



OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal, Corporation, or Sub-unit thereof.

Meeting of the:	Human Resources Committee *REVISED*
Date/Time:	Monday, July 13, 2020 at 4:30 PM
Location:	City Hall (407 Grant Street) – Council Chambers – 1 st Floor
Members:	Becky McElhaney (Chair), Dawn Herbst (Vice Chair), Lou Larson, Michael Martens, James Wadinski

AGENDA ITEMS FOR CONSIDERATION

- 1) Approval of 6/8/20 Minutes.
- 2) Human Resources Report for June.
- 3) Discussion and Possible Action Granting Paramedic Incentive Pay to Battalion Chiefs.
- 4) Discussion and Possible Action Creating a Sign-on Bonus Program.
- 5) Discussion and Possible Action on the 2020 Biometric Screening Wellness Program.
- 6) Discussion and Possible Action Granting Settlement Authority for Worker's Compensation Claims.
- 7) Discussion and Possible Action on Face Covering Policy.
- 8) Discussion and Possible Action Amending the City's Position Management System.
- 9) Discussion and Possible Action on the City's Revised Police for Employees with Symptoms or Exposure of Novel COVID-19 (Coronavirus).
- 10) Discussion of Amalgamated Transit Union Grievance, per Step 3 Grievance Procedure of the Collective Bargaining Agreement.
- 11) **Closed Session** pursuant 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and 19.85(1)(f) considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration or specific personnel problems or the investigation or charges against specific persons were par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories, or date, or involved in such programs or investigations for the purpose of considering ATU Local 1168 union grievance regarding an employee termination.
- 12) **Closed Session** pursuant 19.85(1)(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, for the purpose of considering Wausau Professional Police Association and Wausau Firefighters Association Local 415 Collective Bargaining
- 13) Reconvene into Open Session, and Possible Action on Closed Session Item #10 Consideration of ATU Local 1168 union grievance regarding an employee termination.
- 14) Adjournment.

*Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling **1-408-418-9388**. The Access Code is **146 950 4429**. Password: **C86Ajr6VpQ (964586090** from phones)

Individuals appearing in person will either be seated in the Council Chambers or an overflow room, subject to the social distancing rules. Space will be available on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live over the internet by <https://waam.viebit.com/?folder+ALL>, on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>.

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 07/13/2020 at 8:30 AM

Questions regarding this agenda may be directed to the Human Resources Office at (715) 261-6630.

It is anticipated that each item listed on the agenda may be discussed, referred, or acted upon unless it is noted in the specific agenda item that no action is contemplated. It is possible that members of, and possibly a quorum of members of other committees of the Common Council of the City of Wausau may be in attendance at the above mentioned meeting to gather information. **No action will be taken by any such group at the above mentioned meeting other than the committee specifically referred to in this notice.**

"In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call Human Resources at (715) 261-6630 or the City's ADA Coordinator at (715) 261-6620 or e-mail clerk@ci.wausau.wi.us at least 48 hours prior to the scheduled meeting or event to request an accommodation."

Other Distribution: Alderpersons, Mayor, Department Heads, Union Presidents.

DRAFT

**CITY OF WAUSAU HUMAN RESOURCES COMMITTEE
MINUTES OF OPEN SESSION**

DATE/TIME: June 8, 2020 at 4:30 p.m.
LOCATION: City Hall (407 Grant Street) – Council Chambers
MEMBERS PRESENT: Dawn Herbst, Lou Larson, Michael Martens, Becky McElhaney, James Wadinski
MEMBERS ABSENT:
Also Present: Mayor Rosenberg, T. Vanderboom

McElhaney called the Human Resources Committee meeting to order at 4:30 p.m.

Approval of the 3/9/2020 and 5/11/2020 Minutes.

Motion by Herbst to accept the March 9, 2020 and May 11, 2020 Human Resources Committee minutes. Second by Martens. All ayes. Motion passed 5-0.

Human Resources Report for May.

Vanderboom asked if there were any questions regarding the report. Martens asked how the worker's compensation claims number have been compared to last year. Vanderboom said that she was unsure of how the City is doing compared to last year but thinks we are trending lower, and that she will check and let Martens know. No other questions were brought forward.

Discussion and Possible Action updating the City's DOT Alcohol and Anti-Drug Policy to comply with recent DOT regulations (Clearinghouse).

Vanderboom explained that the DOT updated their regulations that HR staff worked with CVMIC to update the City's Alcohol and Anti-Drug Policy with the DOT updates. Vanderboom explained that the Clearinghouse is an online database for CDL drivers in which to record positive random drug test results, and that the City is required to run queries on its CDL drivers once a year and enter any positive drug test results that are reported. This repository will be available for all employers to know if an employee or prospective employee has had a positive drug test result with another employer.

Martens asked if anything else had changed with the policy; Vanderboom said no, just the updates to comply with DOT drug testing and utilizing the Clearinghouse. Herbst asked if employees are notified ahead of time about drug tests. Vanderboom explained that employees are not aware of when they will have a random drug test. As for the Clearinghouse, the employee or prospective employee must give consent and create a record in the Clearinghouse. Although enrollment is voluntary, if an employee does not enroll or give consent, they would likely be terminated.

Motion by Martens to approve the updates to the City's DOT Alcohol and Anti-Drug Policy as presented. Second by Larson. All ayes. Motion passes 5-0.

Discussion and Possible Action Restructuring Police Department Clerical Staffing.

Vanderboom referred to the memo in the packet submitted by the Police Department requesting to change their clerical staffing structure. Vanderboom said that the cost to the City will increase due to changing one position to being eligible for benefits, but because the staffing level will go down by 12 hours per week, it is considered a cost savings.

McElhaney asked the reasoning for the request; Vanderboom recounted the reclassification request from the department and said that this request will undue the reclassification request that was passed and consolidate two of their part-time positions into a full-time position.

Bliven appeared as Vanderboom finished. Vanderboom said that she explained the department would like to reclassify an Administrative Assistant III position to an Administrative Assistant II position, combine two part-time positions into a full-time position, and that the funding would come from not filling a position with the extra 12 hours remaining. Vanderboom said there was some question about undoing the reclassification that was done in the fall and that she explained about the voluntary demotion. Bliven explained that they lost one clerical person, another clerical person wanted full-time so they approved that, and that it would be difficult to find someone who wanted to work 12 hours a week so it was decided to eliminate that position.

Martens asked if the work will be able to get done with the reduction in hours. Bliven said that he talked with Susan Lang and she believes it can be done. Bliven also said that if need be, they could authorize some overtime since they will be saving money.

Motion by Wadinski to approve restructuring the Police Department clerical staff. Second by Herbst. All ayes. Motion passed 5-0.

Discussion and Possible Action on the City's Revised Policy for Employees with Symptoms or Exposure of Novel COVID-19 (Coronavirus).

Vanderboom said that the policy has been revised three times as new information has come up and that the revisions could be done without approval from the Committee, but since the Safer at Home Order expired, she wanted to go through the formal approval process with the Committee. Revisions in this version include removing all references to Safer at Home and recommending that employees following WI Health Department and CDC guidelines for travel.

Motion by Herbst to accept the City's revised Policy for Employees with Symptoms or Exposure of Novel COVID-19 (Coronavirus). Second by Larson. All ayes. Motion passed 5-0.

Herbst and Vanderboom explained that previously an item for future agenda items was placed on the agenda for the Committee to offer up any items they would like to see in the future, but that the committee could not discuss them while recommending them. Herbst asked if the members were comfortable with bringing any items to Toni instead. The committee had no issues.

Adjournment.

Motion to adjourn by Herbst. Second by Larson. Meeting adjourned.

Rebecca McElhaney
Human Resources Committee, Chair

**HR PERFORMANCE REPORT****Core Services*****Classification & Compensation***

Open Reclassification Requests

Current Job Position	Current Salary Range	Requested Job Position	Requested Salary Range	Request Date

Completed Reclassification Requests

Original Job Position/Salary Range	Requested Job Position/Salary Range	Approved Job Position/Salary Range	Request Date	Council Approval Date

Employee Benefits

Family Medical Leave (YTD)

Requests Received	Approved	Pending	Denied/Canceled
52	38	3	9 2

Reasons why denied under FMLA

Paperwork not returned	Insufficient years of service/hours	Condition does not qualify	Paperwork not authentic
9			

Workers Compensation (YTD)

Number of Claims	Lost Time	Medical Only
12	4	8

**HR PERFORMANCE REPORT***Employee and Labor Relations*

Grievances (YTD)

Number of Grievances	Open Grievances	Closed Grievances	ATU (Metro) Grievances	WPPA (Police) Grievances	WFA (Fire) Grievances
2	1	1	1	0	1

Open Grievances

Employee Name	Union	Issue	Date Filed	Status
Nick Olsen	Transit	Discharge Policy Violation		Advanced to Step 3

Closed Grievances

Employee Name	Union	Issue	Date Filed	Status
A, B & C Crew	Fire	Offering of Emergency Responder Paid Sick Leave with MOU	3/31/20	Grievance withdrawn, MOU negotiated and signed

**HR PERFORMANCE REPORT***Recruitment & Selection***New Hires**

Employee Name	Department	Job Title	Hire Date
Seth Cate	Police	Police Officer	1/22
Mai Vang	Finance	Administrative Assistant III	1/13
Korey Radkowski	DPW	Street Maintainer	1/20
Andrew Kutchenriter	Police	Police Officer	1/23
Hnia Thao	Police	Police Officer	1/23
Gregory Radke	DPW	Street Maintainer	1/27
Lauryn Erdman	Police	Crime Response Specialist	1/30
Betsy Duginski	Comm Dev Authority	Administrative Assistant I	2/03
Leslie Kremer	Finance	City Clerk	2/24
Dylan Landwehr	DPW	Street Maintainer	2/24
Brandon Tousignant	Fire	Firefighter/Paramedic	2/24
Zachary Becker	Fire	Firefighter/Paramedic	2/24
David Briggs	Fire	Fire Training Division Chief	3/11
Sean Fitzgerald	Community Development	Business Development Specialist	5/05
Jacquelyn Gruna	Finance	Administrative Assistant III	6/17
Michael Bedish	Police	Police Officer	6/17
Jeremy Steinman	Sewer	Plant Maintenance Mechanic	6/29
Tyler Wagner	Sewer	Lab Technician	6/29

Separations YTD

Total Number of Separations	Resignations	Retirements	Terminations
18	9	5	4

**HR PERFORMANCE REPORT****Promotions/Transfers**

Employee Name	Old Job Position	New Job Position	Previous Incumbent	Effective Date
Marlon Marks	Firefighter/Paramedic	Engineer	Guy Skidmore	1/12
Mary Jordan	Administrative Asst. III	Administrative Asst. II	Teri Daigle	3/30
Ryan Dwelly	Sewer Maintainer	Collections System Supervisor	Ken Rye	4/20
Nicholas Gehring	Firefighter/Paramedic	Engineer	Andy Adrian	5/07
Michael Becker	Fire Lieutenant	Battalion Chief	Allan Antolik	6/19
Matthew Brockman	Firefighter/Paramedic	Fire Lieutenant	Michael Becker	6/19
William Olsen	Sewer Maintainer	Plant Maintenance Mechanic	New Position	6/29

Active Recruitments

Job Title	# of Vacancies	Date Vacant	Status
Police Officer	2	1/3, 4/24	Conditional Offer Candidates In Process
Administrative Assistant II (Municipal Court)	1	2/7	Application Screening in Process
Sewer Maintainer	3	(New Position 3/3), 4/20, 5/1	Application Screening in Process
Water Distribution Maintainer	1	3/3	Interviews Complete
Equipment Services Mechanic	1	2/18	Deadline 7/12
Community Development Director	1	6/29	Deadline 7/24

Vacant Positions (Not Being Recruited)

Job Title	Number of Vacancies	Date Vacant	Status
Bus Operator I	1		On hold

Human Resource Committee Packet

July 13, 2020

Agenda Item
Discussion and Possible Action Granting Paramedic Incentive Pay to Battalion Chiefs
Background
At the end of 2019, the Human Resources Department conducted a compression analysis of all City positions, including the Fire Department. That analysis revealed a minimum 5% spread between all positions in the Fire Department, including between represented and non-represented positions. However, the collective bargaining agreement between the City and the Wausau Firefighter Association includes several incentives, including an Emergency Medical Technician Incentive. The current collective bargaining agreement includes Appendix B, which codifies the Emergency Medical Technician Program for represented employees (attached.) Per the Fire Chief's Staffing Paper (attached), the position of Battalion Chief responds on EMS responses and oversees the care of line-paramedics and will help provide patient care when required.
Fiscal Impact
Approximately \$3200
Staff Recommendation
Approve 2% Paramedic Pay Incentive, contingent upon proof of paramedic licensure
Staff contact: Toni Vanderboom (715-261-6634) and Tracey Kujawa (715-261-7901)



Memorandum

From: Tracey Kujawa, Fire Chief
To: Human Resources Committee
Date: July 1, 2020
Subject: Pay Compression

Purpose:

To help alleviate the compression in compensation which exists between the lieutenant and battalion chief's positions within the Wausau Fire Department.

Recommendation:

Discussion and approval of providing a 2% paramedic pay for the battalion chief's position which they lost upon promotion. This will assist in alleviating the compression which is currently present between the position of lieutenant and battalion chief.

Facts OR Considerations:

The Wausau Fire Department is having difficulty recruiting members of our Department to apply for the position of battalion chief because of the minimal hourly increase from the lower ranked union position to the higher ranking non-union position. We want quality individuals applying for this position and it has been difficult, at best, to recruit people to apply for this position because they lose the following upon promotion:

- Union representation
- 0.5% per hour for overtime worked
- Longevity pay
- Paramedic pay
- 4 hours of additional holiday pay when scheduled to work on a holiday

The battalion chief, or shift commander, has increased responsibilities and receives minimum or no increase in overall compensation. This position manages an 18 person crew and is assigned as the incident commander at all significant responses requiring them to literally make life and death decisions immediately, without delay, concerning situations that are dynamic and most often with minimal information. The battalion chief's position does respond on EMS responses and oversees the care of our line-paramedics and will help provide patient care when required. With this expectation it is logical to have them continue to earn their 2% paramedic pay.

Impact:

The budget impact would be 2% of the current salaries of two battalion chief's position which is estimated at approximately \$3,200.

Drafted by: Tracey Kujawa

Cc: Mayor

APPENDIX B EMERGENCY MEDICAL TECHNICIAN PROGRAM

A. Terms and Definitions

EMT-Basic - refers to an individual who holds a current State EMT-B license.

EMT- Advanced - refers to an individual who holds a current State EMT- Advanced license.

EMT-Paramedic - refers to an individual who holds a current State EMT Paramedic license.

Program – When “P” is capitalized, refers to EMT-Paramedic services offered to the Wausau Area by the Wausau Fire Department

State – The State of Wisconsin Emergency Medical Services

Decertification – The process by which an individual may leave the EMT-P program.

Verified Medical Reasons – A medical Condition which prevents an individual from carrying out the duties and responsibilities of the EMT-P license. Such a condition shall be verified in writing with a statement from a Wisconsin licensed physician or other state licensed specialist detailing the specific reason(s) necessitating leaving the Program

B. Roster

1. Individuals Hired after November 1, 2000 will be required to maintain EMT-P licensure until they are promoted to the rank of Engineer or the rank of Lieutenant.
2. All Program participants agree to serve a minimum of five (5) years in the Program. The five (5) years shall be measured from the date of full EMT-P licensure is received.
3. After five (5) years of Program participation, an individual may apply for decertification during an annual time period from August 15 to September 1.
4. Wausau Fire Department will post an annual notice on departmental bulletin boards from August 15 to September 1 to notify eligible Program participants of the renewal or decertification time period.
5. Personnel leaving the Program shall be allowed to keep their EMT-P license for six (6) months after leaving the program, or until the next license renewal time, or until the next refresher class is offered, whichever is the shortest time period.
6. Personnel who have left the Program, but who have maintained their EMT-P licensure and its requirements may rejoin the Program.
7. Personnel leaving the Program will be required to perform all duties associated 32 with the Wausau Fire Department job classification they return to. Personnel leaving the program will be required to maintain EMT-Basic license.
8. When more than one Program participant applies to leave the Program, the following shall be the criteria used to select those who may leave: a. The number of personnel available to replace those applying to leave. The total number of which may leave the Program at any time will be determined by the needs of the City. b. Promotion. c. Seniority in the Program. d. Seniority in Wausau Fire Department. e. Personnel with

verifiable medical reasons will be allowed to leave the Program at any time. f. Personnel who move into the Inspection Department will be required to leave the Program.

C. Training

1. EMT continuing education opportunities and refreshers will be available.
2. All licensed Wausau Fire Department Emergency Medical Technicians shall complete their refresher training as required by the State to maintain their licensure.
3. Program participants will be allowed to accumulate state required continuing education credits by attending Wausau Fire Department approved classes of their choice. This shall not apply to the annual refresher training outlined in C1 nor the requirements of C4.
4. Wausau Fire Department reserves the right to require attendance at certain special EMT training sessions with reasonable notice.
5. Program participants choosing to travel to classes outside of the Wausau Metropolitan area for continuing education credits shall do so at their own expense. Wausau Fire Department will assume only those expenses equivalent to local tuition, overtime and other expenses which would have normally occurred had the individual attended a local class.
6. All continuing education required by the State and the Medical Director will be adhered to.
7. All continuing education which utilize City resources will be approved by the Wausau Fire Department prior to participation.
8. Wausau Fire Department will post the dates for refresher training at the same time the vacation schedule is posted. Personnel agree to make themselves available for refresher training on the dates posted by not selecting those dates for vacation, wellness, or other off time. Employees may attend training modules elsewhere at their own expense if they miss a Wausau Fire Department scheduled refresher class.
9. If a posted Program refresher or ACLS training date is changed and a Program participant finds that the new date conflicts with vacation, wellness, or other time previously scheduled, the Program participant will be allowed to reschedule the 33 off time for any equivalent amount of off time due within 90 days of the rescheduled training date.
10. Nothing in this agreement is intended to nor should be construed as abridging or nullifying any portion of the Management's Rights Article or any other provision of the labor agreement between the City and the Union.

D. Staffing

1. An attempt will be made to staff all City ambulances at the ALS level.
2. ALS ambulances will be staffed with 2 EMT-P's.

3. Wausau Fire Department will maintain a pool of EMT-P personnel sufficient to meet the needs of the Program. Wausau Fire Department shall commit to staffing 2 ambulances at the ALS level at all times.

- E. Compensation EMT-Paramedic's shall receive in addition to their base pay rate: At the time of EMTP licensure – 6 % After 5 years as an EMT-P – 7% Paramedics maintaining a Critical Care Paramedic Licensure will receive an additional 1%. Any Engineer or Lieutenant currently in that position that does not have a paramedic license would not be eligible for the paramedic pay provision even if the employee would acquire the paramedic license. This means that the paramedic pay provision for the Engineer and Lieutenant provision would only be applied prospectively. Engineer/EMT-P-2% Lieutenant/EMT-P-2%

Human Resource Committee Packet

July 13, 2020

Agenda Item
Discussion and Possible Action Creating a Sign-on Bonus Program
Background
The City of Wausau has promoted several positions in the last two years which went through several recruitments before being filled, including Equipment Services Mechanic and Lab Technician. These positions face recruitment difficulties because of the technical experience required and/or work conditions such as second shift. The Common Council recently approved the ability to negotiate a higher vacation rate for certain difficult to fill or technical positions. Specifically, the following language was added: “The Human Resources Department may negotiate vacation accrual amounts outside of the above schedule for executive or other high-level positions, and to positions that have been identified by Human Resources as difficult to fill. The Human Resources Department shall establish quantifiable criteria for a determination of difficult to fill, including but not limited to having a previously unsuccessful recruitment.” In an attempt to ensure the timely filling of vacant City positions, the Human Resources Department is recommending a revision to the Employee Handbook to allow for a hiring bonus to be applied in limited circumstances, similar to those used for vacation negotiation. In today’s competitive hiring environment, more and more employers are relying on hiring bonuses to attract quality personnel. A brief search of current hiring bonuses in Wisconsin shows that hiring bonuses are largely used in the medical field, and can vary from \$250 to \$50,000.
Fiscal Impact
It is difficult to determine in advance how many positions may qualify for a hiring bonus. I would estimate the fiscal impact to vary, year from year, from \$5,000+ to \$0.
Staff Recommendation
Create a program allowing a hiring bonus of \$2,000 to be used for executive or other high-level positions, and to positions that have been identified by Human Resources as difficult to fill. The Human Resources Department shall establish quantifiable criteria for a determination of difficult to fill, including but not limited to having a previously unsuccessful recruitment. If an employee separates from service after hire, the hiring bonus shall be repaid to the City according the same schedule as tuition reimbursement: First 12 months after receiving reimbursement – 100% Thirteen (13) through twenty-four (24) months after receiving reimbursement – 75% Twenty-five (25) through thirty-six (36) months after receiving reimbursement – 50%

Human Resource Committee Packet

July 13, 2020

Staff contact: Toni Vanderboom (715-261-6634)

CITY OF WAUSAU - HR COMMITTEE 7/13/2020 - SIGN ON BONUS SURVEY

Aspirus	Weston	\$500	Medical
Aspirus	Medford	\$50,000	Medical
Milwaukee	Aurora	\$3,000	Medical
DLI	Neenah	\$10,000	Transit
Radiology Associates	Appleton	\$50,000	Medical
Mills Transfer	Black River Falls	\$1,000	Transit
Children's Hospital	Milwaukee		Medical
Homestead Instead Senior Care	Franklin	\$200	Medical
CWT	New Berlin	\$5,000	Transit
Kindercare	Madison	\$250	Childcare
Red Cross	Eau Claire	\$1,000	Medical
Lakeview Animal Clinic	Pewaukee	\$3,000	Medical
SaintV	West Bend	\$1,000	Medical
East Troy Manner	East Troy	\$250	Cleaning
RGL	Green Bay	\$2,250	Equipment Operator
Placon	Madison	\$250 at hire, \$250 after 6 months	Equipment Operator
Aurora	Comstock	\$500	Medical
Aurora	Grafton	\$6,000	Medical
Aurora	Spooner	\$500	Medical
State of Wi	Madison	\$2,000	Medical

Human Resource Committee Packet

July 13, 2020

Agenda Item
Discussion and Possible Action on 2020 Biometric Screening Wellness Program
Background
For the last two years, since the EEOC v. AARP decision, the City of Wausau has offered the biometric screening program on a voluntary basis and extended the participation incentive to all employees (regardless of participation in the program). The EEOC was ordered to establish a new method of calculating an appropriate incentive cap; to date, they have not done so. With the pandemic, the City of Wausau's biometric screening provider had paused the program for the safety of employees. However, they recently reached out stating that the program is again being offered. The City of Wausau needs to determine if: 1. We offer the program the same as last year. 2. We suspend the program for this year only in light of the pandemic.
Fiscal Impact
None, or budgetary savings
Staff Recommendation
Staff contact: Toni Vanderboom (715-261-6634)

Human Resource Committee Packet

July 13, 2020

Agenda Item
Discussion and Possible Action Granting Settlement Authority for Worker's Compensation Claims
Background
Disputes regarding Worker's Compensation coverage are rare, but they can be settled by mutual agreement between both parties and approved by a Worker's Compensation judge. The City secures legal representation, usually through CVMIC, when negotiating these settlements. When I began as HR Director, the past practice as far as I could ascertain was for the HR Director to sign these settlements independently. I amended the procedure to include conferring with the City Attorney and Finance Director before making a recommendation to the Mayor, who signed the settlement agreement.
Fiscal Impact
None.
Staff Recommendation
I remain uncomfortable with the lack of Council involvement in these settlement decisions without this authority being explicitly granted to staff. Until now, the settlements have been very minimal (both in frequency and expense). I am looking for clarity on how the HR Committee would like to handle workers compensation settlements: 1. You can authorize the HR department to continue under the past practice. 2. You can authorize HR to handle settlements under a certain amount. 3. You can have all settlements require HR Committee and Council approval.
Staff contact: Toni Vanderboom (715-261-6634)

Human Resource Committee Packet

July 13, 2020

Agenda Item
Discussion and Possible Action Amending the City's Position Management system
Background
The City of Wausau, via the budget process and other Common Council action, authorize each City department to hire a finite number of each position. For example, the Human Resources department is authorized for 2 personnel: 1 HR Director, 1 Senior HR Generalist, and 1 Administrative Assistant III. Any changes to this budgeted staffing level requires action by the Common Council. The Human Resources Department is receiving a high number of requests from department to exceed their position authority for a number of reasons. Perhaps the most common is requests to fill a position before the current incumbent has vacated the position. This results in an unbudgeted personnel expense. Another request to exceed position authority is to temporarily increase staffing levels, which also causes an unbudgeted expense. The Employee Handbook does not currently present a method to "overfill" positions, or to exceed position authority without Council action. While bring an additional permanent position to Council is certainly appropriate, it seems an unnecessary burden when only intended to last for a short training period.
Fiscal Impact
None.
Staff Recommendation
The Council has two options to address this issue: 1. The Employee Handbook can be modified to allow for positions to be overfilled with approval from the Mayor, HR Director, and Finance Director, as long as no budget modification is required to fund the overfill. 2. The Employee Handbook can be modified to grant 10 non-funded "space-holder" positions in the HR Department. These positions can be loaned out as needed (with approval from the Mayor, HR Director, and Finance Director) to other departments, to be funded from the department's existing budget. This grants the flexibility but limits the number of additional positions, which will ideally reserve these positions for true need. Both options are good solutions to the existing problem, and grant flexibility to City managers to address staffing needs without adding to the budget. Option 1 includes less oversight to the program, while Option 2 limits the amount of additional positions that can be added.
Staff contact: Toni Vanderboom (715-261-6634)

CITY OF WAUSAU
POLICY FOR EMPLOYEES WITH SYMPTOMS OR EXPOSURE OF NOVEL COVID-19 FLU (CORONAVIRUS)

Effective: March 18, 2020

Revised: July 6, 2020

BACKGROUND

The Centers for Disease Control is responding to an outbreak of respiratory disease caused by novel (new) coronavirus that has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (abbreviated “COVID-19”). On January 30, 2020 the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the outbreak of COVID-19 a “public health emergency of international concern” (PHEIC). On January 31, Health and Human Services declared a public health emergency (PHE) for the United States to aid the nation’s healthcare community in responding to COVID-19. On March 11, the WHO characterized COVID-19 as a pandemic. On March 13, the President of the United States declared the COVID-19 outbreak a national emergency.

Coronaviruses are a large family of viruses that are common in people and many different species of animals, including camels, cattle, cats, and bats. Rarely, animal coronaviruses can infect people and then spread between people such as with MERS-CoV, SARS-CoV, and now with this new virus (named SARS-CoV-2). This is the first pandemic known to be caused by the emergence of a new coronavirus.¹

Marathon County will take appropriate measures to limit or slow any further spread of this disease in our workplace, schools and community. People who are actively sick with COVID-19 can spread the illness to others; therefore it is important that employees with symptoms consistent with COVID-19 minimize their exposure to others. This policy addresses employment considerations in relationship to the exclusion, either voluntary or mandatory, of City employees from employment based on possible COVID-19.

The City of Wausau continues to respond to the COVID-19 challenge. The health and wellbeing of our employees and the citizens of Wausau are of utmost importance to the City. The content of this policy may be revised by Human Resources staff and placed into effect immediately as procedures and public health recommendations change, with approval from the Mayor and/or Council as appropriate and in a timely manner, ~~as procedures and public health recommendations change~~. The Human Resources Department continues to monitor progress of federal legislation governing COVID-19 responses, and will continue to update this policy as needed.

COVID-19 SYMPTOMS

People with COVID-19 have a wide range of symptoms reported, ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. Symptoms include, but are not limited to:

- Cough
- Shortness of breath or difficulty breathing
- Fever
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell
- Fatigue
- Headache
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea²

This list does not contain all symptoms; the CDC will continue updating the list as they learn more about COVID-19. People who are sick with influenza-like illness should stay home and minimize contact with others. If you think you may have been exposed to COVID-19, contact your healthcare provider and track your symptoms. Seek Emergency Medical attention if you have trouble breathing, a persistent pain or pressure in the chest, new confusion, inability to wake or stay awake, or if you have bluish lips or face.³

Employees who exhibit influenza-like symptoms as described above, or suspect an exposure to someone suffering from COVID-19, are required to report that information to their supervisor before returning to work. Suspected exposures should contact the Marathon County Health Department at 261-1900 for guidance.

PREVENTION

The health of staff and the community is the highest priority within the City of Wausau. As such, all employees are expected to follow CDC, Wisconsin Health Department and Marathon County Health Department recommendations regarding the COVID-19 virus.

Individuals have an important role in protecting themselves and their families.

- Stay informed. Health officials will provide additional information as it becomes available.
- Employees should take these everyday steps to protect your health and lessen the spread of this new virus:
 - Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it.
 - Wash your hands often with soap and water, especially after you cough or sneeze. Alcohol-based hand cleaners are also effective and will be available in your department.
 - Avoid touching your eyes, nose or mouth. Germs spread this way.
 - Clean and disinfect high-touch surfaces in your home, and to the extent possible avoid touching high-touch surfaces in public places.

- Avoid close contact. Whenever possible, maintain 6 feet distance between yourself and others. Do not gather in groups and stay out of crowded places.
- Cover your mouth and nose with a cloth face cover when you are around others, unless you have an underlying condition which prevents the wearing a face cover.
- If you are sick, you may be sick for a week or longer. You should stay home and keep away from others as much as possible, including avoiding travel and not going to work or school, until you meet the recommended guidelines (https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprevent-getting-sick%2Fwhen-its-safe.html). If you leave the house to seek medical care, call ahead and wear a facemask, if available and tolerable, and cover your coughs and sneezes with a tissue. In general, you should avoid contact with other people as much as possible to keep from spreading your illness, especially people at increased risk of severe illness from influenza. Stay in a specific “sick room” and limit contact with people and pets.
- Employees are expected to follow the CDC prevention guidelines found at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html>
- For more information, visit the CDC website at <https://www.cdc.gov/coronavirus>

The virus is thought to spread mainly from person-to-person. However, as a prevention technique, the CDC recommends that individuals perform routine environmental cleaning. Guidance on cleaning protocols can be found at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html>. City of Wausau Building Maintenance contacted the cleaning contractor responsible for City buildings, and they have assured that their staff received training regarding the current health crisis. However, all departments are strongly encouraged to establish appropriate in-house environmental cleaning procedures.

The City of Wausau also issued the following guidance to support the health of both employees and residents:

- Employees shall wherever possible replace in-person meetings with virtual meetings.
- Whenever possible, ridership in City vehicles (excepting transit) shall be limited to one person. This may require temporary reassignment of City vehicles.
- All City equipment and work places shall be sanitized by the operator/employee at the start of each shift.
- Lunch or break room access is restricted to food storage and food prep wherever possible. If not possible, the space shall be sanitized frequently and employees must practice appropriate social distancing protocol.

CONTINUITY OF OPERATIONS

The City of Wausau is dedicated to managing resources to ensure that the City may continue operations during a pandemic. To this effect, Department Directors designated all employees based on operational need into three categories:

1. Required employees: Required employees are critical to business operations and must report to work or work in the field to perform their required duties. These employees may be required to report on a modified schedule according to department needs.
2. Required remote employees: Required remote employees are critical to business operations but can perform all or part of their duties remotely. Those employees are required to complete a Temporary Work at Home request form and follow the guidance under “Alternate Work Arrangements and Telecommuting” below.
3. Non-required employees: Non-required employees shall not report to work unless instructed to do so by their Director.

Any employee may be re-designated as the COVID-19 virus continues to impact the City’s operations. Also, employees may be assigned to perform essential work in other units for which they may be qualified and/or can safely perform the work. If an employee is reassigned to perform other essential work, they will continue to be paid according to their regular pay rate. Reasonable exemptions from reassignment based on high-risk status may apply, as determined by the Human Resources Department. An employee who fails to report during his/her regular work hours, or refuses a work reassignment, may be subject to discipline up to and including discharge, and will not be eligible for pay during the time period where work was offered and available.

TELECOMMUTING

In an effort to slow the transmission of the disease, and in response to hardships developing from school closures, employees may request permission to work from home. Normally, these arrangements are heavily restricted under City policy. However, in response to the -current pandemic, departments that are able to have employees work from home are authorized to do so. This accommodation may not be possible for all employees, and may only be possible for a limited number of employees. The Department Director must determine what is appropriate for each individual situation. Department Directors should work with CCIT to ensure that telecommuting options are possible with the current technology available to the City, and that proper information security protocols are observed. Employees who are granted a telecommuting accommodation under this policy should be aware that this accommodation is temporary in nature, and may be revoked by the City. All telework accommodations granted under this policy will end when public health conditions related to the COVID-19 virus no longer require these extraordinary measures, as determined by the Mayor and/or Common Council. Employees being granted a telecommuting accommodation must complete a Temporary Work at Home Request Form, available in the Human Resources Department or on the City’s intranet, prior to beginning to telecommute. City-owned equipment remains the property of the City of Wausau and must be returned to the workplace at the end of the temporary telecommunicating assignment.

Barring authorization from the Mayor or Council, all departments are expected to maintain service to the citizens of Wausau. Any decisions related to closure of departments or services require the approval of the Mayor or action by the Common Council.

ALTERNATE WORK ARRANGEMENTS

Another effort to slow the transmission of the disease is alternate work arrangements. Department Directors may establish schedules designed to limit employee contact, and to attempt to preserve the health of employees as required to maintain department operations. All alternate work schedules must be approved by the Mayor or Common Council, either in writing or via public action, prior to implementation. All alternate work arrangements resulting in a reduction in hours have been ended. All other alternate schedules are anticipated to be ended by the end of June. However, the Mayor or Common Council may approve this response measure again in the future, should it be needed.

If an employee is assigned a reduced or altered schedule because of the emergency, that employee shall be guaranteed 100% of their normal bi-weekly base pay (see below for the exclusions to this guarantee.) An employee who is assigned an alternate work schedule that represents a reduction in hours shall use the pay code "Covid Shift Pay" to document the hours below the normal schedule and to receive normal hourly compensation for those hours. Use of the "Covid Shift Pay" does not deduct accrued time from an employee's leave bank, and is WRS reportable.

Salary continuation for alternate work schedules does NOT guarantee that an employee under quarantine order, out sick, or caring for a covered relative will maintain 100% pay. Employees will not maintain their current salary if the City of Wausau institutes a furlough or layoff. The City cannot extend this salary continuation guarantee to grant-funded positions unless the grant-funding allows, and does not extend to represented employees unless the labor organization representing the employees enters into a Memorandum of Understanding with the City. This policy only guarantees continued pay if a Department Director reduces an employee's schedule based on the needs of the City, and does not prohibit the City from amending or ending this guarantee based on future needs.

Alternate work arrangements resulting in lost time, and any pay practices affected or changed by an alternate work arrangement must be approved by the Mayor or Council prior to implementation.

TRAVEL RESTRICTIONS AND POST-TRAVEL QUARANTINE

The City of Wausau has restricted all work travel to locations with widespread or ongoing community spread of COVID-19, and is prohibiting all non-essential work travel outside of Marathon County. Employees are required to report all out-of-state travel to their supervisors before their date of departure. If an employee needs to travel out of Marathon County for essential work reasons, that travel must be approved by the Mayor with a recommendation from the Department Director.

The CDC has issued travel guidelines and recommendations regarding travel on their website at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html> and the Wisconsin Department of Health Services has travel guidelines and recommendations available at dhs.wisconsin.gov/covid-19/travel.htm. The City of Wausau is requiring employees follow CDC, Wisconsin Health Department, and Marathon County Health Department recommended guidelines for quarantine after travel. As of May 26, 2020 the CDC is advising individuals to stay home and monitor their health for 14 days upon return from any international travel and the Wisconsin Department of Health Services is asking individuals to monitor for symptoms for 14 days after domestic travel.

EXCLUSION FROM EMPLOYMENT

The City of Wausau will take appropriate action to prevent, suppress and control COVID-19 and other communicable diseases. In order to maintain a safe work environment, the City of Wausau may exclude certain employees from employment if:

- they are experiencing symptoms similar to or been diagnosed with COVID-19
- they are subject to a quarantine order by a local, state or federal health official
- they are identified by a Health Department as having been in “close contact” with someone who has been diagnosed with COVID-19

Employees should first be given the opportunity to voluntarily leave the workplace and utilize sick or other paid leave balances. If the employee refuses, the employer may then exclude him/her from employment. If the employee is asymptomatic and able to work from home, accommodations may be made for the individual to telecommute.

Individuals who are excluded from employment under this protocol will be given an Exclusion from Employment Notification Form (EENF) and will be directed to go home and will not be allowed to return to their worksite until the conditions ~~or either the test-based or symptom-based strategy have been met~~ established by the CDC have been met. The CDC provides guidance regarding return-to-work requirements at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html> <https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/hcp-return-work.html>. A doctor's release may be required before returning to work.

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No disciplinary action will result from an employee's use of sick leave based on this exclusion. Employees who are excluded from work are eligible to use sick leave for the period of exclusion, and may be eligible for Emergency Paid Sick Leave or Emergency Responder Sick Leave. An employee's Perfect Attendance Leave eligibility will not be affected by use of sick leave arising from an exclusion from work.

LEAVE BENEFITS

SICK LEAVE: The City of Wausau has a generous sick leave policy already in place to protect employees who need to miss work due to illness. An employee may use sick leave when, due to sickness or temporary disability, the employee is unable to perform the duties of employment. Employees may also use sick leave to attend medical appointments, and to care for a member of

his/her family's serious health condition. For more information on the City's sick leave policy, please visit the Employee Handbook Section 8.06-Sick leave. This policy temporarily adjusts sick leave requirements so that an employee under a "recommended quarantine" (per CDC and Health department guidelines) is eligible to use sick leave for the quarantine period, even if the employee is asymptomatic, except as established under "Travel Restrictions and Post-Travel Quarantine" above. Please see the policy below for information on the Emergency Paid Sick Leave benefit under the FFRCA and the Emergency Responder Paid Sick Leave benefit.

PERFECT ATTENDANCE LEAVE: Perfect Attendance Leave eligibility will not be affected by absences resulting from exclusion from employment or voluntary sick leave usage for illnesses consistent with COVID-19 symptoms. In order to avoid PAL ineligibility, the employee and their supervisor must certify to HR that the sick leave usage met the above criteria. The provisions under the Perfect Attendance Leave Policy remain in effect for all other sick leave usage.

FMLA: The seasonal flu and colds do not normally qualify for FMLA; however, depending upon the severity of symptoms and complications an employee may be eligible for FMLA because of a COVID-19 illness, or to care for a family member suffering from COVID-19. The Families First Coronavirus Response Act has also temporarily expanded FMLA coverage. If you think you may be eligible for FMLA, or for more information on FMLA benefits, please contact your Human Resources department.

DONATED LEAVE: The City of Wausau's Donated Leave Policy allows employees to donate vacation time to employees with a serious medical illness themselves or of an immediate family member. Information on the Donated Leave Policy is available on the City's Intranet, or by contacting the Human Resources Department.

UNPAID LEAVES OF ABSENCE: Employees may request leave without pay. Leaves shall not exceed 30 days without approval by the Human Resources Committee and Common Council. During an unpaid leave of absence longer than 5 days, no benefits shall accrue. Participation in group insurance plans can be maintained provided the employee pays the full cost.

VACATION: The City has temporarily suspended vacation maximum accrual limits in the Employee Handbook Section 8.04 – Vacation. Employees will be able to accrue vacation time above their stated maximum amount until December 31st. On January 1, 2021 employees will stop accruing additional time above the maximum amount of vacation and will lose any vacation accrual amounts above the maximum accrual limit in the Employee Handbook, existing on that date. Payout of vacation benefits remains subject to the original policy (i.e. the City of Wausau will not pay out vacation balances, upon separation from service or for any other reason, above the maximum accrual amount allowable in the Employee Handbook). The suspension of vacation accrual limits does not apply to represented employees, unless the labor organization representing the employees enters into a Memorandum of Understanding with the City.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

On March 18, 2020 President Trump signed the Families First Coronavirus Response Act (FFCRA) into law. This law is effective April 1, 2020 and ends no later than December 31, 2020. The law provided:

1. Emergency Paid Sick Leave (pay code VTO or Virus Time Off)
2. Emergency Family and Medical Leave Act Expansion

These are separate and distinct benefits, but they may overlap. For example, an employee may be able to use Emergency Paid Sick Leave during the first two weeks of his/her Emergency FMLA.

Note: If the City of Wausau institutes a furlough or layoff, employees are not eligible for Emergency Paid Sick Leave or Emergency Family and Medical Leave Act Expansion coverage.

Under the FFCRA, an employer may exclude emergency responders from coverage. The Department of Labor has stated, “For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the highest official of a state or territory, including the District of Columbia, determines is an emergency responder necessary for that state’s or territory’s or the District of Columbia’s response to COVID-19.”

Following this guidance from the Department of Labor, the City of Wausau is excluding employees who are responsible for responding to medical, fire, public safety and police emergencies, as well as those employees necessary to respond to public health emergencies related to the City’s water, wastewater and streets infrastructure. The following is a list of employees currently considered as emergency responders (the City may revise this list as needed as the COVID-19 emergency continues):

- All sworn Fire and Police personnel
- Wastewater staff required to maintain or operate pumps and equipment: Plant Maintenance Mechanic, Senior Plant Maintenance Mechanic, Senior Sewer Maintainer, Sewer Maintainer, Waste Water Plant Operations Technician, Collections System Supervisor, and Wastewater Lab Technician, and Wastewater Superintendent.
- Water staff required to maintain or operate pumps and equipment: Water Distribution Maintainer, Senior Water Distribution Maintainer, Water Plant Operations Technician, Water Plant Operator, and Water Operations Superintendent.

- Streets staff required to maintain infrastructure: Street Maintainer, Equipment Operator, Senior Equipment Operator, and Senior Equipment Service Mechanic, Equipment Service Mechanic, Traffic Maintainer, Fleet Supervisor, Fleet and Facilities Manager, Electrical Worker II, Electrical Worker III, Public Works Supervisor, and Public Works Superintendent.

EMERGENCY PAID SICK LEAVE

Emergency paid sick leave, or VTO, may be used when an employee is unable to work for one of the following reasons:

Self-care

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.

Care of others

4. The employee is caring for an individual who is subject to an order described above, or has been advised to self-quarantine as described above.
5. The employee is caring for his/her child (as defined by the FMLA) because the child's school or place of care has been closed or is unavailable due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Full-time employees receive 80 hours of Emergency Paid Sick Leave, or VTO, and part-time employees receive Emergency Paid Sick Leave equivalent to the number of hours that employee would work on average over a two-week period. Emergency Paid Sick Leave is paid at 100% the employee's regular rate of pay up to \$511/day and \$5,110 total for reasons included under "self-care." Emergency Paid Sick leave is paid at 2/3 of an employees' regular rate of pay up to \$200/day and \$2,000 total for reasons included under "care of others."

Note: If telecommuting work is available and offered, an employee is not eligible for pay under this section of the FFRCA.

EMERGENCY FAMILY MEDICAL LEAVE ACT

The FFCRA also temporarily expanded employees FMLA rights and benefits. Effective April 1, 2020 and ending no later than December 31, 2020, all employees with at least 30 days of employment are covered by the Emergency Family Medical Leave Act.

Emergency Family Medical Leave can be used when the employee is unable to work in order to care for his/her son daughter (as defined by the Family Medical Leave Act) who is under 18 years of age if the child's school or place of care has been closed or is unavailable due to

COVID-19 precautions. The employee must provide notice of leave to the City of Wausau as soon as practicable.

The FFRCA did not expand the amount of leave provided under FMLA. The normal 12 week FMLA leave limit applies.

The first 10 days of leave under the Emergency Family Medical Leave Act is unpaid. An employee can elect to use paid leave including vacation, personal, sick leave or Emergency Sick Leave during the first ten days of leave. All subsequent days of Emergency Leave under the FMLA is paid at 2/3 or the employee's normal regular rate for the number of hours the employee would otherwise have worked, up to \$200 per day and a \$10,000 maximum.

For more information on the Family Medical Leave Act, please refer to the Employee Handbook 8.07 – Family Medical Leave Policy or the Family and Medical Leave Act Policy Expansion (Public Health Emergency Leave COVID-19) & COVID-19 Paid Sick Leave Policy. Both of these documents are available on the City of Wausau Intranet or in the Human Resources Department.

EMERGENCY RESPONDER PAID SICK LEAVE

The City of Wausau is extending the following Emergency Responder Paid Sick Leave benefit, which will apply to individuals who have been exempted from coverage under the Families First Coronavirus Response Act as an emergency responder. This benefit may be used when an employee is unable to work for one of the following reasons:

- The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19 issued by the CDC, DHS or Marathon County Health Department.
- The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
- The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.

Full-time employees receive 80 hours of Emergency Responder Paid Sick Leave, and part-time employees receive Emergency Responder Paid Sick Leave equivalent to the number of hours that employee would work on average over a two-week period. Emergency Responder Paid Sick Leave is paid at 100% the employee's regular rate of pay up to \$511/day and \$5,110 total. Employees should use the pay code "EVTO" or "Emergency Virus Time Off" to report hours used under this benefit.

The Emergency Responder Paid Sick Leave benefit shall go into effect on April 1st, and ends no later than December 31, 2020. This benefit shall expire in conjunction with the Emergency Paid Sick Leave portion of the Families First Coronavirus Response Act.

Note: If telecommuting work is available and offered, an employee is not eligible for pay under this City policy. This benefit does not extend to represented employees unless the labor

organization representing the employees enters into a Memorandum of Understanding with the City.

WORKERS COMPENSATION

Exposure to COVID-19 that arose from the employee's work may be eligible for Worker's Compensation. However, to be eligible for Worker's Compensation the exposure must be proven to have occurred while the employee was performing work. The strictures surrounding COVID-related workers compensation for first responders have also been temporarily revised. Employees who believe their exposure to COVID-19 is eligible for Worker's Compensation should follow established Worker's Compensation policies and procedures.

¹ "Coronavirus Disease 2019 (COVID-19) Situation Summary." *Centers for Disease Control and Prevention*, 15 March 2020, <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>.

² "Symptoms of Coronavirus." *Centers for Disease Control and Prevention*, <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms/html>

³ "What To Do if You Are Sick." *Centers for Disease Control and Prevention*, <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

**CITY OF WAUSAU
EXCLUSION FROM EMPLOYMENT NOTIFICATION (EENF)/
FITNESS FOR DUTY/RETURN TO WORK MEDICAL RELEASE
COVID-19 (Coronavirus)**

Instructions: This form is to be used when Wausau City employees are excluded from employment in accordance with the aforementioned policy.

This section to be completed by Department Director or Authorized Designee

In accordance with the City of Wausau Policy for Employees with Symptoms or Exposure of COVID-19 Flu (Coronavirus).

_____ has been excluded from employment
(Employee Name)

Effective _____ a.m./p.m. on _____, _____, 2020
(Time) (Day) (Month) (Date)

Individuals who are excluded from employment under this protocol will be directed to go home and will not be allowed to return to work until either the conditions ~~for symptom-based or testing-based strategy established by the CDC~~ have been met. These conditions can be found at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html> ~~<https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/hcp-return-work.html>~~.

Employees will be expected to return to work as soon as the exclusion period ends. Employees requesting additional time off once the exclusion period ends must follow their department leave rules and policies.

(Department) (Signature of Department Director or Authorized Designee)

CORONAVIRUS DISEASE 2019 (COVID-19) SCREENING TOOL FOR CITY OF WAUSAU EMPLOYEES

The symptoms of COVID-19 include fever, cough, and shortness of breath. For most people, the immediate risk of becoming seriously ill from the virus that causes COVID-19 is thought to be low. Older adults and people of any age with underlying health conditions, such as diabetes, lung disease, or heart disease, are at greater risk of severe illness from COVID-19. Use the following checklist or the CDC website at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html> to help decide if you or someone in your family may have COVID-19:

- ☐ Yes ☐ No Do you have a fever of 100.4° F or greater using an oral thermometer?
- ☐ Yes ☐ No Do you have a cough?
- ☐ Yes ☐ No Do you have shortness of breath?

Seek medical advice if you

- Develop any of the above symptoms

AND

- Have been in close contact with a person known to have COVID-19 or live in or have recently traveled from an area with ongoing spread of COVID-19. Call ahead before you go to a doctor's office or emergency room. Tell them about your recent travel and your symptoms.

SHOULD I STAY HOME FROM WORK?

If you checked yes to a fever you should stay home at least 72 hours after your fever and any other symptoms are gone. People with COVID-19 should stay home until 72 hours after your fever is gone, other symptoms have improved, and seven days have passed since symptoms first appeared. Your fever and other symptoms should be gone without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). During this time:

- Stay home except to get medical care, if needed
- Avoid public areas
- Avoid public transportation
- Stay away from others
- Limit contact with pets & animals

If you think you have been exposed to COVID-19 and develop a fever and symptoms, such as coughing and difficulty breathing, call your healthcare provider for medical advice.

**CITY OF WAUSAU
TEMPORARY WORK AT HOME REQUEST FORM**

This agreement establishes the terms and conditions of telecommuting. The employees who participate in the Telecommuting Program are to follow the guidelines and policies outlined below.

1. Duration: This agreement will be valid until such time that the City of Wausau deems it canceled.
2. Work hours: Employees participating in this program are expected to work the traditional core hours of work that has been pre-established by their Department Director.
3. Pay and Attendance: All pay and leave will be based on the employee's position. The employee's time and attendance will be recorded as if performing official duties at the worksite facility.
4. Leave: Employees must obtain supervisory approval before taking leave in accordance with established department procedures. The employee agrees to follow established procedures for requesting and obtaining approval of leave.
5. Overtime: An employee working overtime approved in advance will be compensated in accordance with applicable law and rules. The employee understands that failing to obtain proper approval for overtime work may result in the agreement being canceled.
6. City Owned Equipment: In order to perform work effectively, employees may use City of Wausau equipment at the telecommuting location. However, employees are expected to maintain their devices in a manner that the equipment does not become damaged due to neglect of the equipment, lost or stolen.
7. Liability: The City of Wausau will not be responsible for damages to the employee's property resulting from telecommuting.
8. Cost: The City of Wausau will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g. utilities) associated with the use of the employee's residence. The employee will be supplied with needed office supplies. Reimbursement for authorized expenses incurred while conducting official duties at the telecommuting location will need to be pre-authorized by the Department Director.
9. Workers' Compensation: The employee is covered under workers' compensation if injured while performing official duties. Telecommuting employees are responsible for notifying the City if such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite, or caused by environment of telecommuting location.
10. Work Assignment: Work Assignments will be provided by the Department Director or Supervisor which can be communicated via phone, email, or in-person. The frequency of meetings with the Department Director or Supervisor is at their discretion. The employee will complete all work assignments according to procedures determined by the Department Director or Supervisor.
11. Tax and Other Legal Implications: The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

I agree to the above terms and understand that this agreement is temporary in nature.

Print Employee Name	Employee Signature	Date	Department Director Signature	Date
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**CITY OF WAUSAU
COVID-19 APPLICATION FOR LEAVE OF ABSENCE
FAMILY AND MEDICAL LEAVE ACT (FMLA)**

**TO ENSURE CONFIDENTIALITY
COMPLETE THIS FORM AND RETURN DIRECTLY TO THE HUMAN RESOURCES DEPT.**

Name: _____ Date: _____

Current Address: _____

Department: _____ Location: _____

Supervisor Name: _____ Supervisor Phone Number: _____

Position/Job Title: _____ Date of Hire: _____

Expected Leave Start Date: _____ Expected Return Date: _____

Reason for Leave: Need for leave of:

☐ Self ☐ Spouse/Domestic Partner* ☐ Child (DOB _____) ☐ Parent

Name: _____

Relationship to employee: _____

Please state the reason: _____

- ☐ Employee caring for someone in quarantine.
- ☐ Employee caring for their son or daughter due to school/daycare COVID-19 related closure.
- ☐ Employee experiencing "any other substantially similar condition specified by the Secretary of Health and Human Services".
- ☐ Employee's own COVID-19-related quarantine order from local/state/federal government.
- ☐ Employee's own COVID-19- related self-quarantine recommended by health care provider.
- ☐ Employee has COVID-19 symptoms and is seeking a medical diagnosis.
- ☐ Other (please explain): _____

While I am on leave, I would like to substitute the following paid time provided by the City.

Please circle your choice: Sick Leave City Vacation City Emergency Paid Sick Leave (if available)

Leave based on the serious health condition of the employee or employee's qualified family member will require completion of a medical certification form by the attending Health Care Provider.

*** Wisconsin leave is allowed for same-sex and opposite-sex domestic partners who qualify under Wisconsin law.**

Employee Name (Print)

Employee Signature

Date

**CITY OF WAUSAU FOR EMPLOYEES WITH SYMPTOMS OR EXPOSURE OF
COVID-19 (CORONAVIRUS)
FREQUENTLY ASKED QUESTIONS (FAQ)
March 16, 2020**

1. How do I know if an employee needs to be excluded from employment?

An employee should be excluded from the workplace if he/she meets any one of the following:

- is currently experiencing symptoms consistent with COVID-19 (Coronavirus) as defined by the CDC
- is diagnosed by a healthcare provider as having COVID-19

2. What do I do if an employee needs to be excluded from employment?

Supervisors should use prudent judgement when considering excluding an employee from work. Please read and familiarize yourself with the COVID-19 symptoms. CDC guidelines on COVID-19 can be found at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

Supervisors who have concerns or questions about employees must consult with the Human Resources Department or a Marathon County Health Department Representative before considering sending the employee home and excluding him/her from the workplace. If, after careful consideration and consultation, it is determined that the employee should be excluded from employment, the Department Director or authorized designee should complete the Exclusion from Employment Notification Form (EENF) and give a copy to the employee. The original EENF should be provided to Human Resources and placed in the employee medical file. Explain to the employee that he/she is being excluded from employment until he/she meets the criteria to be allowed to return.

3. What if the employee calls in sick, or voluntarily goes home because he/she suspects COVID-19?

The employee can go/stay home if he/she has the symptoms. The employee may use sick or other paid leave and should follow all departmental leave rules and policies.

Perfect Attendance Leave eligibility will not be affected by absences resulting from exclusion from employment or consistent with COVID-19 symptoms. In order to avoid PAL ineligibility, the employee and their supervisor must certify to HR that the sick leave usage met the above criteria. The employee may also be eligible for Emergency Paid Sick Leave or Emergency Responder Sick Leave, or Emergency FMLA expansion coverage. Please complete the COVID-19 Application for Leave of Absence and Human Resources will guide you through the process.

4. What if an employee calls in sick, or voluntarily goes home, and claims the illness is something other than COVID-19 (i.e back spasms, migraines, asthma attack, etc.)?

Do not assume that every employee who calls in sick as symptoms of COVID-19. If, when he/she reports back to work, he/she displays symptoms consistent with COVID-19, the protocol for exclusion should then be followed.

All City and departmental policies and procedures regarding requesting and receiving approval for sick leave will apply. Most call in policies should require that the employee speak directly with the supervisor or designated person and provide a general description of their illness.

Employees absent for reasons unrelated to COVID-19 must follow standard policies and procedures.

5. What do I do when an employee says that someone in their family, or living in their household, has COVID-19?

You should call 261-1900 and consult with someone from Marathon County Health Department.

If your employee is requesting absence to care for a family member who has been diagnosed with a confirmed or presumptive case of COVID-19, all City and departmental policies and procedures regarding requesting and receiving approval for sick leave will apply. Per City policy, an employee may use sick leave for a member of his/her family's serious health condition, where the serious health condition is certifiable under FMLA or where the immediate family member requires the constant attention of the employee. Immediate family is defined as the employee's spouse, child, parent or relative living in the same household as the employee.

6. What do I tell other employees when someone has been excluded?

Supervisors should never discuss an employee's health with any other employee. If other employees ask, you should simply state, "Just as I don't discuss your health status with other employees, I am not going to discuss his/hers with you. The employee (name) is out on leave." If employees are expressing concern about their own health safety, you should tell them that the department is following CDC and public health protocols and taking appropriate measures to ensure the safety of all employees.

7. How do I know when the employee is to be allowed to return to work?

Individuals who are excluded from employment under this protocol will not be allowed to return to work until either:

- At least 72 hours after his/her fever is gone has elapsed, other symptoms have improved, and at least 7 days have passed since symptoms first appeared. (Employee fever should be gone without the use of fever-reducing medicine.)
- Fever is gone (without use of fever-reducing medicine), other symptoms have improved, and receipt of two negative tests in a row 24 hours apart.

The employee is expected to return to work immediately once one of the above criteria has been met, unless otherwise directed by the department. If he/she chooses to remain at home because still not feeling well, all regular City and departmental sick leave policies and procedures should be followed.

8. Should I call an employee at home to get information about his/her symptoms, or an update as to his/her health status?

No. Once the employee has been excluded, it is up to the employee and/or his/her health care provider to determine his/her ability to return to the workplace.

If the employee voluntarily requests time off related to COVID-19 illness, he/she should follow all regular departmental sick leave policies and procedures, including calling in sick for each scheduled shift, unless a medical professional or health department personnel has removed the individual from work for an established period of time.

9. Is this a violation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA)?

No. HIPAA provides protection of personal health information. It does not prohibit an employee from providing information to his/her employer. It is the healthcare provider's responsibility to obtain consent from the employee prior to releasing any protected health information.

10. How is the employee who has been excluded from employment to be compensated?

Employees who are excluded from employment under this policy can use sick or other accrued leave for all time away from work. The employee may also be eligible for Emergency Paid Sick Leave or Emergency Responder Sick Leave, or Emergency FMLA expansion coverage.

11. What if the employee does not have any/enough sick leave accrued?

Employees may use other paid leave benefits according to established City policies. If the employee meets the requirements, the employee may also participate in the City's Donated Leave Policy. Under qualifying circumstances, if the employee is enrolled in the benefit, the employee may apply for income continuation insurance. Employees may also request an unpaid leave of absence. City policies regarding pro-rated benefit accruals/contributions may apply for employees on unpaid leaves of absence.

12. How will the use of sick leave related to COVID-19 affect the employee's other benefits?

Perfect Attendance Leave eligibility will not be affected by absences resulting from exclusion from employment or voluntary sick leave usage for illnesses consistent with COVID-19 symptoms. In order to avoid PAL ineligibility, the employee and their supervisor must certify to HR that the sick leave usage met the above criteria.

13. Can a health employee refuse to come to work, or perform job duties because of a belief that by doing so, he or she would be at increased risk of catching COVID-19?

No. If the employee refuses, he/she may face disciplinary action as a result of refusing to work. Each situation should be reviewed on a case-by-case basis in consultation with the Human Resources Department.

14. Can an employee who is exposed to, or diagnosed with, COVID-19 file a Worker's Compensation claim?

If an employee becomes ill because of a direct workplace exposure, he/she may be entitled to injury pay under Worker's Compensation. The supervisor should report the claim, and all other Worker's Compensation protocol should be followed.

15. What if an employee requests to work from home during the period of exclusion?

An employee has been excluded from work because they are ill. They should be encouraged to focus on their recovery and not work.

16. What if an employee requests to work from home either to avoid exposure, to care for sick family members or to care for dependent children when schools are closed during the pandemic?

For many jobs, this is not possible. For some jobs, especially in management, there are things that the employee can accomplish from home. The Department Director must determine what is appropriate for each individual situation.

17. What pay can an employee use for absences caused by child care needs because schools have been closed due to COVID-19?

If an employee's child is asymptomatic, any absences related to child care remain ineligible for sick leave usage. The employee may use any paid leave other than sick leave for these absences, provided the absence is duly approved according to department rules. Starting April 1, employees may use EMFMLEA (Emergency Family Medical Leave Expansion Act) time to stay home with their child whose school or day care is closed due to COVID-19. Please complete the COVID-19 Application for Leave of Absence and Human Resources will guide you through the process.

18. Can an employee receive FMLA because of COVID-19?

Eligibility for FMLA will depend upon the severity of the symptoms and each individual situation. FMLA may be concurrently approved or designated in accordance with State and Federal laws and City of Wausau FMLA policy. The employee is required to provide the appropriate medical certification to document the serious health condition of him/herself or a qualifying family member, and must give appropriate notice according to the laws and policy. For FMLA questions call Human Resources at 261-6632.

19. During a COVID-19 outbreak can my supervisor cancel my vacation time off request that has already been approved?

Yes, your supervisor has the authority to cancel any pre-approved vacation request, especially in situations where there are serious staff shortages as a result of illness.

20. Will my healthcare plan cover medical expenses associated with treatment for influenza?

Yes, you will have the same coverage that is currently available for any emergency or non-emergency illness. Deductibles and copays will apply. Tests to diagnose COVID-19 shall be covered 100%.

21. What assistance is available to help me cope with the emotional impact of an influenza outbreak?

The City of Wausau provides resources to help employees and eligible dependents cope with these and other types of life events through its Employee Assistance Program (EAP). Call 1-800-540-3758. The EAP provides confidential, short-term counseling at no cost to the employee.

22. My Department Director has changed my work schedule. How to I record lost time?

The City of Wausau has guaranteed that an employee will continue to receive 100% of their base pay if their hours are reduced by their Department Director in response to the Covid-19 situation. If you are assigned a schedule less than your normal hours (80 hours biweekly for full-time employees, or your base part-time schedule), use the pay code COVID-19 to record and receive pay for the missing hours. If you do not know what your base pay or schedule is, contact Human Resources for information.

23. I missed work because I got sick with flu-like symptoms. My pay is guaranteed at 100% and I don't have to use my balances, right?

No. The salary guarantee only protects employees whose Department Director assigned an alternate schedule which is less hours than their normal schedule. However, you may

qualify for Emergency Paid Leave. Please complete the COVID-19 Application for Leave of Absence.

24. I am home caring for my child because their school/day care is closed. What do I do?

First, make sure you notify your employer of your need to be absent according to your department's call-in procedures. Then complete the COVID-19 Application for Leave of Absence (attached) and provide it to HR. Human Resources staff will guide you through the rest of the process.

25. I already used my allotted amount of FMLA, but now I want to use my expanded FMLA benefits. How do I do that?

The Families First Coronavirus Response Act did not expand the amount of leave available to an employee. If you have exhausted your FMLA leave, you are ineligible for more time off under the FMLA expansion. If you only used a portion of your allotted FMLA leave, you may be eligible for the remainder of your time under the FMLA expansion. Complete the Covid-19 Application for Leave of Absence and provide it to HR.

26. How do I know if I am experiencing a substantially similar condition as COVID-19 and eligible for extra Paid Sick Leave?

Good question! At this point, the Secretary of Health and Human Services, the Secretary of the Treasury and the Secretary of Labor have not specified any additional conditions under this portion of the law. If they do, this policy will be updated and shared with employees.

27. I have been reassigned to another department and I don't feel safe with the new assignment. What do I do?

Please share your safety concerns with your supervisor or Human Resources. The City of Wausau is only reassigning staff to duties they are able to safely perform.

However, your reassignment will not be ended if your only concern regarding the new assignment is risk of exposure to COVID-19 unless you meet the following criteria: you are at higher risk for severe illness according to the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>), if a member of your household is high risk, or you are the primary and regular caregiver for a high risk individual. An employee who misrepresents themselves in response to those questions in an effort to avoid reassignment will be subject to disciplinary action up to and including discharge. An employee who fails to report during his/her regular work hours, or refuses a work reassignment, may be subject to discipline up to and including

discharge, and will not be eligible for pay during the time period where work was offered and available.

28. If I am home with my child because his or her school or place of care is closed, or child care provider is unavailable, do I get paid sick leave, expanded family and medical leave, or both—how do they interact?

You may be eligible for both types of leave, but only for a total of twelve weeks of paid leave. You may take both paid sick leave and expanded family and medical leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons. The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period thus covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave Expansion Act unless the you elect to use existing vacation, personal, or medical or sick leave under your employer's policy. After the first ten workdays have elapsed, you will receive 2/3 of your regular rate of pay for the hours you would have been scheduled to work in the subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

Please note that you can only receive the additional ten weeks of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act for leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

(<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>)