

1 **WASHINGTON COUNTY, WISCONSIN**

2
3 Date of enactment: 1/14/14
4 Date of publication: _____

5 **VOTE**

6 **2013 RESOLUTION 44**

7
8 **Adoption of Paid Time Off (“PTO”) Policy and Program**

9
10 **WHEREAS**, as a part of the pay plan study performed by Carlson Dettmann Consulting,
11 it was recommended that the County evaluate certain parts of its benefits package; and

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13 **WHEREAS**, the County's Five (5) Year Strategic Plan, developing an alternative to the
14 traditional leave package was identified as a priority; and

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16 **WHEREAS**, the County Board's Administrative Services Committee has been working
17 on a Paid Time Off ("PTO") policy for several months; and

18
19 **WHEREAS**, attached hereto and incorporated herein by reference as Exhibit “A” is the
20 PTO Policy developed by the Administrative Services Committee; and

21
22 **WHEREAS**, if adopted, the PTO policy is to be effective as of July 1, 2014 with a
23 transition period of December 10, 2013 to June 30, 2014; and

24
25 **WHEREAS**, PTO policies are multifaceted requiring implementation of related policies
26 and programs; and

27
28 **WHEREAS**, Washington County has adopted a long-term disability plan making same
29 available to its employees and the Administrative Services Committee recognized that a short-
30 term disability plan (“related program”) should be developed and offered as a part of PTO; and

31
32 **WHEREAS**, transitioning from a traditional leave policy to a PTO policy will have
33 many short-term challenges, one of which is the accumulation of leave earned by employees as
34 of the implementation date; and

35
36 **WHEREAS**, the Administrative Services Committee, after weighing the pros and cons
37 of each of the methods of handling employees' accrued benefits has determined that a partial
38 payout of the accrued time (“related program”) is in the best interest of the County's financial
39 condition and will be of benefit to the transition and implementation of the PTO policy;

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41 **NOW, THEREFORE, BE IT RESOLVED** by the Washington County Board of
42 Supervisors that the PTO Policy attached hereto as Exhibit “A” is hereby adopted.

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44 **BE IT FURTHER RESOLVED** that the PTO Policy shall be effective as of July 1,
45 2014.

1 **BE IT FURTHER RESOLVED** that the Administrative Services Committee is
2 authorized to develop and release a Request for Proposals (“RFP”) for the offering of a short-
3 term disability plan with an effective date of January 1, 2015, with premiums funded by the
4 employer and to study the financial feasibility of self funding the plan.
5

6 **BE IT FURTHER RESOLVED** that a General Fund Transfer resolution be considered
7 by the Board contemporaneous with this resolution to fund the payout of accrued leave for the
8 time period specified in said resolution.
9

10 **BE IT FURTHER RESOLVED** that the County Attorney is directed to revise the Code
11 of Ordinances to implement the PTO Plan and related programs for consideration by the
12 Washington County Board of Supervisors no later than the March, 2014 meeting.
13

14
15
16 VOTE REQUIREMENT FOR PASSAGE: Majority
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18 RESOLUTION SUMMARY: Resolution adopting a County Paid Time Off (“PTO”) policy and
19 related programs.
20

21 APPROVED:	Introduced by members of the ADMINISTRATIVE
22 (signed by Kimberly A. Nass)	SERVICES COMMITTEE as filed
23 Kimberly A. Nass, County Attorney	with the County Clerk.
24 Dated _____	(signed by Peter I. Sorce)
25	Peter I. Sorce, Chairperson
26 Considered 1/14/14	Administrative Services Committee
27 Adopted 1/14/14	
28 Ayes 16 Noes 12 Absent 2	
29 Voice Vote _____	

30
31 (The PTO policy includes short term disability that will be a cost to the County. It is expected
32 the short term disability will be covered by the savings of reducing the number of sick days from
33 twelve to eight. PTO may increase employee payouts upon termination or retirement. At this
34 time it is impossible to determine those costs.)

Washington County

Paid Time Off (PTO) Policy

Purpose. Washington County offers a leave package which encourages employees to carefully plan their time away from work and maximize productivity while on the job. PTO provides employees with a periodic accrual of hours to be used as paid time off for vacation, sick leave, inclement weather emergencies, appointments, or for any other personal reason. The benefits of PTO are that it promotes a flexible approach to time off. It is the County's belief that employees empowered to control their time at work and away from work will do so judiciously and responsibly. This plan includes all non-elected, regular full- and part- (1/2 & 3/4) time employees (excluding Deputy Sheriff Union).

Definitions.

- **Exempt / Non Exempt:** All county employment positions have been designated as either being Exempt from the Fair Labor Standards Act (FLSA) or Non Exempt (meaning subject to the FLSA). Please refer to the Washington County Pay Plan or the Staffing Plan.
- **FMLA (Family and Medical Leave Act):** Medical leave that is based on the State and Federal FMLA guidelines; see information and forms on Packet.
- **Extended Leave Bank (ELB):** A Bank created for each employee for the deposit of earned, unused sick leave as of the date of PTO plan implementation.
- **Regular hours:** Defined per each County position as the number of hours approved by the County Board. (Example: full-time equals 40 hours per week, 3/4-time equals 30 hours per week and 1/2-time equals 20 hours per week). See Chapter 7 of Washington County Code of Ordinances.
- **Paid leave benefits:** Includes short-term sick leave (anything less than three (3) consecutive days), vacation, and floating holidays.
- **Pay Periods:** The county's pay period consists of two weeks that start on a Thursday and continue through to the second Wednesday (bi-weekly).
- **PTO:** Paid Time Off (PTO) is a benefit plan which consolidates paid leave benefits into a single "bank account" of paid leave, which the employee is responsible for managing and using.
- **Short Term Disability Policy (STDP):** An insurance that pays a percentage of an employee's income during a time of disability for a specific period of time.
- **Transitional time period:** The first years after an implementation of a new benefit plan, for instance PTO. PTO maximum bank balances may not be enforced during this time.

Eligibility. PTO is accrued upon hire or transfer into a benefit-eligible position. Eligible employees must be scheduled to work at least twenty hours per week on a regular basis. Employees working less than 20 hours per week on a regular basis, on call, elected, limited or temporary employees are not eligible to accrue PTO. For current employees who become eligible during the course of their employment due to an increase in hours (change in status from part- to full-time or vice versa) or movement from Deputy Sheriff Union, credit will be given for previous years of service based on the date under the "Date Started" in the county's payroll system.

Scheduling and Use.

- The scheduling of time off is dependent upon the judgment and discretion of the employee's Department Head or his/her designee.
- Employees using planned PTO hours or scheduled time-off must seek prior approval from their supervisor per departmental protocol.
- Employees using PTO for anything other than planned or scheduled time off, need to inform their Department Head or designee prior to the start of the day or as required by department work rules or call-in policies.

- The operational needs of the Department will be considered in granting requests of non-emergency nature. A Department Head or designee may grant approval of a PTO request by an employee with less than 24 hours notice, if the employee's absence does not negatively affect departmental workload, project completion and sufficient staffing levels exist.
- Unscheduled absences shall be monitored and subject to the Attendance Policy (found in the Employee Policy, Procedure and Benefit Manual).
- PTO will count as time worked for purposes of calculating overtime.
- Usage of PTO and time worked cannot exceed the normal workday hours for the position.
- An employee cannot be paid for time at work and receive PTO pay at the same time.
- PTO can be requested and taken in no less than 15 minute increments as deemed necessary and desirable by the employee with the agreement of the Department Head or designee.
- PTO balances will be paid out following the next payroll cycle after the last day of work, retirement or death, except during the initial five pay periods from hire and except in the case of termination.
- County observed holidays: The employees of any department which, because of the nature of the work of that department, must remain open on those holidays, shall be entitled to a day off for the holiday on which they work or the day falls outside of their schedule. This day off will be added to the employees PTO Bank to be used at his/her discretion with the Department Head approval (Department Head must notify Payroll in writing immediately). In the event a holiday occurs on a part-time employee's regular day off, such employee shall be granted alternative holiday time off during the pay period in which the holiday occurs that is mutually acceptable to the employer and employee. Part-time employees not selecting an alternative day off during the pay period in which the holiday occurs shall be paid the appropriate time accrued as part of their next regular paycheck.
- Newly hired employees (after date of PTO implementation) shall begin accruing PTO as of the date of hire and shall be eligible for use as described below.

Availability.

- Newly hired employees shall not be entitled to use accrued PTO until the start of the sixth (6th) pay period following their date of hire.
- Hours accrued in one pay period will not be eligible to be used until the following pay period.
- Employees cannot borrow or donate PTO to another employee.
- With the exception of a qualified FMLA leave, unpaid leave may not be taken until such time that the PTO bank has been exhausted. If an employee would be eligible (and has available) to use the ELB, unpaid leave may not be taken until such time that the PTO bank and ELB have been exhausted.
- At no point will an employee's PTO balance be allowed to fall below zero. Should this happen, the employee will immediately revert to unpaid time and if this occurs without prior authorization of the Department Head, the employee may be subject to disciplinary action.

Accrual and Calculation.

- Each employee earns PTO hours every pay period based upon the number of hours worked (no more than the maximum accrual per pay period listed in the chart below).
- PTO is determined by multiplying the number of regular hours paid each pay period by the predetermined multiplier listed below. The sum results in the hours of PTO time earned in that pay period.
- Accrual multipliers change on January 1st of the employees' anniversary year that they reach 7, 14, and 25 years of service.
- Accrual amounts are added to the employees' PTO bank each pay period. Pay periods are bi-weekly.
- Accrued amounts do not end at the end of the calendar year, but continue rolling until maximum is met. Once the employee is at the maximum, s/he does not accrue additional time until such time that s/he is below the maximum.

Calculation: Grade 13 & Above

<u>Completed Years of Service</u>	<u>Maximum Accrual Per Year**</u>		<u>Maximum Hours Accrued each Pay Period (approx.)</u>	<u>Accrual per Hour Worked (approx.)</u>	<u>Maximum in Bank**</u>	
	<u>Days</u>	<u>Hours</u>			<u>Days</u>	<u>Hours</u>
0 - 6.9	25	200	7.6923	0.0962	37.50	300
7 - 13.9	30	240	9.2308	0.1154	45	360
14 - 24.9	35	280	10.769	0.1346	52.50	420
25 +	40	320	12.308	0.1538	60	480

Calculation: Full-time

<u>Completed Years of Service</u>	<u>Maximum Accrual Per Year**</u>		<u>Maximum Hours Accrued each Pay Period (approx.)</u>	<u>Accrual per Hour Worked (approx.)</u>	<u>Maximum in Bank**</u>	
	<u>Days</u>	<u>Hours</u>			<u>Days</u>	<u>Hours</u>
0 - 6.9	20	160	6.1538	0.0769	30	240
7 - 13.9	25	200	7.6923	0.0962	37.50	300
14 - 24.9	30	240	9.2308	0.1154	45	360
25 +	35	280	10.7692	0.1346	52.50	420

Calculation: ¾ - time

<u>Completed Years of Service</u>	<u>Maximum Accrual Per Year**</u>		<u>Maximum Hours Accrued each Pay Period (approx.)</u>	<u>Accrual per Hour Worked (approx.)</u>	<u>Maximum in Bank**</u>	
	<u>Days</u>	<u>Hours</u>			<u>Days</u>	<u>Hours</u>
0 - 6.9	20	120	4.6154	0.0769	30	180
7 - 13.9	25	150	5.7692	0.0962	37.50	225
14 - 24.9	30	180	6.9231	0.1154	45	270
25 +	35	210	8.0769	0.1346	52.50	315

Calculation: ½ - time

<u>Completed Years of Service</u>	<u>Maximum Accrual Per Year**</u>		<u>Maximum Hours Accrued each Pay Period (approx.)</u>	<u>Accrual per Hour Worked (approx.)</u>	<u>Maximum in Bank**</u>	
	<u>Days</u>	<u>Hours</u>			<u>Days</u>	<u>Hours</u>
0 - 6.9	20	80	3.0769	0.0769	30	120
7 - 13.9	25	100	3.8462	0.0962	37.50	150
14 - 24.9	30	120	4.6154	0.1154	45	180
25 +	35	140	5.3846	0.1346	52.50	210

**** Maximum is 1.5 times the yearly accrual; not enforced during the transitional time period for employees hired prior to 7/1/14.**

Accrual Limits.

- The hours accrued each pay period shall not exceed the maximum hours as stated in the charts above for an employee based upon their status (full-, part- or 3/4-time).
- For employees hired on 7/1/14 and after, the PTO bank shall not exceed the maximums listed in the preceding charts, based on completed years of service and status.
- For employees hired prior to 7/1/14, the bank maximum will not be enforced until 1/1/16.
- The total PTO hours will not exceed the maximums listed in the preceding charts. The employee will not accrue additional time until that time the hours fall below the maximum allowed.

Transitional Time Period.

The time period after implementation will be considered the transitional time period (through 12/31/15) and bank maximums will not be enforced for employees hired prior to 7/1/14.

During the transitional time, vacation that was accrued between January and June, 2014 will be paid out.

Employees hired prior to the date of PTO implementation will begin accruing PTO on July 1, 2014.

Extended Leave Bank (ELB).

An ELB will be created for each employee active on June 30, 2014 and will consist of earned and unused sick leave as of the date of the PTO plan implementation. No new hours may be added to the bank.

The ELB is intended for use in situations where the employee is absent from work due to illness of the employee only; an employee's dental, doctor and chiropractic appointments that cannot be scheduled during non-working hours provided that usage is approved in advance by the Department Head (employees are expected to make every effort to schedule such appointments outside of regular work hours); or an employee may use up to three days per calendar year for the illness or injury of the employee's minor child, parent or spouse. Proof of a medical appointment may be required in advance by the Department Head.

Employees who retire after their 65th birthday may convert 30% of their unused ELB into cash as retirement pay. This pay is to be provided as a lump sum payout. Employees who retire after their 55th birthday and have a minimum of 20 years of credited County service are also eligible for this benefit. Protective Service employees who retire with a minimum of 20 years of credited County service and have attained age 53 are eligible for this benefit.

The ELB needs to be used up prior to the employee receiving compensation under the County's short term disability program.

Short Term Disability Policy (STDP).

Refer to the STDP plan documents for benefit coverage information. Eligibility for short term disability income continuation is contingent upon the employee providing medical certification of a condition that prevents the employee from working.

The Short Term Disability Policy will start on 1/1/15. The employee's elimination period will be 8 days, with an employee receiving benefits upon approval thereafter until the maximum benefit period of 90 calendar days (at which time the Long Term Disability benefits for full-time employees may start). The benefits will be 66-2/3% of an employee's wages. The County will pay 100% of the premium.