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July 30, 2012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Barbara A. Frank, Clerk
Jefferson County
320 S. Main Street, Room 109
Jefferson, WI 53549

RECEIVED
JUL 31 2012
CORPORATION COUNSEL

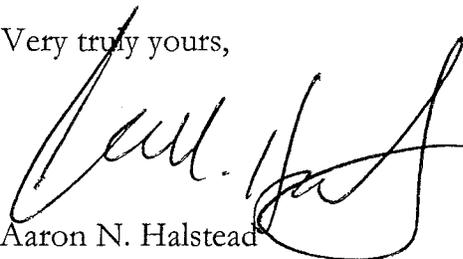
Re: Local 3798, AFSCME, AFL-CIO, and Terry Heinz Notice of Claim

Dear Ms. Frank:

Enclosed please find Local 3798's and Terry Heinz's Notice of Circumstances of Claim and Notice of Injury Pursuant to Wis. Stat. § 893.80.

Thank you for your kind attention to this matter.

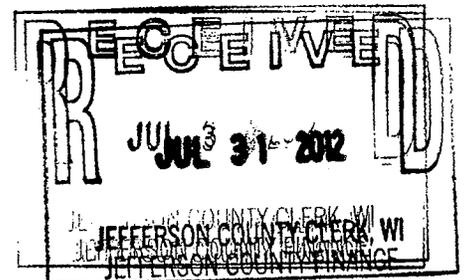
Very truly yours,


Aaron N. Halstead

ANH/dmc

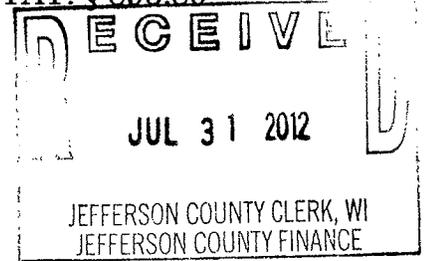
Enclosure

cc: Mr. Rick Badger (w/ enc.) (via email)
Mr. Joe Guzynski (w/ enc.) (via email)
Mr. Edward Sadlowski (w/ enc.) (via email)
Ms. Terry Heinz (w/ enc.) (via email)



NOTICE OF CIRCUMSTANCES OF CLAIM
AND NOTICE OF INJURY PURSUANT TO WIS. STAT. § 893.80

TO: Ms. Barbara A. Frank, Clerk
Jefferson County
320 S. Main Street, Room 109
Jefferson, WI 53549



NOTICE IS HEREBY GIVEN to the County of Jefferson of the claims of Local 3798, AFSCME, AFL-CIO (the "Union") and former County employee, Terry Heinz, arising from the County's failure to properly and completely process a grievance filed by the Union and Heinz following the County's termination of her employment. The events giving rise to this claim are described below.

On or about November 4, 2011, the County terminated or permanently laid off Heinz as an employee in the Office of the Jefferson County Clerk, where she served as a County Clerk-II. At that same time, the County revoked Heinz's deputy clerk status.

On or about November 17, 2011, Ms. Heinz filed a grievance under the procedures the County had established, purportedly in compliance with 2011 Wisconsin Act 10, Section 170, codified at Wis. Stats. § 66.0509(1m). In that grievance, Ms. Heinz specifically designated Union representative Edward Sadlowski as her representative for all matters related to that grievance, and provided Mr. Sadlowski's contact information. On November 21, 2011, the County sent a written denial of Ms. Heinz's grievance, but did not notify Mr. Sadlowski of that denial. Ms. Heinz, however, believed – and had no reason to doubt – that the County would honor her request that the County communicate with her designated

representative, Mr. Sadlowski, and that Mr. Sadlowski would respond on her behalf, including advancing her grievance to the next step in the grievance procedure mentioned above.

On or about December 15, 2011, Mr. Sadlowski learned of the County's denial of Ms. Heinz's grievance, in the course of a Union meeting, and thereafter immediately appealed the November 21 denial to the next step of the grievance process. On December 31, 2011, the County affirmed its denial of the grievance in response to Mr. Sadlowski's December 15 appeal letter. On February 6, 2012, Mr. Sadlowski requested that the grievance be scheduled for a hearing before the County Board's Human Resources Committee, which heard the grievance on April 17, 2012.

On April 24, 2012, the Human Resources Committee denied Ms. Heinz's grievance "based on an untimely filing of an appeal to proceed to Step 3" of the County's grievance procedure. Based on that denial, the County has also refused to allow Ms. Heinz's appeal to proceed to a hearing before an Independent Hearing Officer, as required by Wis. Stat. § 66.0509(1m).

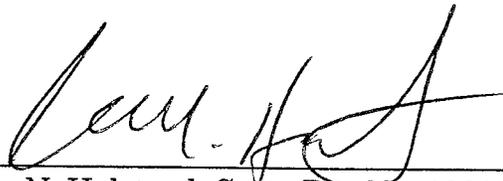
The County's failure to notify Mr. Sadlowski of its November 21, 2011 denial of Ms. Heinz's grievance was the sole, or at least a substantial contributory, cause of the alleged "untimely filing of an appeal" by Ms. Heinz and the Union. Moreover, the County's refusal to allow Ms. Heinz access to a hearing before an Independent Hearing Officer is contrary to Wis. Stat. § 66.0509(1m), which requires a local government unit to afford a grievant such a hearing.

WHEREFORE, Ms. Heinz and the Union hereby gives notice of and make claim on Jefferson County for all losses they have suffered as a result of the County's failure to properly process Ms. Heinz's grievance, as described above. In Ms. Heinz's case, this means payment for all lost wages and other benefits attributable to the failure to process her grievance, at the pay and benefit rate in effect at the time of her termination, with any applicable increases. Ms. Heinz and the Union also hereby demand that the County process that grievance as required by Wis. Stat. § 66.0509(1m) and all other applicable laws.

Dated this 30th day of July 2012.

HAWKS QUINDEL, S.C.

By: _____



Aaron N. Halstead, State Bar No. 1001507
222 West Washington Avenue, Suite 450
Post Office Box 2155
Madison, Wisconsin 53701-2155
Telephone: 608/257-0040
Facsimile: 608/256-0236

Attorneys for Local 3798, AFSCME,
AFL-CIO and Terry Heinz

Agenda

**Human Resources Committee
Jefferson County Courthouse
320 S Main St, Room 112
Jefferson, WI 53549**

August 7, 2012 @ 10:30 a.m.

Committee Members: James Braughler, Chair; Greg David; Pamela Rogers, Secretary;
Jim Schroeder, and Dick Schultz, Vice-Chair

1. Call to order
2. Roll call (establish a quorum)
3. Certification of compliance with the Open Meetings Law
4. Review of the Agenda
5. Citizen comments
6. Approval of July 17, 2012 minutes
7. Communications
8. Discussion with Charles Carlson from Carlson Dettmann Consulting to provide a status update on the Classification and Compensation study and possible action giving direction to proceed with the study, including but not limited to determining where Jefferson County should position itself in the market and how employees will receive pay increases in the future
9. Consideration to eliminate or unfund a full-time vacant AODA Therapist/OWI Assessor position and create a full-time AODA Assessor/Counselor/Human Services Professional I position
10. Review and approval of the 2013 Human Resources Budget
11. Convene into closed session pursuant to Wisconsin State Statutes Section 19.85 (1)(b), consideration of employee discipline
12. Reconvene into open session for consideration and possible action regarding items discussed in closed session
13. Review and consideration to amend Personnel Ordinance HR0520 Grievance, Resolution Process, to re-define the role of an Independent Hearing Officer
14. Set next meeting date and agenda
15. Adjournment

Next scheduled meeting: August 28, 2012 @ 8:30 a.m.

The Committee may discuss and/or take action on any item specifically listed on the agenda

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

HUMAN RESOURCES COMMITTEE
MEETING MINUTES
July 17, 2012 @ 8:30am
Jefferson County Courthouse, Room 112

1. Call to Order. Meeting called to order at 8:30am by J. Braugher.
2. Roll Call. Present: J. Braugher, P. Rogers, J. Schroeder, D. Schultz and G. David. Quorum established. Also Present: G. Petre, T. Palm, J. Molinaro, P. Ristow, B. Kern, S. Hoffman, B. Frank, C. Carlson (Carlson Dettmann Consulting) and K. McCloskey (Carlson Dettmann Consulting) and K. Spory (Daily Union).
3. Certification of compliance with the Open Meetings Law. Verification of notice of meeting by G. Petre.
4. Review of Agenda. No changes noted on the agenda.
5. Citizen Comments. None.
6. Approval of minutes. Motion by D. Schultz, second by P. Rogers, to approve the June 19, 2012 minutes, as presented. Motion carried 5:0.
7. Communications. None.
8. Charlie Carlson and Katie McCloskey from Carlson Dettmann Consulting met with the Committee to start discussion of the process of completing the upcoming countywide classification and compensation study. Carlson Dettmann prepared a recommendation of 14 counties, which were determined using a variety of factors, including but certainly not limited to geographically contiguous counties, county population, state trunk miles, urban populations, human services structure, form of government and income growth index. In addition 13 cities, 8 school districts and 22 private sector business were recommended. These organizations, both public and private, will be surveyed to collect salary data on benchmark positions...or positions that are easily and readily identifiable in other organizations for the purpose of comparisons. Finally, any supplemental salary information will be gathered by using a variety of published data, such as the Bureau of Labor Statistics. In addition to the named organizations on the attached list, the HR Committee also recommended surveying the following business: Alden Estates, Care Wisconsin, City of Beaver Dam, State of Wisconsin, and Watertown Regional Medical Center. The Committee also discussed the pros and cons of using the other contiguous counties of Dane and Waukesha. The committee recognizes that the total tax base of each of these counties is much larger than Jefferson County, and it may be not be feasible to include them as comparable Counties; on the other hand, they are contiguous counties and direct competitors with Jefferson, especially for certain positions. Therefore, data will be collected if possible, and may also be considered when setting the County's pay system.

Break: 9:30am – 9:35am

9. Motion by J. Schroeder, second by G. David, to recommend to County Board increasing the hours of the Data Entry Clerk in the Register of Deeds to full-time. Motion carried 5:0.
10. Motion by P. Rogers, second by G. David, to recommend to County Board an amendment to Personnel Ordinance HR0490, Voluntary Vacation Donation, to allow employees to donate to a specific employee. Motion carried, 5:0.

11. Discussion of a bulletin from the Department of Employee Trust Funds that indicates the WRS contribution may increase anywhere from 1% - 1.9%, or 12.8% - 13.7%. Original guidance, prior to Acts 10 and 32, indicated a .2% increase, or 12.0%. The effect of any increase (or decrease) is shared 50/50 with most employees and the County is budgeting the midpoint, or 6.625%. Final rates are not anticipated to be known until September, after the County's budget is prepared.
12. Next meeting date August 7, 2012 at 10:30am, to include a presentation by Carlson Dettmann Consulting.
13. Motion by D. Schultz, second by J. Schroeder, to adjourn. Meeting adjourned at 9:57am.

Human Resources Committee Secretary

Date

REQUEST FOR NEW POSITION

1. Position to be filled: AODA Assessor/Counselor/Human Services 1

Department: Human Services Hours: Full time days

Grade and Pay Range: Grade 20

Cost: \$283 increase but more revenue potential Benefits: Yes

We would unfund the AODA Assessor position and fund a AODA Assessor/Counselor/Human Services 1 position.

Current Position Salary \$44,445.94 Fringe \$22,907.06 Total Cost \$67,353 Family Coverage
New Position Salary \$53,234.64 Fringe \$14,401.36 Total Cost \$67,636 Single Coverage

Fiscal Note (how is position funded): By Intoxicated Driver Assessment Fees, by revenue for treatment, and by Client Fees (over 200%). Zero Tax Levy.

In 2011 there were 385 Intoxicated Driver Assessments for \$113,574 in revenue and \$94,526 in revenue from the OWI surcharge.

The new position would also capture more revenue by providing AODA counseling services.

2. Please indicate how many other full-time, part-time (benefited) and part-time (nonbenefited) positions are currently allocated to this classification. Please include how many of these are vacant.

In Grade 20 there are 12 positions with no vacancies.

3. Why is the position vacant?

The AODA assessor position is vacant due to an employee's discharge.

4. What efforts have you made to change the position?

This would be a new position with the expanded duties of providing group and individual AODA counseling for adolescents and adults. We are seeing a huge increase in the need for AODA treatment. This position would also bring in more revenue then.

5. What would happen if the position is not filled?

We could not meet the mandate that counties provide Intoxicated Driver assessments and we could not meet the need we are seeing for AODA treatment services.

6. Your recommendation, including anticipated date to fill? The position be filled by 9/1/12.

Submitted by: Kathi Cauley Date: 8/1/12

Budget Work Sheet 2013 Business Unit 41 Human resources

Description	2011 ACTUAL	2012 ADOPTED	2012 AMENDED	2012 ACTUAL 6 MTH	2012 ESTIMATED	2013 REQUESTED	(+/-) ADOPTED	(+/-) ADM VS ADOPT	2013 ADMIN
00100									
004 HUMAN RESOURCES									
41 HUMAN RESOURCES									
R REVENUE									
451002 PRIVATE PARTY PHOTOCOPY	-56	0	0	-48	-48	-48	-48	-48	-48
451034 BADGE REPLACEMENT FEE	-44	-100	-100	-16	-50	-50	50	50	-50
451200 RECORDS & REPORTS	-54	0	0	-45	-45	-50	-50	-50	-50
R REVENUE	-154	-100	-100	-109	-143	-148	-48	-48	-148
O OTHER FINANCING SOURCE									
699700 RESV APPLIED OPERATING	0	0	0	0	0	0	0	0	0
699994 A/C BAL FWD 2010	0	0	0	0	0	0	0	0	0
R OTHER FINANCING SOURCE	0	0	0	0	0	0	0	0	0
E EXPENDITURES									
511110 SALARY-PERMANENT REGULAR	120,978	186,862	186,862	86,342	186,862	190,470	3,608	3,608	190,470
511210 WAGES-REGULAR	38,056	0	0	0	0	0	0	0	0
511220 WAGES-OVERTIME	0	0	0	0	0	0	0	0	0
511240 WAGES-TEMPORARY	0	2,500	2,500	0	500	2,276	-224	-224	2,276
511310 WAGES-SICK LEAVE	1,503	0	0	1,569	0	0	0	0	0
511320 WAGES-VACATION PAY	8,205	0	0	365	0	0	0	0	0
511330 WAGES-LONGEVITY PAY	290	319	319	0	319	349	30	30	349
511340 WAGES-HOLIDAY PAY	6,145	0	0	2,544	0	0	0	0	0
511350 WAGES-MISCELLANEOUS (COMP	3,580	0	0	2,043	0	0	0	0	0
511380 WAGES-BEREAVEMENT	0	0	0	0	0	0	0	0	0
512141 SOCIAL SECURITY	13,133	13,964	13,964	6,700	13,846	14,364	400	400	14,364
512142 RETIREMENT (EMPLOYER)	9,661	11,044	11,044	5,479	11,054	12,642	1,598	1,598	12,642
512143 RETIREMENT (EMPLOYEE)	6,626	0	0	0	0	0	0	0	0
512144 HEALTH INSURANCE	34,312	34,181	42,538	21,257	42,514	45,760	11,579	11,579	45,760
512145 LIFE INSURANCE	97	102	102	51	102	102	0	0	102
512173 DENTAL INSURANCE	2,680	3,240	3,240	1,620	3,240	2,916	-324	-324	2,916
521218 ARBITRATOR	0	8,600	8,600	0	800	4,000	-4,600	-4,600	4,000
521219 OTHER PROFESSIONAL SERV	12,869	21,040	81,040	6,270	75,540	20,578	-462	-462	20,578

Budget Work Sheet 2013 Business Unit 41 Human resources

Description	2011 ACTUAL	2012 ADOPTED	2012 AMENDED	2012 ACTUAL 6 MTH	2012 ESTIMATED	2013 REQUESTED	(+/-) ADOPTED	(+/-) ADM VS ADOPT	2013 ADMIN
521220 CONSULTANT	0	0	5,000	0	0	0	0	15,000	15,000
521225 SECTION 125	5,646	6,200	6,200	3,058	6,200	6,510	310	310	6,510
521226 ERGONOMICS	299	250	250	0	250	500	250	250	500
521227 POSITION CLASSIFICATIONS	2,250	2,250	2,250	250	750	1,500	-750	-750	1,500
521228 LABOR NEGOTIATIONS	42,580	0	0	66	66	0	0	0	0
521229 RECRUITMENT RELATED	518	790	790	332	664	2,250	1,460	1,460	2,250
521296 COMPUTER SUPPORT	3,375	3,375	3,375	3,557	3,557	3,735	360	360	3,735
531105 FLEX PLAN SURPLUS	-466	0	0	0	0	0	0	0	0
531243 FURNITURE & FURNISHINGS	0	0	0	0	0	300	300	300	300
531298 UNITED PARCEL SERVICE UP	9	0	0	0	0	0	0	0	0
531303 COMPUTER EQUIPMT & SOFTW	464	750	750	1,302	2,102	500	-250	-250	500
531307 MICROSOFT OFFICE UPGRADE	0	0	0	0	0	0	0	0	0
531311 POSTAGE & BOX RENT	382	400	400	223	446	400	0	0	400
531312 OFFICE SUPPLIES	648	800	800	790	1,280	1,380	580	580	1,380
531313 PRINTING & DUPLICATING	1,030	900	900	740	1,500	700	-200	-200	700
531314 SMALL ITEMS OF EQUIP	635	0	0	0	0	0	0	0	0
531323 SUBSCRIPT TAX, LAW & OTHE	2,396	2,500	2,500	2,468	2,468	2,635	135	135	2,635
531324 MEMBERSHIP DUES	150	600	600	720	985	755	155	155	755
531326 ADVERTISING	0	0	0	0	0	0	0	0	0
531348 EDUCATIONAL SUPPLIES	0	0	0	0	0	0	0	0	0
532325 REGISTRATION	1,643	1,550	1,550	59	569	2,585	1,035	1,050	2,600
532332 MILEAGE	457	600	600	389	789	1,350	750	750	1,350
532334 COMMERCIAL TRAVEL	0	500	500	0	0	600	100	100	600
532335 MEALS	61	510	510	34	314	560	50	-10	500
532336 LODGING	140	1,320	1,320	140	640	1,950	630	560	1,880
532350 TRAINING MATERIALS	6,579	2,020	7,020	3,256	3,656	1,500	-520	-420	1,600
533225 TELEPHONE & FAX	238	250	250	127	250	255	5	5	255
535242 MAINTAIN MACHINERY & EQU	250	250	250	0	250	255	5	5	255
571002 MIS ALLOCATION	0	0	0	0	0	0	0	0	0
571004 IP TELEPHONY ALLOCATION	344	371	371	215	361	358	-13	-9	362
571005 DUPLICATING ALLOCATION	178	265	265	181	435	1,539	1,274	1,275	1,540

Budget Work Sheet 2013
Business Unit 41 Human resources

Description	2011 ACTUAL	2012 ADOPTED	2012 AMENDED	2012 ACTUAL 6 MTH	2012 ESTIMATED	2013 REQUESTED	(+/-) ADOPTED	(+/-) ADM VS ADOPT	2013 ADMIN
571009 MIS PC GROUP ALLOCATION	5,538	6,128	6,128	3,064	7,600	5,488	-640	-630	5,498
571010 MIS ISIS GROUP ALLOCATIO	2,080	1,786	1,786	1,144	1,786	2,288	502	508	2,294
591519 OTHER INSURANCE	1,026	970	970	475	792	989	19	19	989
593391 PRIOR YEAR EXPENDITURES	0	0	0	0	0	0	0	0	0
594801 CAP PROGRAMMING CHARGES	0	0	0	0	0	0	0	0	0
594813 CAP OFC EQUIP	0	4,150	4,150	0	0	0	-4,150	-4,150	0
599999 OVERDRAFT TRANSFERS	0	0	0	0	0	0	0	0	0
E EXPENDITURES	336,585	321,337	399,694	156,830	372,487	334,339	13,002	28,008	349,345
41 HUMAN RESOURCES	336,431	321,237	399,594	156,721	372,344	334,191	12,954	27,960	349,197

Budget Work Sheet 2013 Business Unit 41 Human resources

Detail Information

ARBITRATOR	41.521218		
two arbitrations		800	
4 grievances with Impartial Hearing officer at \$800 each		3,200	
			4,000
OTHER PROFESSIONAL SERV	41.521219		
NEAS		13,167	
Onsite managment speaker 2 days		4,411	
Legal review of policy changes		500	
HIPAA Consultation		2,500	
			20,578
CONSULTANT	41.521220		
Kronos consultation - 5000 (carryover?)			
SECTION 125	41.521225		
anticipate 5% increase in participation with 0% increase in rates		6,510	
ERGONOMICS	41.521226		
2 ergo studies at \$250 each		500	

Budget Work Sheet 2013 Business Unit 41 Human resources

<p>POSITION CLASSIFICATIONS 41.521227</p> <p>6 reclasses and/or new position reviews at \$250 each 1,500</p>		
<p>LABOR NEGOTIATIONS 41.521228</p> <p>open negotiations with LAW; 5 meetings for 6 hours each at \$250/hour (Carryover?)</p>		
<p>RECRUITMENT RELATED 41.521229</p> <p>education checks - 50 at \$10 each 500</p> <p>newspaper/online ads 1,500</p> <p>new hire folders 250</p>		<hr style="width: 50%; margin-left: auto; margin-right: 0;"/> 2,250
<p>COMPUTER SUPPORT 41.521296</p> <p>estimate 5% increase 3,735</p>		
<p>FURNITURE & FURNISHINGS 41.531243</p> <p>keyboard tray and arm rest 300</p>		
<p>COMPUTER EQUIPMT & SOFTWARE 41.531303</p> <p>ID Badge computer replacement 500</p>		
<p>OFFICE SUPPLIES 41.531312</p> <p>ID Badge supplies \$600 600</p> <p>paper 480</p>		

Budget Work Sheet 2013 Business Unit 41 Human resources

folders, envelopes, etc.	300	
ink cartridges - 300		1,380
SUBSCRIPT TAX, LAW & OTHER	41.531323	
COBRA, FMLA, FLSA, ADA and other Thompson Publications online	2,635	
Prospera - 2500 every even year		2,635
MEMBERSHIP DUES	41.531324	
SHRM	170	
JCHRMA 1		
WPELRA x 3	480	
WACPD X 3	75	
Notary	30	
		755
REGISTRATION	41.532325	
3 wacpd conferences x 2	360	
JCHRMA x 10	225	
ongoing trainings 2pp @ 200, 1 for Tammie	1,300	

Budget Work Sheet 2013 Business Unit 41 Human resources

NPELRA Conference		700	
			2,585
MILEAGE	41.532332		
NPELRA Conference 750		750	
travel to seminars		600	
			1,350
COMMERCIAL TRAVEL	41.532334		
NPELRA Conference		600	
MEALS	41.532335		
NPELRA x 5 days		200	
3 days x 3		360	
			560
LODGING	41.532336		
5 nights NPELRA at 250		1,250	
3 WACPD conferences - 5 nights x 2 people at \$70		700	
			1,950
TRAINING MATERIALS	41.532350		
employee training needs		1,500	

Budget Work Sheet 2012 Business Unit 41 Human resources

Detail Information

ARBITRATOR	41.521218		
two arbitrations		800	
10 grievances with Impartial Hearing officer at \$800 each		8,000	
			8,800
OTHER PROFESSIONAL SERV	41.521219		
NEAS		13,040	
Onsite managment speaker 2 days		5,000	
Legal review of policy changes		500	
HIPAA Consultation		2,500	
			21,040
POSITION CLASSIFICATIONS	41.521227		
10 reclasses and/or new position reviews at \$250 each		2,500	
OFFICE SUPPLIES	41.531312		
ID Badge supplies \$600			
SUBSCRIPT TAX, LAW & OTHER	41.531323		
COBRA, FMLA, FLSA, ADA and other Thompson Publications online		2,635	
Prospera - 1600			
			2,635

Budget Work Sheet 2012 Business Unit 41 Human resources

	MEMBERSHIP DUES	41.531324		
SHRM			160	
JCHRMA 1			40	
WPELRA x 2			320	
WACPD X 2			80	
				600
	REGISTRATION	41.532325		
3 wacpd conferences			180	
JCHRMA x 10			225	
ongoing trainings 2pp @ 200, 1 for Tammie			700	
				1,105
	MILEAGE	41.532332		
orlando 750				
travel to seminars			600	
				600
	MEALS	41.532335		
orlando 170				
	LODGING	41.532336		
1400-orland				
	TRAINING MATERIALS	41.532350		
employee training needs			1,500	

Budget Work Sheet 2012
Business Unit 41 Human resources

IP TELEPHONY ALLOCATION
had 4th phone removed, not utilized

41.571004

Terri Palm

From: Terri Palm
Sent: Wednesday, August 01, 2012 8:20 AM
To: Gary Petre
Cc: 'Boes, Dean'; Timm Punzel; Bill Kern; Terry Gard; Kathi Cauley; Mark Miller
Subject: RE: Loss Control/Safety Trainer

Gary, based on the estimation of \$100,000 salary/benefits that Dean provided, I would like at least 15% (\$15,000). Perhaps this is something that can be "billed" to other depts if a special (not county-wide issue) is addressed? Just copied those depts. as FYI. From the meeting we had, I think they all would appreciate help, especially with new regs to follow with MDSs.

Terri

Terri M. Palm
Human Resources Director
Jefferson County
320 S. Main St.
Jefferson, WI 53549
920-674-7103

From: Gary Petre
Sent: Tuesday, July 31, 2012 7:44 AM
To: Terri Palm
Subject: RE: Loss Control/Safety Trainer

If you want to request money in your budget for this, I'll need a figure to plug in. No guarantees that I'll be able to add it and even if I can, it would be put on a short list of items to potentially cut if we need to.

Thanks, Gary.

Gary R. Petre
Jefferson County Administrator
920-674-7101
www.jeffersoncountywi.gov

From: Terri Palm
Sent: Monday, July 30, 2012 4:19 PM
To: Gary Petre
Subject: FW: Loss Control/Safety Trainer

Terri M. Palm
Human Resources Director
Jefferson County
320 S. Main St.
Jefferson, WI 53549
920-674-7103

From: Boes, Dean [<mailto:dboes@wmmic.com>]
Sent: Monday, July 30, 2012 4:12 PM

HR0520

GRIEVANCE RESOLUTION PROCESS. (cr. 09-13-11, Ord. 2011-12)

- A. POLICY.** Jefferson County will endeavor to treat all employees equitably within established County and department policies or procedures and state or federal guidelines affecting the workplace. If an employee does not feel that fair treatment within the established policies, procedures, or state or federal guidelines has been applied to a discipline, termination or workplace safety, the employee has the right to discuss the matter with representatives of Jefferson County and/or to request formal consideration of their grievance under the Grievance Resolution Process. The Grievance Process will be available to all employees except civil service law enforcement personnel.

The Grievance Resolution Process is designed to assist employees in resolving grievances within specific parameters. The Grievance Resolution Process is intended to resolve grievances about application or administration of existing Jefferson County policies in light of the existing policy or past application of the policy. The Grievance Resolution Process is not intended to consider grievances regarding Jefferson County policies or as a mechanism to change an existing policy. Grievances are restricted to discipline, termination of employment or safety. The Grievance Resolution Process is not intended to hear grievances regarding application of issues related to health, disability or other insurances. No retaliatory action will be taken against any employee for proper and good faith use of the Grievance Resolution Process or participation in processing of a grievance. [am. 3/13/12, Ord. 2011-30]

B. PROCEDURAL ISSUES.

- 1. Administration.** The Director of Human Resources will supervise and administer the grievance process and is further charged with being an advocate and counsel to assist employees in this process. Supervisors and Department Heads should keep the Director of Human Resources informed of all grievances in progress.
- 2. Employee Representation.** Employees may be accompanied by a representative of their choice at any level of the grievance procedure after the appeal to the department head provided the employee notifies the County at least 24 hours ahead of the meeting that the representative will attend and who the representative will be. The representative is allowed to help the employee present their grievance but no step in the procedure is intended to be a legal proceeding. Employees may contact their representative to discuss their problem only during break periods, lunch periods, before or after work, or at any time when they are not on duty.
- 3. Timelines.** Failure to process a grievance by the grievant within the time limit, or agreed upon extensions, shall constitute waiver of the grievance which will be considered resolved on the basis of the County's last answer. Failure of a management representative to meet the time limits shall cause the grievance to move automatically to the next step in the procedure. To encourage that grievances are addressed in a prompt manner the time limits set by this policy are intended to be strictly observed and may not be extended except in extreme circumstances and then only upon the express written consent of the parties.
- 4. Exclusive Remedy.** This procedure constitutes the exclusive process for the redress of any employee grievances as defined herein. However, nothing in this grievance procedure shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with administration and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by administration which has final authority, subject to any applicable Board policy or directive, to resolve the matter.

C. DEFINITIONS.

1. **Days:** Regular business days, Monday through Friday, other than weekends and holidays regardless of whether the employee or his or her classification is scheduled to work. The time within which an act is to be done under this policy shall be computed by excluding the first day and including the last day.
2. **Grievance:** Any written statement that an employee submits regarding established policies, practices or decisions about the employee's wages, hours of work, status, or other terms and conditions of employment will be considered a formal grievance. Only grievances regarding discipline, termination and workplace safety will follow this Grievance Resolution Procedure. All other grievances may be addressed under HR0560.
3. **Discipline:** Any action that results in documentation to the employee's record, including verbal or written warning, suspension with or without pay, involuntary demotion, or involuntary termination of employment.
4. **Employee:** Any full or part-time employee of Jefferson County, including temporary, seasonal and occasional employees. This does not include elected officials or independent contractors.
5. **Safety:** Those conditions related to physical health and safety of employees enforceable under federal or state law, or County rule related to: safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence and accident risk.
6. **Termination:** Any involuntary separation from Jefferson County employment. This would not include retirements, voluntary resignations, lay offs, separation from service due to business closures, separation by mutual agreement, or termination for similar reasons.

D. STEPS TO RESOLVE THE GRIEVANCE:

STEP 1: Discussion with Supervisor: Any employee having a grievance regarding application of a department or county policy should first discuss the problem with their immediate supervisor. If the problem is not settled to the employee's satisfaction, the employee may present their grievance according to the procedures below. If any employee is uncomfortable addressing the grievance directly with the supervisor, the employee may request assistance from the Human Resources Director or County Administrator.

STEP 2: Appeal to Department Head: The employee should submit the written grievance to the Department Head within ten (10) days of the date of the incident or decision that caused the grievance. The Department Head shall give a written answer within ten (10) days of receipt of the grievance, with a copy to the Human Resources Director.

The written grievance must include: the name and position of the grievant; a clear and concise statement of the grievance; the issue involved; the relief sought; the date the incident or alleged violation took place; the specific section of the Policy Manual or workplace safety rule alleged to have been violated; and the signature of the grievant and the date. The grievance may be denied if any of this information is omitted. (See attached Grievance Procedure Form).

STEP 3: Appeal to County Administrator: If the employee is not satisfied with the Department Head's response, the grievance may be presented to the County Administrator. The grievance should be submitted within five (5) days from the date of delivery of the Department Head's answer. After receipt of the written grievance by the County Administrator, a meeting should be held to discuss the complaint at a mutually agreeable time between the County Administrator and the employee, preferably within ten (10) days of

receipt of the written grievance. Within ten (10) days after the meeting, the County Administrator shall respond to the grievance in writing, with a copy to the Human Resources Director.

The County Administrator shall also determine if the grievance is timely, if the subject matter of the grievance is within the scope of this policy and otherwise properly processed as required by this policy. If the County Administrator is aware of other similar pending grievances, the County Administrator may consolidate those matters and process them as one grievance.

The decision at the third step may be appealed by a written statement of the grievant forwarded to the Human Resources Director describing the reason for appeal. This written statement shall be submitted within five (5) days from the date of delivery of the County Administrator's answer.

If the decision at Step 3 is based in whole or in part on the basis of timeliness, scope of the grievance process or other failure of the grievant to properly follow the process the matter shall be referred to the Human Resources Committee who shall determine whether the matter should be processed further. If the Third Step decision is on the merits of the grievance only the grievance will be referred to an Impartial Hearing Officer (IHO).

STEP 4: Request for Hearing by an Impartial Hearing Officer: The IHO will be designated by the County Administrator. Any costs incurred for or by the (IHO) will be paid by the County. The IHO will convene a hearing in the manner the IHO determines necessary. The IHO shall have the authority to administer oaths, issue subpoenas at the request of the parties, and decide if a transcript is necessary. The IHO may require the parties to submit grievance documents and witness lists in advance of the hearing to expedite the hearing. The burden of proof shall be "a preponderance of the evidence". In termination and discipline cases, the County shall have the burden. In workplace safety cases, the employee shall have the burden. The IHO may apply relaxed standards for the admission of evidence, including allowing the admission of hearsay. The IHO may request oral or written arguments and replies. The IHO shall provide the parties a written decision.

The IHO may only consider the matter presented in the initial grievance filed by the employee. The IHO shall have no power to add to, subtract from or modify the terms of the Board policy or rule that forms the basis for the grievance.

STEP 5: County Board Review: Either party may appeal an adverse determination at step four to the County Board, by filing written notice appealing the decision of the IHO in the County Administrator's Office within ten (10) days of the decision of the IHO. The County Board shall within thirty (30) days after submission of the appeal schedule the review of the IHO's decision. The review will be conducted by the Board during a closed session meeting unless an open session is requested by the employee. The Board may make its decision based on the written decision of the IHO or the Board may examine any records, evidence and testimony produced at the hearing before the IHO. A simple majority vote of the Board membership shall decide the appeal within twenty (20)

days following the last session scheduled for review. The Board will issue a final written decision which shall be binding on all parties.

Jefferson County Grievance Procedure Form

This form is intended to assist employees in filing a formal grievance in accordance with the Jefferson County Grievance Resolution Process. For specific information regarding the process, how to file a grievance, grievance or appeal deadlines or other information related to the process or how to file, please consult the Grievance Resolution Process in the Personnel Ordinance or the Human Resources Department.

Instructions:

This form is beneficial in filing a grievance but not required. After step one (discussion with your supervisor) a written grievance is required. At a minimum the written grievance must include the following:

Employee (Grievant) Name: _____

Employee (Grievant) Position/Job Title: _____

Date of Incident or alleged violation: _____

Please state the specific section of the Personnel Ordinance, Personnel policy or workplace safety rule alleged to have been violated: _____

Please provide a clear and concise statement of the grievance, including action taken against the employee: _____

Please describe the issue involved (summary of relevant facts, witnesses, identification of supporting evidence, etc.): _____

What efforts have been made to informally resolve the grievance? _____

What relief/remedy is sought? _____

Employee Signature

Date

Received by: _____
Human Resources Representative

Date

Jefferson County Classification/Compensation Study Workshop

August 7, 2012

Carlson Dettmann Consulting, LLC
Madison, WI

Workshop Topics

- Job evaluation
 - Factors
 - Examples
- Market measurement
 - Sources and benchmarks
 - Data Weighting
- Pay plan design method
 - Regression analysis
 - Pay structure
- Pay policy considerations

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A Sound Compensation Program

1. Align with strategic objectives
2. Create internal equity
3. Be competitive
4. Consider total compensation design
5. Support performance management
6. Make it affordable
7. Be legal
8. Communicate to all staff
9. Make plan efficient and consistent
10. Audit regularly

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Our Recommended Approach

- In general, balance internal consistency with market competitiveness
- One pay plan for all staff
 - Except police, fire, and transit unions
 - Covered by traditional bargaining
 - However, I need to ask you: How do your settlements with them relate to this project?

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Internal Consistency – Job Evaluation

- Evaluations based on job documentation
- Five factors
 - Education & required experience
 - Decision-making
 - Thinking challenges
 - Communications
 - Working conditions
- Objective analysis and application
- Internal review and adjustments
- Appeals following adoption

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FORMAL PREPARATION AND EXPERIENCE

FORMAL PREPARATION	Level	EXPERIENCE PROFILE TO QUALIFY FOR THE POSITION							
		Other months A	1 to 3 years B	4 to 9 years C	10 to 14 years D	15 to 19 years E	20 to 24 years F	25 to 31 years G	32 plus years H
No required specifications	1								
Basic reading, writing and math skills	2								
High school completion or equivalent	3			Asst					
High school plus an additional 1 year of formal preparation	4								
High school plus an additional 2 years of formal preparation	5			S					
Formal preparation equivalent to a two-year degree	6			A	M	D			
Formal preparation requires an advanced degree equivalent to the master's level	7								
Formal preparation requires an advanced degree equivalent to the doctorate level	8								

DECISION MAKING (IMPACT)																						
NATURE OF CHALLENGE	LEVEL	EXTENT OF DECISION MAKING (A/E/C/D) - NATURE OF DECISIONS (1/5/2/E)																				
		SUBCENTRAL A				DEPARTMENTAL B				MULTI-DEPARTMENTS C				ORGANIZATION-WIDE D								
		A	S	P	E	A	S	P	E	A	S	P	E	A	S	P	E					
TRIVIAL - Limited problem / protocols and clear boundaries	1																					
CONTINUED - Procedures / protocols are clear and responses are available as required or requested	2																					
MODERATE - Procedures and protocols are clear and responses / management function or practice is required	3																					
CONSIDERABLE - Procedures / policies / management function are integrated and applied with some personal supervision / management function	4																					
ESSENTIAL - Employees are able to make decisions with supervision and / or during some periods of some importance to the organization	5																					
INCLUSIVE - Employees are able to make decisions with supervision and / or during some periods of some importance to the organization	6																					

THINKING CHALLENGES AND PROBLEM SOLVING						
CHALLENGE AND COMPLIANCE / UNUSUAL AND PROBLEMS	LEVEL	REQUIRED RESPONSE				
		Make clear-cut choices	Choose among several options of equal merit	Choose the best alternative from among the possibilities	Examine results and feedback as a challenge, error	Develop and offer original creative solutions
Compliance is clear and obvious / problems are relatively uncomplex	1	A				
Challenges / problems tend to be routine / predictable / personal action	2		A			
Challenges / problems tend to be more diverse but are typically covered by procedures or established practice	3					6
Challenges / problems must be addressed / often involve judgment, risk, procedures and practices	4					5
Challenges / problems are unstructured and require investigation and application of logic and theories	5					D
Challenges / problems are complex / relating to team, organizational policies	6					
Challenges / problems tend to be of personal, societal and governance	7					

INTERACTIONS AND COMMUNICATIONS						
CONTENT OF INTERACTIONS AND / OR COMMUNICATIONS	LEVEL	OUTCOMES AND EFFECTS				
		A	S	C	D	E
Employees are provided to others / mainly for basic, personal interactions	1					
Requests are answered and contacts maintained for exchange basic, personal interactions	2					
Specialized interactions and / or recommendations are provided to others regarding structured response	3					
ACTIVITY procedures and / or effects others / toward achievement of personal objectives	4					
DETERMINED and / or directly become necessary for success of some important tasks to the organization	5					
Employees are personally involved in personal operations and / or performance	6					

WORK ENVIRONMENT				
PHYSICAL REQUIREMENTS	LEVEL	PHYSICAL REQUIREMENTS		
		LOW	MEDIUM	HIGH
NOTHING FOR ACCIDENTS AND / OR HEALTH HAZARDS IN THE REGULAR WORK ENVIRONMENT	1			
Minimal	2			
Limited potential for accidents and some exposure to one or two recognized health hazards	3			
Some potential for accidents and some exposure to multiple recognized health hazards	4			
Frequent for accidents and regular exposure to multiple recognized health hazards / or frequent to one	5			
Frequent potential for accidents and continuous exposure to health hazards	6			
Continuous potential for severe / but rare accidents and / or continuous exposure to recognized health hazards	7			

Human Resources Example

JOB TITLE	Formal Prep Exp		Decisions		Thinking		Communication		Work Environ		Total Points
	Rating	Points	Rating	Points	Rating	Points	Rating	Points	Rating	Points	
DIRECTOR	6E	198	5C+P	402	5D	198	5D	228	1L	50	1076
MANAGER	5D	198	4BP	174	4C+	152	4C	131	1L	50	705
ANALYST	6C	172	3A+P	150	4C	131	4C	131	1L	50	634
OFFICE SUPV	5C	114	3A+P	132	3C	114	3C	99	1L	50	509
ASSISTANT	3C	86	2AS	75	2B	75	2B	75	1L	50	361

Using the Results

- Result is many job classifications, each with a point score
- What do we do with this?
 - A unique pay range for each classification is unworkable
- Instead, allocate positions into grades
- For example:
 - Grades 1-4; 25-point intervals (<350 points)
 - Grades 5-17; 50-point intervals (350-999 points)
 - Grades 18-21; 100-point intervals (>999)

Market Measurement

- For a sufficient set of benchmark positions
 - Job classifications matched to data
 - Representative of different pay and responsibility levels
 - Sample will cover thousands of area employees
- Provide a summary report

Three Major Policy Questions

1. What are your comparison markets?
2. Where does the County want to position in those markets?
3. How do you want to deliver pay?

Question #1: Geographic Market

JOB LEVEL	INTERSTATE	STATE	LOCAL
Department Heads			
Managers			
Supervisors			
Professionals			
Non-exempt			

Weighting the Data

JOB LEVEL	PRIVATE	PUBLIC	RESULT
Department Heads			
Managers			
Supervisors			
Professionals			
Non-exempt			

In Addition to Our Custom Survey –

Supplemental market data was gathered from CDC's survey library for 42 of the benchmarks. Those surveys included:

- Bureau of Labor Statistics: Occupational Employment Statistics Metropolitan Area Occupational Employment and Wage Estimates, Milwaukee-Waukesha-West Allis, WI (data from May 2011)
- BSA M-Cladley, Milwaukee Area Compensation Survey (data from March 2011)
- Northless: Wisconsin Chamber Coalition Salary Survey, organizations with 500 or more employees (data from March 2011)
- Towers Watson Compensation Survey Library, Wisconsin/Great Lakes (data from March 2011)
- CompData Midwest Manufacturing & Distributive Survey, non-manufacturing organizations with 501-1,000 employees (data from February 2011)
- Wisconsin Association of Homes and Services for the Aging, Inc. Wage and Benefits Survey, Region 1 (data from June 2010)
- RSM M-Cladley, WSHRA Annual Compensation Survey Staff and Management Jobs (data from January 2010)

Because the surveys were published at different times, data were trended at a 2% annual rate to March 2012 (the effective date of the custom survey).

Data Review

Job Code	Current Hourly Rate*	Est. Hours	SUMMARY DATA			
			Market Estimate	Market Median	Market 90th Percentile	Market 100th Percentile
1301 DIRECTOR, HUMAN SERVICES	\$59.19	1209	\$54.35	\$51.66	93%	100%

Data from 20 counties

1306 ACCOUNT CLERK	\$17.59	572	\$17.44	\$16.99	101%	105%
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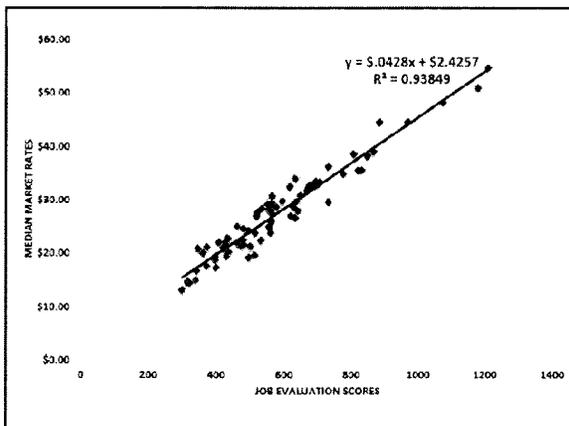
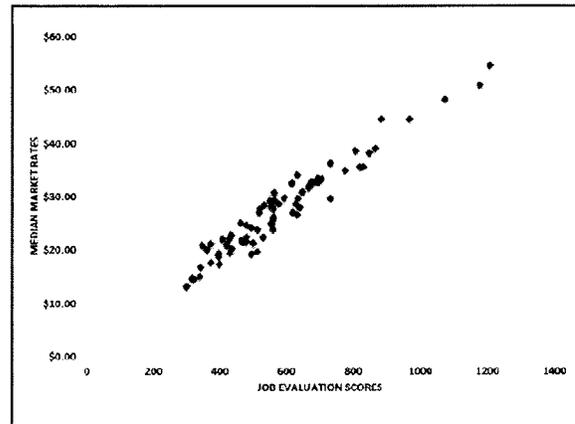
Data covering almost 10,000 employees in the area

Policy Question #2

- Where does Jefferson County want to position itself in its labor markets?
 - High? Low? Average?
- Do benefits matter?
- Graph the market data against job evaluation scores
 - Examine the correlation
 - Do we have a suitable basis for setting a pay policy line?

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Trend Line Data

- Equation for line:
 - y (predicted pay) = $\$.0428$ times x (job evaluation score) + $\$2.4257$
 - $.0428$ is line slope (every point change = $\$.0428$)
 - $\$2.4257$ is the y -axis intercept
 - Correlation coefficient is 0.94
 - * Can be interpreted as job evaluation system explains 94% of the variance in market pay
 - * This is a very high coefficient; tight fit
 - * Excellent basis for designing a pay plan

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Example of How We Use the Line Data

- Department Head X
 - Job evaluation score = 732
 - Allocated to Grade 12 (700-749 pts.)
 - Middle value is 724.5 pts
- Using the line equation
 - $(\$.0428 \text{ times } 724.5 \text{ pts}) + \$2.4257 = \$33.43$
- Market target statistic becomes the Gr 12 Control Point
- FYI – market median was $\$35.98$ for this position
 - Pay range is appropriate

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Designing a Pay Range

- Assumption: Use a step system driven by performance
 - Use a range that doesn't set pay too low or too high
 - Typically 25-30% range spread
- Our range recommendation
 - Minimum 87.5% of C/P
 - Maximum 112.5% of C/P
 - Spread of 128.5%
 - Uniform steps = 2.5% of C/P

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Returning to Our Grade 12 Example

- **Using these parameters**
 - Range Minimum = \$29.25
 - Range Maximum = \$37.61
- **Pay step size = \$.84**
- **By the way, we use hourly rates for surveying**
 - It norms out differences in workweeks
 - Many benefit systems are driven by hourly rates, and makes adoption analysis easier

In the Final Analysis

- **Pay plan makes sense if the ranges reasonably reflect what employees can earn in your labor market performing similar duties**

Pay Delivery

- **Steps across range**
 - Most old non-rep plans used this method
 - May have required performance evaluation
 - Union jobs all over the map
 - Typically just seniority driven
- **Open ranges with performance-based pay**
 - Old State of Wisconsin system
 - Common in private sector
- **Hybrids**
 - Steps requiring evaluation at least meeting expectations
 - Steps to "control point", then open
 - Bonuses

What are the remaining steps?

1. **Select delivery option**
2. **Internal review of grade order list**
3. **Review market analysis**
4. **Draft a pay plan**
5. **Bring it in for review**
6. **Legislate**
7. **Appeals**