours at straight time in addition to the applicable pay for the time actually worked. The employee shall be eligible for a two (2) hour call time each day that the employee is assigned to work outside their normal shift as a result of the emergency. This will not include extensions to a shift. Notice of the scheduled work will be provided prior to the end of their shift.~~

N. ~~SCHEDULE~~ CHANGE

~~When a non-exempt employee is scheduled for work outside his/her range of typical hours, for more than (1) work week, this will be considered a schedule change. Therefore, he/she will be paid a call time allowance of two (2) hours at straight time on the first day of the new schedule, and again when returning from the schedule change. This will not include snow and ice operations.~~

O. STAND-BY DUTY

~~Emergency locators and utility maintenance staff,~~ **Employees** who are required by his/her department director to be on stand-by duty (required to remain within a one (1) hour response area, accessible by phone or pager, etc.) shall receive one hour's pay for each day of stand-by and (2) two hours if on the actual holiday (does not include the observed holiday). ~~Employees will not receive any additional pay if they are required to report to work.~~

All employees required to be on stand-by must remain physically fit and ready for duty and must continue to abide by City policies (i.e., Drug-Free Workplace).

P. CALL DUTY - EMERGENCY RESPONSE (Excludes Directors ~~and~~ Deputy Directors and Assistant Police Chief)

Any exempt employee, **not on Stand By Duty**, who is required to report to duty for emergency operations (e.g. snowplowing, water main breaks, facilities and grounds and technology issues, storms & other disasters, police investigations, SWAT calls etc.) may be eligible for additional compensation in the form of a bonus as outlined below:

- ◆ If the employee reports for work and works more than one (1) hour but less than four (4) hours, the employee shall be entitled to \$50.00 for each report.
- ◆ If the employee reports for work and works four (4) hours or more, shall be entitled to ~~\$100.00~~ \$200.00 for each report.
- ◆ ~~Police Captains and Lieutenants, who report for work and work four (4) hours or more, shall be entitled to \$200.00 for each report.~~

~~O. SPECIAL CONDITIONS~~

~~It is recognized that external forces such as unique market conditions and compression of wage differentials between employees in the compensation plan and those they supervise can jeopardize the integrity of the plan. The Human Resources Director shall develop appropriate means to address such situations on a case by case basis, subject to the approval of the Common Council.~~