

SHEBOYGAN COUNTY ORDINANCE NO. 04 (2018/19)

Re: **Updating Hiring and Employment Provisions of County Code (Sections 40.01 and 40.05 and Chapter 46)**

WHEREAS, certain provisions of the County Code relating to County hiring and employment practices are outdated, and

WHEREAS, some of the provisions are non-compliant with legislative changes or with nomenclature changes, and

WHEREAS, some of the provisions require changes to conform with policy changes supported by the Human Resources Committee to provide greater hiring flexibility to the County in an increasingly competitive hiring environment, and

WHEREAS, the Human Resources Committee believes it is in the best interests of Sheboygan County to update these provisions;

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. **Updating Sections 40.01 and 40.05 of the County Code.** Sections 40.01 and 40.05 of the Sheboygan County Code of Ordinances are hereby amended as follows (additions indicated by shading; deletions by strikeouts):

40.01 TABLE OF ORGANIZATION. A table of organization listing each authorized position of employment in each County Department will be maintained by the Human Resources Department. The table of organization will list each Department, each job title within each Department, and for each job title and Department either the number of full-time and part-time positions authorized or the number of full-time equivalent positions authorized. Limited-term employees, ~~casual employees, seasonal employees, the Medical Examiner and Deputy Medical Examiners,~~ and Board, Committee, and Commission members need not be included in the table of organization.

40.05 POSITION CONTROL. No person may be hired for a ~~regular~~ County position and placed on the County payroll unless such action is consistent with the table of organization as maintained pursuant to Chapter 40.01 of this Code of Ordinances. The Human Resources Committee may authorize employees or classes of employees to be placed on inactive status, in which event such employees will not be counted toward the authorized staffing level.

Section 2. **Updating Chapter 46 of the County Code.** Chapter 46 of the Sheboygan County Code of Ordinances is hereby amended as follows

46.01 FAIR EMPLOYMENT AND EQUAL OPPORTUNITY STANDARDS. It is the policy of Sheboygan County to recruit and select the most qualified persons for positions in the County. In accordance with state law and the guidelines for the Equal Employment Opportunity Commission, recruitment and selection shall be conducted in an affirmative manner to ensure open competition and to provide equal employment opportunity to qualified individuals regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, political affiliation, arrest record, conviction record (except as permitted by statute), membership in the National Guard, state defense force, or any other reserve component of the military force of the United States or this

State, or use or non-use of lawful products off the employer's premises during non-working hours, except as otherwise provided.

- 46.02 FILLING POSITION VACANCIES. When a vacancy exists or is anticipated in any regular salaried non-exempt position, the Department Head must ~~conduct~~ complete a Vacant Position Audit Request ("VPAVPR") before the position may be filled. The VPAVPR shall be in a format developed by the Human Resources Department and shall include: (a) the program or programs that are served by the position including any priority attributed to such programs, (b) the likely costs associated with filling the position including the extent to which such costs are included in the current year's expense budget; and (c) the projected impact of keeping the position vacant either temporarily or permanently including the possible effect on revenues as well as the effects on County services that may result; ~~and (d) whether the position is likely to be affected by "bumping" or by a transfer of an employee from another position that has lower priority or which might otherwise be left vacant.~~
- 46.03 APPROVALS. If the Department Head determines that the position should be filled, he or she shall submit the VPAVPR to the Liaison Committee ~~and a copy to the County Administrator.~~ If the Liaison Committee approves filling the position, it shall be submitted to the Human Resources ~~Committee~~ Department. Non-exempt positions require Liaison Committee approval, while exempt positions also require Human Resources Committee approval. The Human Resources Committee may grant "blanket" approvals to particular positions or classifications for particular periods of time, and if it does so, approval shall be considered granted with respect to vacancies falling within the terms of such blanket approvals without requiring further action by the Committee. ~~No person shall be hired to fill a vacant position until approval has been granted by the Human Resources Committee.~~
- 46.04 LIMITED-TERM EMPLOYEES. Department Heads may hire limited-term employees ("LTEs") on an emergency basis for a period of time not to exceed three (3) weeks unless otherwise directed by their Liaison Committee. A Department Head who wishes to hire an LTE for a period of time greater than three (3) weeks must submit a VPAVPR to the Liaison Committee and to the Human Resources Committee for approval before hiring. No LTE will be hired for a period of time exceeding ~~six (6)~~ twelve (12) consecutive months.
- 46.05 FILLING VACANT POSITIONS WITHOUT CHANGES. When a position on the Table of Organization becomes vacant, and the Department Head wishes to fill the position and the position was funded in the Department's annual budget, and the Department Head does not wish to retitle, reclassify, or otherwise change the position as it exists on the Table of Organization, the Department Head, with the approval of the Liaison Committee, is empowered to do so, provided the Department Head completes such reports to the Human Resources ~~Committee~~ Department as may be required by the Human Resources Committee and developed by the Human Resources Department. The reports shall include:
- ✓ confirmation that the position is funded in the current year's Departmental expense budget;
 - ✓ the Department Head's receipt of the rationale for filling the position rather than keeping the position vacant either temporarily or permanently;
 - ✓ the Department Head's receipt of the rationale for filling the position rather than reassigning staff, autonomy, or utilizing limited term employees, or other options;

- ✓ a copy of the Liaison Committee minutes reflecting approval of refilling the position.

46.06 FILLING VACANT POSITIONS WITH CHANGES. When a position on the Table of Organization becomes vacant, and the Department Head wishes to fill the position in circumstances where the position was not funded in the Department's current budget, or the Department Head wishes to retitle, reclassify, or otherwise change the position, the Department Head shall seek a change to the Table of Organization under the provisions of Chapter 40 of this Code.

~~46.07 RESIDENCY REQUIREMENTS FOR DEPARTMENT HEADS. Any person who holds a Department Head-level position for Sheboygan County must reside within forty (40) miles from the principal office or location of the Department. The Human Resources Committee may grant exceptions to this provision for a period of up to one (1) year.~~

Section 3. **Effective Date.** The herein Ordinance shall take effect upon enactment.

Respectfully submitted this 19th day of June, 2018.

HUMAN RESOURCES COMMITTEE

Edward J. Procek
Edward J. Procek, Chairperson

Keith Abler
Keith Abler, Vice-Chairperson

Charles W. Conrardy
Charles W. Conrardy, Secretary

Fran Damp
Fran Damp

Roger Te Stroete
Roger Te Stroete

Opposed to Introduction:

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Enacted 07/17/2018