

PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Executive Committee was held on Monday, August 7, 2017 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Lund, Supervisor Schadewald, Supervisor Campbell (for Supervisor Van Dyck), Supervisor Erickson, Supervisor Buckley, Supervisor Hoyer, Supervisor Moynihan
Excused: Supervisor Van Dyck
Also Present: Attorney TJ Parins, Brown County electricians and representative, Public Works Director Paul Fontecchio, Corporation Counsel David Hemery, Deputy Corporation Counsel Greg Gerbers, Supervisor Brusky, Internal Auditor Dan Process, Human Resources Director Kathryn Roellich, Director of Administration Chad Weininger

I. Call meeting to order.

The meeting was called to order by Chair Lund at 5:30 pm.

II. Approve/modify agenda.

Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/modify Minutes of June 21 and July 10, 2017.

Motion made by Supervisor Erickson, seconded by Supervisor Schadewald to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public. None.

1. Review Minutes of: None.

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Communications

3. Communication from Veterans' Recognition Subcommittee re: Proclamation Declaring August 19, 2017 as Purple Heart Recipients' and Disabled Veterans' Day – Request for Approval.

Motion made by Supervisor Moynihan, seconded by Supervisor Campbell to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Resolutions, Ordinances

4. An Ordinance Amending Subsection 2.13(3) of Section 2.13 of Chapter 2 of the Brown County Code of Ordinances Entitled "Meetings, Agendas".

Supervisor Moynihan informed when he assumed the Chairmanship of the 2012 – 2014 term, he added a *Comments from the Public* section to the committee agendas. However, it has now been discovered that *Comments from the Public* is not in the ordinances. This is basically a housekeeping matter.

Motion made by Supervisor Moynihan, seconded by Supervisor Campbell to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

5. **Resolution to Ratify the Proposed 2017 Labor Agreement between Brown County and the Brown County Human Services Professional Employees Association.**

-Attorney TJ Parins, 444 Reed Street, De Pere, WI

Attorney Parins addressed the Committee and indicated he is the attorney for the Brown County Human Services Professional Employees Association. Parins said the agreement before the Committee is for a .67% raise which is the most they were allowed to negotiate with the County. In the past when things have been below what the other employees were given, the Board did make accommodations through resolutions to bring the Human Services Professionals up to what the other employees got. Parins noted that even when they had the ability to negotiate above what the other employees got, the Human Services Professionals took what the other employees got, so if the other employees did not get a raise, neither did the Human Services Professionals. Now they are asking to be brought up to where the other employees are and they feel that is only fair. Parins wants to be sure the playing field is level and he said they are not asking for anything more or anything less than the other employees are getting. They just want to be given the same as all the other employees and that is all they have ever asked for. He wants his group of 125 members to be treated fairly. Parins concluded by thanking the Committee for their time.

Supervisor Schadewald asked Parins if he is asking for this to be held to allow for negotiations with the County for supplemental pay or other types of pay that they can negotiate for. Parins said they cannot negotiate but they can ask and that is why he is here. The issue of the .67 does not need to be held because the contract can go through, but he would like the group made whole with regard to supplemental pay to get what the rest of the employees got. Parins noted he has had good discussions on this with HR Director Kathryn Roellich and Corporation Counsel Dave Hemery, but it is up to this Committee to do something to help the employees.

Human Resources Director Kathryn Roellich said a resolution would have to be created to do additional compensation, market adjustment or a bonus which would then come before the Committee for approval. Hemery's advice was to pass the contract as negotiated and then refer back to HR with direction to draft something to make the employees whole if that is the Board's intention.

Motion made by Supervisor Campbell, seconded by Supervisor Hoyer to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Schadewald, seconded by Supervisor Erickson to direct Human Resources and Corporation Counsel to draft a resolution to compensate the members of the Human Services Professional Employees Association as allowed by statute to equalize them to the pay raise given to all other employees and bring back next month. Vote taken. MOTION CARRIED UNANIMOUSLY

Supervisor Buckley asked if there was a history available of what was given to this group in the past that could be used as a reference point for next year. Schadewald said that two budgets ago the Board voted on a pay increase and he pointed out on the Board floor that there were unionized associations who would have been entitled to more than what the other employees were given and they decided to do it to make it equal across the board. Roellich also said there would be documentation in the contracts or resolutions and information could be pulled from those documents as well.

Roellich asked to clarify when the effective date of this would be and Schadewald said his intent would be to have it effective January 1 as that is when the other employees received the increase.

6. **Resolution to Ratify the 2017-2019 Agreement between Brown County and the Brown County Sheriff's Department Non-Supervisory Employees.**

Motion made by Supervisor Buckley, seconded by Supervisor Schadewald to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Standing Item

7. **Discussion of 2.12 of the County Code of Ordinances: The duties and responsibilities of the EXECUTIVE COMMITTEE.**

Moynihan said he would rather look at this again later in the year because it could mean upheaval of committees and he would like to have this fresh for the new term. He will let the Board office know when he would like this put back on the agenda.

No action taken.

Reports

8. Internal Auditor Report

a. Board of Supervisors & Veterans Recognition Subcommittee Budget Status Financial Reports – June 2017 (Unaudited).

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

b. Status Update: July 1 – July 31, 2017.

Internal Auditor Dan Process indicated he has sent out a letter to Supervisors requesting input for the 2018 audit plan and he would appreciate their feedback.

Process also talked about the distribution of the paid bills report referenced in his status update. He has been forwarding a copy of the paid bills to the Supervisors as an attachment to an e-mail; however, he is not sure the e-mails are serving the intended purpose and may be creating problems instead. In the past Supervisors saw the bills the night of the meeting but it was felt that sending the bills out electronically prior to the meeting would give the Supervisors time to review them so they could ask any questions they had at the meeting. Process asked for feedback regarding the process. Moynihan said he would like to see Process continue e-mailing the bills out ahead of time to encourage the use of technology by the Supervisors.

Motion made by Supervisor Hoyer, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

9. Human Resources Report

a. Review of Chapter 4 revisions.

Roellich and Hemery addressed the Committee regarding the proposed language changes in the corrective action, discipline, terminations and lay-offs section that was distributed at the last meeting. Hemery said if the Committee approves the proposed revisions, he will put them in formal format to revise the ordinance. Schadewald said that as Chairman of the Administration Committee, he wished to express his concern that any changes made should include the expenses for training to implement the changes in the fiscal impact. His experience has been that when discipline is changed, there is a ripple effect throughout the departments in the interpretation of the changes and this can result in problems. He wants to be sure that department heads are all trained on the changes to create consistency and a common knowledge core. He does not oppose making the changes, but he does not want them to be implemented until a date certain after there has been time to train the department heads on the changes.

Roellich said as she was drafting the changes, she had the HR Analyst working on templates for some of the different types of discipline so they have a standardized format. HR is also working on internal operation procedure for management guidelines and breaking it down step by step and they already have draft of that done. Roellich agreed that providing training prior to implementation is critical and she feels a month or two would be needed to ensure that training is done before the policies are implemented.

Lund suggested waiting until all of the changes to Chapter 4 are formulated and then a certain amount of time could be designated to implement the entire package. Roellich said her understanding was to bring this to the Committee section by section, one at a time for review and approval. Schadewald said that was also the understanding of the Administration Committee and he feels that instead of trying to do it all at once, we should go through this piece by piece to be able to do it right. He feels we should approve the changes in concept and then start training like the changes will be implemented and then report back with an update. Roellich said rather

than training on something that may not be approved by the full County Board, she would like to distribute the proposed changes to department heads and supervisors for review, and then meets with them for input and then she can report back to the next Executive Committee with feedback. Moynihan suggested a motion to refer this back to HR to be brought back next month with any changes from the department heads.

Motion made by Supervisor Buckley, seconded by Supervisor Erickson to refer to HR and bring back next month with any proposed changes after meeting with department heads. Vote taken. MOTION CARRIED UNANIMOUSLY

- b. **Update re: Electrician's Pay. *June motion: To refer to Administration and Human Resources to give numbers of how many units and people this affects and bring information back to Executive Committee.***

Roellich reported that during the previous class and comp study, there was a class spec design for electricians which does not differentiate between the types of duties, knowledge, skills or abilities; the only differentiation is between years of experience and certification or licensure held with the State of Wisconsin. Roellich also went on the State website and identified the criteria for the difference between a journeyman and a master and she also spoke with the department head about how he differentiated and one of the things was pulling permits. To Roellich's knowledge based on the information she received from the department head, only one of the four employees in question pulls permits on a master's level. Roellich said if the employees are not being classified consistent with the State requirements and they are all doing the same or similar work, other than the one pulling permits on occasion, it would be her recommendation that they all be classified the same. This does not necessarily mean all masters or all journeymen, but if they are doing similar work, they should be classed the same.

Moynihan said this goes back to his argument from last month that Mr. Fenlon should be receiving pay at the same level as the others. Roellich said the table of organization says the department should have three masters and one journeyman, but if you look at this from a classification perspective, there is no substantive difference in duties or functions performed between a journeyman and a master in the class specs or the position descriptions. The only difference is years of experience and the licensure/certification from the State. What Supervisor Moynihan is suggesting would take a change to the table of organization.

Buckley said he recently spoke with some electricians about this who were surprised that the County has three master electricians on staff. They felt that based on the number of permits being pulled and the work that is being done, it was not necessary to have masters and he also learned that very few companies have masters to pull permits. Some of the people he spoke with who have 20 plus years of experience did not feel that the County needed three master electricians. Buckley asked why the County has so many masters on staff and how many permits and plans are actually being read. Roellich said she did not currently have enough information about the type of functions being done, the level, complexity or depth of it without doing an analysis. Schadewald felt this issue should probably be referred back to the oversight committee. Buckley asked if records were kept of what the electricians do. It was indicated that there would be records that could be reviewed to see if the work being done should be considered journeyman work or masters work.

Motion made by Supervisor Schadewald, seconded by Supervisor Moynihan to send this issue back to the parent committee for a recommendation on a change in the table of organization. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Schadewald, seconded by Supervisor Buckley to direct Human Resources and Corporation Counsel to draft a resolution to compensate the electricians as allowed by statute to equalize them to the pay raise given to all other employees and bring back next month. Vote taken. MOTION CARRIED UNANIMOUSLY

At this time Roellich provided a revision to different section of Chapter 4, a copy of which is attached. This item was not discussed at this time but was provided to the Committee to review and talk about at the next meeting. Hemery wanted to remind the Committee that without going to referendum the County is unable to pay union individuals more than the CPI. There are options to give bonuses or things of that nature, but caution needs to be used in future discussion to not get into base wage territory. Hemery will look into options for base wages, but

reiterated that we get into dicey territory when looking at having union employees receive the same percentage raise as other employees.

10. **Department of Administration Report**

a. **Budget Status Report – Levy Funded Departments as of June 30, 2017.**

Motion made by Supervisor Moynihan, seconded by Supervisor Erickson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

11. **County Executive Report**

No report; no action taken.

Motion made by Supervisor Schadewald, seconded by Supervisor Buckley to take Item 15 at this time. Vote taken. MOTION CARRIED UNANIMOUSLY

Closed Session:

12. **Open Session:** Motion and Recorded Vote pursuant to Wis. Stats. Sec. 19.85(1), regarding going into closed session pursuant to Wis. Stats. Sec. 19.85(1)(e), i.e. deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, in particular, deliberating and negotiating strategy and options regarding obtaining property for employee parking downtown.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to enter into closed session. Roll call vote taken. Ayes: Campbell, Erickson, Lund, Moynihan, Schadewald, Hoyer, Buckley. MOTION CARRIED UNANIMOUSLY

13. **Convene into Closed Session:** Pursuant to Wis. Stats. Sec. 19.85(1)(g), the Brown County Board of Supervisors shall convene into closed session for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, as competitive or bargaining reasons require a closed session here for deliberating and negotiating strategy and options regarding obtaining property for employee parking downtown.

Motion made by Supervisor Moynihan, seconded by Supervisor Campbell to return to regular order of business. Roll call vote taken: Ayes: Campbell, Erickson, Lund, Moynihan, Schadewald, Hoyer, Buckley. MOTION CARRIED UNANIMOUSLY

14. **Reconvene into Open Session:** The Brown County Board of Supervisors shall reconvene into open session for possible voting and/or other action regarding obtaining property for employee parking downtown.

No action taken.

Other

15. **Such other matters as authorized by law.**

Although shown in the proper format here, this was taken following Item 11.

Supervisor Brusky recalled her earlier communication regarding her constituent's concerns about her salary in the Clerk of Court's office. In June a motion was made that referred the communication to staff to come back in 60 days with a list of employees who are in the same predicament and whether they were budgeted for a higher amount than they were being paid.

Roellich informed she did a snapshot of employees and found that approximately 600 employees in a variety of departments are in a similar predicament of being longer term employees who are being paid less than new hires.

This is not going to a simple fix. Lund agreed and said something needs to be done in the future because this is patently unfair, especially in a government situation where everyone knows what everyone gets paid.

Buckley would like Roellich to continue to work on what a long term solution to this may be instead of piece mealing this and noted that it will also need a fiscal impact. Roellich said she pulled the class and comp that went into effect in 2016 and looked at everyone hired in 2015 or prior who were below the mid-point of their position and there are a great number of employees. To bring them all to mid-point is estimated to cost over \$2 million dollars. These numbers are to the best of her recollection. Schadewald feels this is something we will have to work on until the budget.

Supervisor Erickson said that part of this stems back to the 120 employees who came to the Committee in January who feel that they are classified incorrectly and are being underpaid compared to coworkers who are doing similar or the same duties. Roellich said she has done an RFP for a new class and comp study that she has provided to Corporation Counsel for input. She noted that the data we have is old and needs to be updated and she informed that compensation is based on supply and demand. When positions are in short supply, people are paid more, but when there is a surplus of employees for certain positions, the compensation is not as competitive. She feels that updated data is needed to get a better idea of where the County really is.

Brusky commented that the constituent that brought this issue forward noted that there was a recent job posting for a judicial assistant. The posting listed a pay range of \$18.14 to \$22.67, but in the budget, there are eight judicial assistants making more than that at \$22.97 an hour, but one judicial assistant, who happens to be in the same branch as Brusky's constituent, is making \$22.22. There are eight being paid at \$22.97 and one being paid \$22.22. Lund acknowledged that these issues need to be resolved, but in the meantime the County still has to be able to hire people with the appropriate credentials to get the work done.

On another issue, Moynihan brought up the meeting schedule for the County Board and Committees for December, 2017 around the holidays. He provided a calendar with dates that some of the Committees have already been moved to and asked the Committee chairs to talk to their Committees about their meeting dates and keep the Board office advised.

No action taken.

16. **Adjourn.**

**Motion made by Supervisor Moynihan, seconded by Supervisor Schadewald to adjourn at 6:42 pm. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Therese Giannunzio
Recording Secretary

EMPLOYMENT SELECTION PROCESS

4.16 POLICY. Brown County provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender including transgender or gender identity status, sexual orientation, national origin, age, disability, genetic information, marital status, arrest and conviction record, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. Employment decisions in Brown County shall be based on merit, qualifications, and abilities. Brown County complies with applicable state and local laws governing non-discrimination in employment in every location in which the County has facilities. The County will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the County. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

4.17 SELECTION PROCESS. The Human Resources Department will coordinate the hiring and selection process for all County employees.

4.18 AUTHORIZATION TO HIRE. Department Heads wishing to fill vacancies in existing budgeted positions shall submit a requisition to the Human Resources Department prior to initiating recruitment. The Human Resources Manager Director/designee shall review and verify the information, provide appropriate comments and recommendations, and forward the requests to the County Executive for final authorization. All positions (except 24/7 and emergency positions) are subject to the approval of the Human Resources Director, the Director of Administration, and the County Executive. Monthly, the Human Resources Manager-Director shall provide a report to the Standing Oversight Committee and Executive Committee of all vacancies approved and posted.

~~4.184.19~~ **VACANCIES.** In an effort to recruit the most qualified individuals, to ensure fair employment opportunity and to help in Affirmative Action communication efforts, the Human Resources Department will coordinate the posting of job opportunities, including internal and external announcements of Brown County job opportunities. There is no requirement to fill all positions authorized by the County Board. Department Heads are encouraged to continually evaluate their department needs prior to filling open positions.

4.20 JOB POSTING. When the County determines that a vacancy or a new position will be filled, the County, in its sole discretion, may post notice of such vacancy or position. Vacancies may be posted electronically by the Human Resources Department, and may be posted internally and/or externally as determined by the Human Resources Department. Existing position vacancies will be posted internally and/or externally when deemed advisable by the Human Resources Department to allow qualified applicants to apply. There may be circumstances when a department, upon approval from the Human Resources Department, shall post vacancies internal to

the department prior to posting to all County employees or to the public. Job openings which the County chooses to post shall be posted for a minimum of five (5) working days. The County retains the right to determine whether and when to recruit outside applicants.

Job postings shall include the following:

- Notice to applicants regarding the requirement of a criminal background check;
- Special requirements; for example, CDL, State Licensure, etc.; and
- EOE/CRC Employer

4.21 APPLICATIONS. Prospective employees and employees seeking promotion, transfer, or voluntary demotion shall utilize the County's online application system which is required for all positions. Prospective employees, and employees seeking promotion or transfer, may post a résumé in addition to an application, but a résumé shall not substitute for an application. - In recognition of the County's efforts to provide all citizens with an opportunity to succeed, it is the policy of Brown County that applicants will not be required to disclose arrest/criminal record history when completing the County's online employment application, unless required by state and/or federal law. Applicants selected for interviews, however, will be required to consent to a criminal background check in accordance with Brown County policy and state and federal law. The County relies on the accuracy of information contained in the employment application, as well as the accuracy of all other data received from applicants in the hiring process. Any deliberate misrepresentations, falsifications, or material omissions in any of this information shall result in the County's exclusion of the individual from further consideration for employment, or, if the person has already been hired, discipline up to and including termination of employment depending upon the circumstances.

~~**APPLICANT TESTING.** To avoid the practice effect, or gains from having taken the same or similar exams previously, the Human Resources Manager may allow the reuse of an exam score within a twelve (12) month period.~~

4.22 APPLICANT SELECTION. In consultation with the Human Resources Department, the Department Head, Elected Officer or their designee shall determine which applicants meet the minimum qualifications for the position. Qualified applicants are referred to the applicable departments for consideration by the Department Head. The Human Resource Director may grant departments the authority to schedule and coordinate interviews provided they are trained in the necessary processes.

4.23 INTERVIEWS. Internal applicants interviewing for positions within their current Department shall have their time spent in interviews included as hours worked for the work week. Internal applicants interviewing for positions outside their current Department shall not have their time spent in interviews included as hours worked for that work week and shall not receive compensation for time spent in interviews. An employee applying for work outside their current Department may utilize paid time off for purposes of interviewing.

~~**4.19 INTERVIEW EXPENSE REIMBURSEMENT.** Except as provided herein, all applicants invited to participate in the Brown County selection process will do so at~~

~~their own expense.~~ Applicants may be reimbursed for all or part of reasonable expenses incurred in conjunction with an interview including travel, meals and overnight accommodations, upon recommendation of the department head and with the approval of the Human Resources Director and the County Executive. All reimbursement requests must conform to transportation, meal, and lodging maximums and receipt supporting said request must be provided prior to reimbursement, as determined by the Human Resources Manager and approved by the County Executive. ~~All reimbursement requests must conform to transportation, meal, and lodging maximums and receipt.~~

~~4.204.24~~ **SELECTION DEVICES.** The Human Resources Department shall be responsible for determining methods to be used to screen applicants for position vacancies. Such methods or devices may include, but need not be limited to the following:

- (1) Review of education, training and experience as shown on the application or other supplemental materials.
- (2) Practical written or oral tests, work sample or performance tests, if job related.
- (3) Physical tests of strength, stamina or dexterity and pre-employment health examination, ~~when if~~ job related. The Human Resources Department shall work with the Sheriff's Department to administer and score Law Enforcement Testing.
- (4) Background and reference inquiries.

~~4.214.25~~ **CONFIDENTIALITY.** Formal selection materials shall be known only to the Human Resources Department ~~Staff~~ staff and other persons they designate on a need to know basis. Every precaution shall be exercised by all persons participating in the development and maintenance of materials to insure the highest level of integrity and confidentiality.

~~4.224.26~~ **NOTIFICATION OF CANDIDATES.** The Human Resources ~~Manager~~ Director shall determine the proper notice given to candidates. Each applicant competing in the selection process at or beyond the interview stage shall be given written notice of whether or not he/she was selected for the position.

~~4.234.27~~ **ELIGIBILITY LISTS.** The Human Resources Manager shall have the authority to establish and maintain eligibility lists as may be necessary or feasible. The duration of eligibility lists shall not generally exceed one (1) year with extension possible at the discretion of the Human Resources Manager. Eligibility lists may be terminated if they no longer contain a sufficient number of qualified or interested applicants. A candidate may be removed from an eligibility list at the discretion of the County.

~~4.244.28~~ **CONTINGENT OFFERS OF EMPLOYMENT.** The Human Resources Department may extend an offer of employment—which may be withdrawn at any

time— that is contingent upon the applicant successfully completing a physical examination, drug test, credit verification, or similar post-offer inquiry. No individual will be allowed to begin work with the County until the County has verified success completion of pre-employment testing.

4.254.29 RELOCATION EXPENSE. When the County fills a FLSA exempt position with an individual who does not reside in Brown County, upon recommendation of the department head and prior approval of the Human Resources ~~Manager~~ Director and County Executive, the County shall pay the reasonable cost of the relocation, which shall be appropriated as an expense relevant to the Department conducting the hiring process.

4.264.30 EMPLOYMENT OF MINORS. In limited circumstances, Brown County may utilize minors for staffing purposes, if not prohibited by law. Employment of minors shall be in accordance with all applicable state and federal laws. The utilization of minors for staffing purposes may only be done with the authorization of the Human Resources Department. When authorized for employment, those applicants will be required to provide a work permit to the Human Resources Department prior to engaging in any work activity.

4.32 NEPOTISM. (1) No person shall be employed, promoted, or transferred to any department or agency within Brown County government or to a division or section thereof when, as a result, he or she would be ~~directly supervising or receiving direct supervision from a member of his or her immediate family or working directly above the relative's immediate superior or directly for the relative's immediate supervisor. Immediate family is defined as wife, husband, father, mother, guardian, sister, brother, children of employees, aunt, uncle, grandchildren, grandparents, father-in-law, mother-in-law, sister-in-law or brother-in-law. No person shall be employed, promoted, or transferred to any department or agency within Brown County government employment~~ when a member of the person's immediate family is already employed within that department or agency. Immediate family is defined as spouse, parent, guardian, sister, brother, children of employees, aunt, uncle, niece, nephew, grandchildren, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law, first cousin, or who is a significant other or "domestic partner" (as defined under Wis. Stat. Ch. 770). A person considered to be a "significant other" of the employee includes a person with whom the employee cohabitates.

- a. An exception to this provision may be made upon sufficient justification and demonstration by the Department Head to the Human Resources Director. Approval is at the sole discretion of the Human Resources Director will determine if such employment, promotion or transfer would be detrimental to the best interests of Brown County.

BACKGROUND VERIFICATION

4.34 VERIFICATION OF QUALIFICATIONS. Those employees who are required to have a valid Wisconsin driver's license, commercial driver's license, other license or certification, or a degree to perform their duties, shall provide a current copy of the driver's license, CDL, other license or certification or degree to be placed in their personnel file.

4.35 CAREGIVER BACKGROUND CHECKS. The Wisconsin legislature and the Wisconsin Department of Health Services have enacted laws and regulations which mandate the completion of background checks on certain caregivers. The County is prohibited from employing any person, or accepting volunteer services from any person, who has been convicted of, or has a pending charge for a serious crime as provided by statute or Department rule. The Human Resources Director is responsible for managing and coordinating all background checks. Prior to an offer of employment has been made, or volunteer services have been accepted, the Human Resources Department shall conduct a caregiver background check in compliance with Wisconsin Statutes.

(1) The County shall fully comply with the laws and regulations governing background checks as they currently exist or may be amended.

4.36 CRIMINAL BACKGROUND CHECKS FOR NEW EMPLOYEES. The Human Resources Department, or its designee, shall conduct a criminal background check in compliance with Wisconsin Statutes. All employees are required to have a criminal background check.

4.37 EMPLOYMENT REFERENCES. Unless delegated by the Human Resources Director, no County employee shall reply to an Official Reference Check from a potential employer. Requests for reference checks should be forwarded to the Human Resources Department and must be made in writing and include an authorization from the employee for the release of the requested information. The Human Resources Director may direct the questions to the Department Head who may respond in writing with a copy of the Human Resources Director. In certain instances it may be necessary to provide a verbal response, but this shall only be after receipt of a valid, signed release of information authorization and by or at the direction of the Human Resources Director. In the event a reference check is not accompanied by an employee release, the Human Resources Department shall require a release prior to provision of any information other than position, dates of employment and compensation. This paragraph is not intended to prohibit employees from serving as Personal References. For purposes of this policy, personal references are construed to mean references that do not speak to the candidate's work performance or specific service to the County, but rather the candidate's personal characteristics, educational background, and personal dealings with the referring employee. The referring employee assumes all liability for the content of the personal reference. Employees are prohibited from providing professional references for other employees without the express written approval of the Human Resources Director. Employees found violating this policy shall be subject to discipline, up to and including termination from employment. Employment verification requests shall be referred to the Human Resources Department and must include the same authorization requirements as listed above. Payroll and salary verification requests may be sent directly to the Human Resources Payroll Department.

4.38 BACKGROUND CHECKS FOR EXISTING EMPLOYEES. The County is required to conduct background checks for existing employees as provided by Wisconsin Statutes. All County employees shall notify the Human Resources Department as soon as possible, and no more than three (3) business days following any pending charge. This same policy shall apply to all contracted persons and volunteers.