



**MANITOWOC PUBLIC  
UTILITIES**

**Employee Policy Manual  
JANUARY 1, 2020**



**Community Owned.....Customer Focused**

**MANITOWOC PUBLIC UTILITIES  
EMPLOYEE POLICY MANUAL  
January 2020**

**Table of Contents**

INTRODUCTION .....	6
DISCLAIMER STATEMENT .....	6
MISSION STATEMENT.....	6
VISION STATEMENT .....	6
ORGANIZATION STRUCTURE .....	8
STANDARD OF PROFESSIONAL CONDUCT.....	8
<b>SAFETY POLICY STATEMENT .....</b>	<b>8</b>
<b>EMPLOYMENT POLICIES.....</b>	<b>9</b>
EQUAL EMPLOYMENT OPPORTUNITY POLICY .....	9
EMPLOYEE RESPONSIBILITIES .....	9
EMPLOYMENT PRACTICES.....	9
DRESS AND GROOMING.....	10
OUTSIDE ACTIVITY AND EMPLOYMENT POLICY .....	10
RECEIPT OF BENEFITS POLICY .....	11
RESIDENCY POLICY.....	11
APPLICATION FOR EMPLOYMENT .....	11
NEPOTISM .....	12
ORIENTATION PERIOD.....	12
PART-TIME EMPLOYMENT .....	12
LAYOFFS AND RECALL.....	12
JOB VACANCIES AND POSTINGS .....	13
JOB ASSIGNMENTS, TRANSFERS AND PROMOTIONS .....	13
IDENTIFICATION CARDS AND NAME BADGES.....	13
KEY AND KEY CARD ACCESS TO MPU .....	13
MEDIA RELATIONS POLICY .....	14
<b>EVALUATION AND COMPENSATION.....</b>	<b>14</b>
WORK PERFORMANCE .....	14
PAY PERIODS, PAY DAYS.....	14
OVERTIME.....	14
PROMOTION OF EMPLOYEES .....	15
CALL-IN FOR AFTER HOUR EMERGENCIES .....	15
COMPENSATORY TIME OFF.....	15
TIME REPORTING .....	16
<b>BENEFITS.....</b>	<b>16</b>
HEALTH AND WELLNESS PLAN .....	16
DENTAL INSURANCE .....	16
PRESCRIPTION DRUG CO-PAYMENTS .....	16
EYE EXAM .....	16

RETIREES AND SPOUSES OF RETIREES .....	16
LIFE INSURANCE .....	17
<i>Basic Coverage</i> .....	17
<i>Additional Coverage</i> .....	17
<i>Spouse &amp; Dependent Coverage</i> .....	17
DISABILITY INCOME INSURANCE .....	17
WORKER’S COMPENSATION.....	17
INSURANCE BROCHURES/CARRIERS.....	18
EMPLOYEE ASSISTANCE PROGRAM.....	18
VACATION PROVISIONS .....	18
VACATION SCHEDULING .....	18
VACATION PAY-OUT .....	19
VACATION CARRY-OVER.....	19
SICK LEAVE .....	19
FUNERAL LEAVE.....	21
RETIREMENT .....	21
UNPAID LEAVE OF ABSENCE.....	22
FAMILY AND MEDICAL LEAVE POLICY .....	22
<i>Eligibility for Leave</i> .....	22
<i>Amount of Leave Available</i> .....	23
<i>Notifying MPU of the Need for Family or Medical Leave</i> .....	25
<i>FMLA Time Off Substitution</i> .....	25
<i>Health and Wellness Plan Coverage</i> .....	26
<i>Additional Certifications</i> .....	26
<i>The Genetic Information Nondiscrimination Act of 2008 (GINA)</i> .....	26
<i>Return to Work at the End of Leave</i> .....	26
<i>Failure to Meet Policy Requirements</i> .....	26
MILITARY LEAVE OF ABSENCE .....	26
JURY DUTY/WITNESS COMPENSATION .....	27
STATE LICENSES/CERTIFICATES .....	27
PROFESSIONAL MEMBERSHIPS .....	27
SERVICE CLUB MEMBERSHIPS .....	27
HOLIDAYS.....	27
TRAVEL EXPENSES.....	28
<i>Business Related Mileage</i> .....	28
<i>Commercial Travel (Airline, Train, Bus)</i> .....	28
<i>Lodging</i> .....	28
<i>Meals</i> .....	28
<i>Personal Long-Distance Phone Calls</i> .....	29
<i>Rental Cars</i> .....	29
<i>Travel Advances</i> .....	29
REPORTING REQUIREMENTS .....	29
DEFERRED COMPENSATION .....	29
<i>The Wisconsin Deferred Compensation Plan</i> .....	29
<i>The North Shore Savings - Deferred Compensation Plan</i> .....	30
FLEXIBLE BENEFIT PLAN .....	30
EDUCATION/TRAINING/SEMINARS/CONFERENCES .....	30

VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION - (VEBA PLAN) .....	32
<b>WORKING CONDITIONS.....</b>	<b>32</b>
WORKDAY/HOURS - WORK WEEK.....	32
REST PERIODS .....	32
INCLEMENT WEATHER.....	32
<b>OPERATING POLICIES, RULES AND REGULATIONS.....</b>	<b>33</b>
CONFIDENTIALITY .....	33
PERSONNEL RECORDS .....	33
ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE.....	34
COMPLAINT PROCEDURE .....	35
SUPERVISORY PERSONNEL.....	35
ALCOHOLIC BEVERAGES.....	36
SMOKING .....	36
USE OF TELEPHONES.....	36
<i>Long Distance Calls</i> .....	36
<i>Personal Calls</i> .....	36
<i>Long-Distance Personal Calls</i> .....	37
<i>Cell Phone Use</i> .....	37
SMARTPHONE ALLOWANCE POLICY .....	37
DISTRACTED DRIVING POLICY.....	37
COMPUTERS .....	37
VIDEO-SURVEILLANCE.....	37
ELECTRONIC COMMUNICATIONS POLICY .....	37
PERSONAL MAIL .....	39
SELF-DEALING.....	39
PARKING .....	39
ATTENDANCE/TARDINESS.....	39
SOLICITATION ON UTILITIES' PREMISES.....	40
PERSONAL USE OF UTILITIES' EQUIPMENT .....	41
COMPANY BULLETIN BOARD.....	41
COMPLAINT/GRIEVANCE PROCEDURE .....	41
<i>Informal Complaint Procedure</i> .....	42
<i>Formal Grievance Procedure</i> .....	42
WORK RULES.....	45
<i>Work Performance</i> .....	45
<i>Attendance and Punctuality</i> .....	45
<i>Use of Utilities-Owned Property</i> .....	46
<i>Personal Actions and Appearances</i> .....	46
DISCIPLINE.....	47
SEPARATION FROM SERVICE .....	48
NO WEAPONS POLICY .....	49
<b>DRUG AND ALCOHOL-FREE WORK PLACE.....</b>	<b>50</b>
ALCOHOL AND DRUG POLICY STATEMENT .....	50
GENERAL RULE.....	50
VOLUNTARY PARTICIPATION IN EAP.....	51

CONFIDENTIALITY .....	52
<b>RANDOM DRUG AND ALCOHOL TESTING POLICY.....</b>	<b>52</b>
<b>EQUIPMENT, ACCIDENTS AND SAFETY .....</b>	<b>52</b>
EYE SAFETY PROGRAM.....	53
CLOTHING REIMBURSEMENT AND FLAME RESISTANT CLOTHING.....	54
<b>POWER PLANT 12 HOUR SHIFT SCHEDULE.....</b>	<b>54</b>
<b>APPENDIX A .....</b>	<b>55</b>
HEALTH & WELLNESS PLAN.....	55
<b>APPENDIX B .....</b>	<b>56</b>
VACATION REQUEST FORM.....	56
<b>APPENDIX B .....</b>	<b>57</b>
VACATION SCHEDULING .....	57
<b>APPENDIX C .....</b>	<b>58</b>
HOURS OF WORK .....	58
<b>APPENDIX D.....</b>	<b>61</b>
CLOTHING REIMBURSEMENT .....	61
FLAME RESISTANT (FR) CLOTHING .....	61
<b>APPENDIX E .....</b>	<b>63</b>
WAGES .....	63
<b>APPENDIX F .....</b>	<b>66</b>
SMART PHONE ALLOWANCE .....	66
<b>APPENDIX G.....</b>	<b>67</b>
EMPLOYEE RESIDENCY VERIFICATION AND CERTIFICATION.....	67
<b>APPENDIX H.....</b>	<b>68</b>
CONTINUING EDUCATIONAL & APPRENTICESHIP PROGRAM REIMBURSEMENT .....	68
<b>APPENDIX I .....</b>	<b>69</b>
TRAINING / SEMINAR / CONFERENCE REQUEST FORM.....	69
<b>APPENDIX J.....</b>	<b>70</b>
PSC REGULATIONS.....	70
<b>APPENDIX K.....</b>	<b>71</b>
ORGANIZATION STRUCTURE .....	71
<b>APPENDIX L .....</b>	<b>72</b>
LICENSE PAY FOR NON-EXEMPT EMPLOYEES REQUEST FORM.....	72

## GENERAL BACKGROUND INFORMATION

### **Introduction**

This Manual has been prepared to serve as a summary and to acquaint all employees (hereinafter “employees”) with the Manitowoc Public Utilities’ (hereinafter “MPU”, “Utilities”, or “Employer”) policies, procedures, rules and regulations. It is also intended to provide for the orderly and efficient operation of the Utilities.

It is your responsibility to read and become familiar with this information and to follow the policies, procedures, rules, and regulations contained herein. Most of your questions should be answered in this Manual. However, if you have any questions regarding the Manual, or matters which are not covered, please direct them to your immediate supervisor.

### **Disclaimer Statement**

This Manual has been prepared for informational purposes only. None of the statements, policies, procedures, rules, or regulations contained herein constitutes a guarantee of any other rights or benefits, or a contract of employment, expressed or implied. Only the CEO & General Manager and/or the Utilities Commission have the authority to make any employment agreement. All of the employees are employed “at-will,” and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the Utilities or the employee.

The provisions set forth in this Manual may be altered, modified, changed, or eliminated at any time by the Utilities with or without notice. The CEO & General Manager is responsible for the administration of the policies described in this Manual. This Manual supersedes any and all previous manuals, statements, policies, procedures, rules, or regulations given to employees, whether verbal or written. Employees will be required to sign a form stating they have received the Manual.

It is the employee’s responsibility to read and become familiar with this information and to follow the policies, procedures, rules and regulations.

### **Mission Statement**

MPU is committed to be the trusted primary resource for providing customer-focused utility services.

### **Vision Statement**

To be a thriving and innovative regional utility service provider that exceeds customer expectations.

### **Core Values**

MPU values to meet the objectives of the mission and vision are as follows:

1. **Stewardship** – MPU will endeavor to:
  - Maintain environmental awareness and compliance
  - Provide reliable services with highest integrity
  - Demonstrate a commitment to safety

- Practice fiscal responsibility with community assets
2. **Collaboration** – MPU will work with our customers, employees, and partners to:
    - Achieve the best possible solutions
    - Respond to community and customer needs
    - Maintain open communications
    - Promote a continuous learning environment
  3. **Innovation** – MPU will continuously explore opportunities to improve services and operations by:
    - Growing regional solutions for utilities and services
    - Embracing proven technological solutions
    - Seeking increased efficiencies
    - Promoting a culture of adaptability, flexibility, and responsiveness

### **Strategic Focus**

MPU shall conduct its responsibilities under the following five (5) Strategic Focus areas:

1. **Operational Excellence** – Maintain a best in class operations classification and focus on continuous improvement to provide safe, reliable, and efficient utility services.
2. **Customer Service Excellence** – Be the primary trusted advisor to customers and stakeholders for utility and utility related facilities. (Stakeholders include MPU Rate Payers, GLU, CBCWA, Village of Reedsville, Village of Cleveland, and City of Manitowoc.
3. **Employee Engagement** – Focus on employee safety, health, training and advancement programs realizing employees are a vital asset for Utility to meet its goals and objectives.
4. **Fiscal Responsibility** – Maintaining financial stability through comprehensive financial planning to create value for customers and City of Manitowoc.
5. **Growth Opportunities** – Explore providing utility services within Wisconsin with existing and new public entities that will deliver benefits to employees, customers, and City of Manitowoc while leveraging existing assets.

## **Organization Structure**

The Manitowoc Public Utilities Commission is the locally appointed governing body for MPU. The Organization Chart that depicts the overall operating structure of MPU can be found in Appendix K. For additional information and details of the departmental structures, please refer to the MPU Organization Chart issued separately.

## **Standard of Professional Conduct**

1. All employees shall be courteous to and respectful of the public, MPU customers, and each other while on duty.
2. Employees are expected to follow and keep current on MPU policies and procedures; applicable Public Service Commission of Wisconsin (PSCW) tariffs, rules, and regulations; applicable DNR/EPA rules and regulations; and other applicable state and federal regulations.
3. Employees shall deal with customers in a fair, consistent, and non-discriminatory manner.
4. Employees shall exercise common sense and good judgment in conflict situations with customers and other employees.
5. Employees shall not single out, pick on, make fun of, intimidate, harass, discriminate against, or otherwise cause another employee or customer to feel harassed or intimidated.
6. Employees are to maintain a calm, professional demeanor at all times while on duty.
7. Reference PSC 113.0507 - Unconscionability and PSC 113.0508 - Oppressive and deceptive practices prohibited Refer to Appendix J.

## **SAFETY POLICY STATEMENT**

MPU is committed to creating a workplace that is safe, healthy and injury-free. The safety and health of our employees is top priority, essential to all business functions, and is not compromised under any circumstance. All employees must be committed to reach our common goal of an injury free workplace with the following expectations:

- MPU will provide appropriate training, periodically review its programs and procedures, review accidents, properly maintain equipment, and engage employees to identify and fix hazards before they cause injury or illness.
- MPU Drug and Alcohol-Free Workplace policy will be strictly enforced without exception.
- The most current publication of the APPA Safety Manual with deletions, changes or additions issued by the MEUW, as supplemented by MPU written safety and health compliance programs, will serve as the governing set of safety rules for MPU.
- Every employee has a responsibility to maintain a safe work environment including identifying and reporting hazards, and working to prevent accidents.



- In the event of an injury, we will work to return the employee back to work when medically possible.

## **EMPLOYMENT POLICIES**

### **Equal Employment Opportunity Policy**

MPU believes in equal employment opportunity. It is the policy of MPU to be fair and impartial in its relations with all of its employees. Factors such as race, creed, color, religion, age, sex, sexual preference, marital status, handicap, ancestry or national origin, arrest record, conviction record, or membership in the national guard, state defense force, or any reserve component of the military forces of the United States or this state or any other characteristic protected by law shall not influence MPU in its employment decisions or personnel actions, except where any of the above matters are subject to state or federal law or represent a bona fide occupational qualification.

The following definitions apply for this policy manual:

**“Non-Exempt”** Employees who are not exempt from minimum wage and overtime provisions of the Fair Labor Standards Act, as amended. Non-exempt employees by law receive overtime pay for work performed over forty (40) hours per week.

**“Exempt”** Employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act, as amended. Exempt employees are not entitled by law to receive overtime pay.

### **Employee Responsibilities**

Employees of MPU are expected to conduct business in a professional manner. Employee responsibilities include but are not limited to the following:

- Making the most productive use of working time
- Cooperation with supervisors and all other employees
- Compliance of rules and procedures
- Proper use and maintenance of Utilities equipment and materials
- Protection of confidential information
- Courteous treatment of all customers

### **Employment Practices**

PSC 113.0210 – “No public utility shall interfere with, restrain, or coerce any employee or other person in the exercise of the right to disclose information to the commission or other governmental bodies regarding the safety and reliability of the electrical system, or a portion thereof, provided that the employee reasonably believe that such information is true. No public utility may dismiss, discipline, demote, transfer, reprimand, harass, reduce the pay of, discriminate against, or otherwise, retaliate against, any employee or other person because the employee, or other person engaged in any of the described activities.”

## **Dress and Grooming**

Neatness, cleanliness, and good personal health habits are important. Employees are expected to wear businesslike clothing demonstrating good taste that reflects well on MPU. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, or lounging is not appropriate for a professional appearance at work. If you have any questions about appropriate attire, personal appearance, or grooming requirements for your job, please see your immediate supervisor.

Females will dress in business dress such as dresses, dress pants, skirts, skorts or capri's. Dresses, skirts and skorts should be no shorter than knee length. Shirts should be nice dress shirts, sweaters, vests, etc. Male employees will wear business dress pants and shirts. Revealing, low-cut, thin knit, or see-through shirts are not business casual and cannot be worn in the office. Jeans are allowed to be worn on Fridays; however, the other requirements of this dress code will still apply. Employees assigned to work in the field will wear clothing suitable for the work performed and consistent with Safety Manual requirements.

Conservative athletic or walking shoes, loafers, boots, flats, dress heels, dress sandals and leather deck-type shoes are acceptable for work. Flip-flops of any kind (dressy or casual), flashy athletic shoes and worn out footwear are not acceptable in the office. Closed toe and closed heel shoes are required in the plant/field work areas.

Tattoos and body piercing that are tastefully done are acceptable. The Utility however reserves the right to request that you cover a tattoo or remove body piercings while at work, if it is contrary to the image we wish to present to our customers.

Some employees are sensitive or allergic to colognes, perfumes and lotions with strong scents. Please be considerate of this fact, especially when working in closed areas such as the office.

Employees are expected to dress in a manner consistent with the position they hold and the degree to which they are in contact with the public. Utilities' employees are expected to present a personal appearance that projects a professional image of the Utilities.

Any employee whose personnel appearance is unacceptable under the Utilities standard will be informed of this immediately. If one's attire does not meet the standard of the Utility, the employee will be sent home to change without pay. Failure to correct the concern may result in written reprimand and/or dismissal.

Attire for special days such as Packer Days or other special events shall be posted.

## **Outside Activity and Employment Policy**

MPU encourages outside activities that benefit the community or that advance the employee's development or the reputation of MPU. Outside activities which prevent the fulfillment of an employee's normal responsibilities or duties are discouraged.

Outside employment should not be considered when it may adversely affect the quality of work performed for MPU, the efficiency of MPU operations, or jeopardize the safety of the employee or other employees. A second job or self-employment must not conflict with the MPU job duties.

The second job or self-employment may not be conducted during working hours nor may MPU buildings, supplies, or equipment be used to conduct such business. If such situation exists the employee shall be notified and thereafter must make a decision within five (5) working days to (a) abandon the outside employment, (b) resign from MPU, or (c) be discharged.

Any outside employment must be reported to the employee's immediate supervisor prior to commencing such employment.

### **Receipt of Benefits Policy**

MPU prohibits the solicitation or receipt of anything of value in exchange for favorable treatment in connection with any transaction or business of MPU. Such action by definition constitutes a breach of the fiduciary duty owed to MPU by its employees. Therefore, employees may not under any circumstances solicit, directly or indirectly, any form of gratuity, entertainment, or benefit.

Employees of MPU may receive gratuities of insignificant value in situations which would facilitate the discussion of business of MPU. Examples of circumstances in which the receipt of a gratuity would be permitted include:

1. Reasonable business lunches and dinners
2. Baseball cap; pen

Examples of circumstances in which the receipt of a gratuity would not be permitted include:

1. Expensive gifts
2. Weekend entertainment events (i.e. hunting or fishing trips, etc.) where an overnight stay is required
3. Scarce or expensive athletic or entertainment tickets

The receipt of anything of value in exchange for favorable treatment in connection with the extension of credit or any other transaction or business of MPU shall constitute grounds for immediate dismissal.

### **Residency Policy**

Employees designated as emergency personnel who are **subject to call-out** are required to live within fifteen (15) miles of the jurisdictional boundaries of the City of Manitowoc. Please refer to [Appendix E](#) for the job classifications that are subject to call-out. Any exception to these limits must be approved by the CEO & General Manager.

Employees residing in the Corporate limits of the City of Manitowoc are eligible to receive residency incentive following the Orientation Period. Please refer to [Appendix G](#). Any employee not employed for the entire month or on unpaid leave of absence for ten (10) consecutive working days in any month will not receive the residency pay for that month. If an employee leaves mid-month, the incentive will be removed from their last paycheck.

### **Application for Employment**

MPU relies on the information supplied during the application and hiring process and assumes that such information is correct. Any applicant who omits or provides incomplete material data

or misrepresents information may be excluded from consideration or, if already employed, may be subject to disciplinary action, including termination of employment.

All employees must have fully completed an application for employment prior to start date.

### **Nepotism**

In no event will any applicant or employee receive preferential consideration because of relationship to another MPU employee, to an MPU Commission member, to members of the Utilities Council, or other Utilities officials and employees. No two members of an immediate family (spouse, parent, brother, sister, parent-in-law, guardian, child, son-in-law, daughter-in law, grandparent, grandchild or any family member residing in the employee's household) shall be employed within the same department. In addition, such relatives of any Supervisor or Manager shall not be employed in the same department.

The above statements do not affect continued employment by single employees who subsequently marry.

### **Orientation Period**

The first twelve (12) months on the job is an orientation period during which the employee has the opportunity to demonstrate the employee's skills, ability, attitude, and work performance. During this orientation period the new employee can discuss their progress with their supervisor and become fully acquainted with their job and fellow workers. MPU can terminate the employee for any reason and without advance notice at any time.

### **Part-Time Employment**

MPU may establish part-time positions and the work periods for these positions. Regular part-time employees who regularly work at least twenty (20) hours per week are eligible for the same benefits as full-time employees, but at half of the benefit levels provided to full-time employees, with the exception of participation in the Health and Wellness Plan. Part-time employees who work at least 32 hours per week and are eligible for participation in the Health and Wellness Plan will pay two and one-half (2.5) times the premium contribution rate required for full-time employees (e.g., if full-time employees are required to pay a premium of \$100.00, an eligible part-time employee will be required to pay \$250.00). Part-time employees who work at least 20 hours per week but less than 32 hours per week and are eligible for participation in the Health and Wellness Plan will pay three (3.0) times the premium contribution rate required for full-time employees (e.g., if full-time employees are required to pay a premium of \$100.00, an eligible part-time employee will be required to pay \$300.00). The contribution rate required for Dental Plan will be one and one-half (1½) times the premium contribution rate required for full-time employees (e.g., if full-time employees are required to pay a premium of \$30.00, an eligible part-time employee will be required to pay \$45.00). Prescription Drug Co-Payment will be similar to full time employee. Eye Exam will be reimbursed up to \$50 annually for employee vision exam.

### **Layoffs and Recall**

In the event layoffs are necessary, the employer will base these decisions on employee merit.

### **Job Vacancies and Postings**

Exempt and non-exempt vacancies or new positions will be posted on bulletin boards for a minimum of five business days. The posting will include the date the position is to be filled, title of position and minimum requirements of the position. Internal job postings will be posted concurrently with external postings.

All employees who meet the minimum qualifications for the position, and who submit an application for said posting may be given the opportunity to interview for the position. All employees who interview for a position will be notified of selection outcome.

The Utilities retain the right to select the candidate for the position and the decision will be final.

### **Job Assignments, Transfers and Promotions**

Temporary and permanent job transfers, assignments and promotions will be based on operational needs and on employee's relative ability, experience and other qualifications as determined by Utilities. Such transfers, assignments, and promotions will not be made arbitrarily or capriciously.

During temporary assignments an employee will receive his/her regular rate of pay for the time spent in a temporary assignment.

### **Identification Cards and Name Badges**

An identification card is issued to each employee at the time of employment. The purpose of the cards is to provide evidence of employment:

1. To police or military authorities in time of disaster; or
2. Upon request by supervisory or security personnel.

The Executive Assistant to the CEO & General Manager will arrange for the production and issuance of identification cards. Identification cards remain the property of MPU and employees are required to return their cards to their Senior Manager upon termination of employment.

A name badge will be given to new employees who work with the public. The badges are to be worn when working with customers and shown to customers prior to entering a customer premise.

A lost, stolen or misplaced ID badge is to be immediately reported to the employee's supervisor. The employee's supervisor will report the missing badge to the Executive Assistant to the CEO & General Manager. A replacement ID badge will be issued as necessary and a record of the lost ID badge noted.

### **Key and Key Card Access to MPU**

A key, key card and/or fob will be issued to each employee. Employees assume all responsibility for access to Manitowoc Public Utilities (MPU) premises and must secure key, key card and/or fob at all times. It is only to be used by the employee and not loaned to another individual. Employees must take responsibility to ensure that the premises are securely locked upon leaving the building. The key, key card and/or fob remain the property of MPU and shall be immediately returned to MPU when requested or upon separation. Employees must report lost or stolen key, key card and/or fob immediately to the Executive Assistant of the CEO & General Manager.

### **Media Relations Policy**

If any employee of Manitowoc Public Utilities (“MPU”) is asked one or more questions by any member of the media (e.g., television, newspaper, magazines, radio) regarding MPU, (including without limitation questions regarding: events on MPU premises; employees of MPU, MPU’s current or future operations, MPU’s labor force or MPU policies) the employee shall not answer such questions on behalf of MPU, unless expressly authorized to do so by the CEO & General Manager of MPU. All such questions shall instead be directed to the CEO & General Manager of MPU (or the CEO & General Manager’s designee, if the CEO & General Manager is not available). Any employee that fails to abide by this Policy may be subject to disciplinary action including termination of employment.

## **EVALUATION AND COMPENSATION**

### **Work Performance**

All employees are expected to satisfy or exceed the levels of performance required of the positions for which they are employed. Salary or wages will be based upon individual performance. Please refer to Appendix E for the wage schedule. Each Senior Manager shall be responsible for the overall administration of employee performance evaluations for the department. The Senior Manager shall advise and assist other supervisors in the department who may perform the evaluations. Employee performance will be reviewed annually or more frequently if deemed appropriate by immediate supervisor.

Employees who do not satisfy the levels of performance expected by MPU, who exhibit poor performance, who are unable to work with other employees, or who are incompatible with their supervisors may be disciplined, up to and including termination.

### **Pay Periods, Pay Days**

All employees are paid every other Thursday, for the preceding two-week period ending on Saturday at 12:00 midnight. However, if an employee’s timesheets are not turned in by payroll processing, which is 11:00 a.m. on the Monday before payday, the employee’s regularly scheduled payday will not fall on Thursday, but on the next regularly scheduled payday. If a holiday falls on a Thursday, payday will be the preceding Wednesday. The paycheck is directly deposited to the employee’s bank/credit union.

### **Overtime**

The Utilities shall require any non-exempt employee to work overtime when the Utilities deems such overtime necessary. Overtime work will be assigned at the discretion of the employee’s supervisor. There may be times when an employee believes the employee needs to work overtime to complete Utility work. In that case, the overtime must be approved in advance by the employee’s supervisor. Overtime should be kept to a minimum and shall be utilized to relieve specific, occasional peaks in workloads or emergencies. Employees are prohibited from working before or after the commencement of their shift without specific, written supervisory approval in advance of working the time. Any employee who works unauthorized overtime shall be subject to discipline up to and including termination of employment.

Non-exempt employees will receive compensation at the rate of 1½ times their regular straight time hourly rate for all time worked in excess of forty (40) hours in one week. Holiday shall be considered time worked. Overtime work performed on Sundays and holidays shall be paid at 1½ times their regular straight time hourly rate. Hours paid, but not worked, will not be used to calculate the forty (40) hours. Exempt employees shall not receive overtime compensation but will receive compensatory time off as provided by this policy. Each employee is responsible for entering their actual hours worked including any additional approved hours, such as call in hours. For example, an employee who is called in and works 30 minutes would enter 30 minutes as time worked and 90 minutes as call in pay.

The Utilities shall pay non-exempt employee the overtime rate when the scheduled work performed by Utilities is requested by the customer outside of the normal work day schedule and Utilities has received work authorization from the customer stating the work will be reimbursed by the customer. Under these circumstances, to qualify for overtime pay an employee must have 40 regular hours paid during the work week including holidays, vacation and sick leave. This and holiday will be the only exception to the 40-hour work week requirement for overtime pay.

### **Promotion of Employees**

The promotion of employees will be effective the pay period after the promotion is approved by the CEO & General Manager. It is the Senior Manager's responsibility to monitor when an employee is eligible for promotion. Promotion requests sent to the CEO & General Manager shall include the details of the promotion and the new rate. Once the promotion is approved, a signed copy will be sent to the Senior Manager and Senior Manager Business Services. The original will be placed in the employee's personnel file. A promotion announcement will be communicated.

### **Call-In For After Hour Emergencies**

Employees must remain available and accessible to respond to all calls for help in an after-hours emergency. For employees who have been qualified for standby duty, the pay for call-ins or to be available for call-ins is in accordance with Standby Procedures established by the Senior Managers and approved by CEO & General Manager.

Non-exempt employees when called in will be paid 1½ times the regular hourly rate for each hour of work and two times the regular hourly rate for each hour on a holiday. Each call in shall be for a minimum of two hours. Employees must discuss and be familiar with the "Fit for Duty" expectations.

Employees who report directly to the work site will have their call-in begin at the time of notification. Employees, who report to their headquarters, will have their call-in begin at the time of arrival at their headquarters.

### **Compensatory Time Off**

Exempt employees may accumulate compensatory time up to a maximum of forty (40) hours in any one calendar year. Compensatory time shall be earned on an hour for hour basis except for time worked on holidays, which shall be earned at the rate of one and one-half (1½) hours for each hour worked. Compensatory time must be used within the calendar year. Hours worked in the last two (2) weeks of a calendar year may also be carried over into the next year and will not be

included in the next year's maximum accumulation. Compensatory Time may be accumulated only in full hour increments. Minimum use of compensatory time is in full hours.

The employee's immediate supervisor will approve the accumulation and/or use of compensatory time. Compensatory time accumulation will be reported to Accounting on timesheets. Accounting will be responsible for the proper recording of compensatory time and for reporting available balances.

### **Time Reporting**

Employees are required to provide a prompt and accurate accounting of their time worked for payroll processing. False reporting of time worked is subject to disciplinary action up to and including termination.

## **BENEFITS**

### **Health and Wellness Plan**

Upon compliance with the eligibility and enrollment process of the policy, a group health and wellness plan is available to employees. However, the Utilities shall not provide separate health or dental plans for married employees when both employees are employed by the Utilities. Employees shall refer to the Plan Document to understand the plan benefits. An overview of the plan co-pay, deductibles and employee contribution towards the Health and Wellness Plan are in Appendix A of this manual. The Plan is self-insured and administered by Auxiant, 2970 Chapel Valley Road, Suite 203, Madison, Wisconsin, 53711, and-1-800-245-0533.

### **Dental Insurance**

Upon compliance with the eligibility and enrollment process of the policy, a group dental insurance policy is available to employees and their dependents. Employee contributions are listed in Appendix A.

### **Prescription Drug Co-Payments**

The Utilities provides a prescription drug plan as part of the Health and Wellness Plan. Please refer to Appendix A for the drug co-payment provision. Employees are encouraged to use the mail order Serve You Prescription Program.

### **Eye Exam**

The Health and Wellness plan will reimburse, upon submission of documentation, up to \$100 annually for employee and dependents up to age 19 routine vision exam. In order to receive this benefit, you must present your insurance card to your provider at the time of your exam. You may go to any vision provider to receive this benefit. Only employees and dependents are qualified for this benefit (no spouses).

### **Retirees and Spouses of Retirees**

Employees retiring from MPU are not eligible to continue on the MPU Health and Wellness Plan into retirement.



## **Life Insurance**

MPU offers group life insurance under the Wisconsin Public Employers Group Life Insurance Plan. The plan is administered through the Department of Employee Trust Funds for the State of Wisconsin.

### **Basic Coverage**

If an employee elects to have one unit of life insurance coverage (one times prior year's annual earnings rounded up to the next \$1,000), Manitowoc Public Utilities will pay for one basic unit of employee coverage.

### **Additional Coverage**

Employees may elect to have additional units of coverage on their own life (one times prior year's annual earnings). The cost of additional coverage is paid by the employee through payroll withholding.

### **Spouse & Dependent Coverage**

Employees may also enroll for one (1) or two (2) units of spouse and dependent coverage. Each unit of spouse and dependent coverage provides \$10,000 in coverage for a spouse and \$5,000 for each child. The premium for any additional spouse & dependent insurance will be paid for entirely by the employee through payroll withholding.

## **Disability Income Insurance**

MPU offers a group Disability Income Insurance Plan. The plan has many options that can be tailored to the individual employee's needs and employees are required to pay 100% of the premium cost.

## **Worker's Compensation**

Each employee is covered by Worker's Compensation insurance in the event of an injury at work that requires a doctor's attention. This insurance is fully paid by MPU. Any accident, however minor, must be reported to your supervisor immediately, so the proper forms can be completed and filed with the necessary parties. Forms are available on the MPU Forum and should be returned to the Safety Manager.

If an employee is injured in the course of employment, and is eligible for Worker's Compensation benefits, MPU shall pay the difference between the Worker's Compensation benefits and 80% of the employee's regular rate of pay for a maximum of two (2) months. The employee may supplement the balance with earned and unused sick leave to reach the employee's regular rate of pay for the length of the Worker's Compensation Leave. The first three days after an injury are not covered by Worker's Compensation Insurance unless the lost time exceeds seven calendar days. MPU will pay 100% of the employee's regular rate of pay for these three days if not compensated under Worker's Compensation.

Upon returning from a work-related injury, the employee shall be required to provide a certification from the treating physician verifying that you are able to safely perform your normal job tasks. In the event the treating physician identifies restrictions and/or limitations on the employee's ability to perform their responsibilities, MPU will consider whether it can provide a restrictive or light duty position for the employee.

**Insurance Brochures/Carriers**

Separate brochures are available from the Executive Assistant to the CEO & General Manager that describes the various insurance plans described above. MPU may change its group insurance program or carrier at any time at its discretion.

**Employee Assistance Program**

MPU offers an employee assistance program in conjunction with Holy Family Memorial Medical Center. This confidential program offers assistance to employees and their families with problems impacting health, family life, or job performance. There is no cost to the employee for the problem assessment.

**Vacation Provisions**

The vacation shall be as set forth in the following schedule based on years of service at MPU:

First year of Employment		5 days (pro-rated based on start date)
After	1 year	10 days
After	4 years	12 days
After	6 years	15 days
After	11 years	17 days
After	15 years	20 days
After	20 years	22 days
After	25 years	25 days

Employees starting prior to July 1 will be provided with 10 days of vacation in the calendar year following their start date. Employees hired on or after July 1 will be provided with 5 days of vacation in the calendar year following their start date. Vacation in all subsequent years will follow the table above.

Part-time employees who work on an average of 20 hours per week will receive 1/2 of the vacation days.

Vacations are based on the calendar year. The years of service shall apply on the anniversary date of employment at MPU.

Vacation will be pro-rated during unpaid leaves of absence and absences covered by Worker's Compensation. Vacation shall not be deemed as time worked for the purpose of computing overtime during the normal work week except during emergencies with the approval of the Senior Manager.

**Vacation Scheduling**

Employees are required to submit the Vacation Request Form in [Appendix B](#) of this policy manual and receive written approval prior to taking the vacation. Employees should refer to the Policy on vacation scheduling attached in the [Appendix B](#) of this policy manual.

Employees who have their anniversary date after July 1, and who are eligible to receive an additional vacation day(s) between July 1 and December 31, may use the additional day(s) between

July 1 and December 31. However, if an employee uses such day(s) prior to their anniversary date and the employee leaves the employment of MPU prior to their anniversary date, MPU shall deduct the advancement of vacation pay not yet earned from the employees' final paycheck.

### **Vacation Pay-Out**

Employees with more than twelve (12) days' vacation per year may elect to receive compensation for all days above twelve (12) which are not utilized as vacation during the year. Such compensation shall be included on the employee's first paycheck of the next calendar year. Employees may not receive vacation pay-out for any of the first twelve (12) days earned each year. Unused vacation under twelve (12) days shall be forfeited.

If an employee dies while in the employ of MPU, the employee's estate shall be paid all earned and unused vacation which is credited to the employee's account at the time of death.

An employee who voluntarily resigns and gives two (2) weeks prior written notice will be paid unused vacation. An employee who voluntarily resigns without giving two (2) weeks prior written notice automatically waives the right to payout of any unused vacation.

Any employee who plans to retire and access benefits from the Wisconsin Retirement System shall provide the CEO & General Manager with notice at least three (3) months prior to the date of retirement. An employee who voluntarily retires without giving a three (3) months prior written notice automatically waives the right to payout of any earned and unused vacation. The CEO & General Manager, in his sole discretion, can waive this requirement under extenuating circumstances. If an employee gives the required notice and retires, in addition to the unused vacation, the employee will be paid for hours which would be earned and credited the following January 1 on a pro-rated basis of the month an employee retires.

### **Vacation Carry-Over**

Request for vacation carry-over for employees must be submitted to the employee's Senior Manager and forwarded to the CEO & General Manager for approval. Consideration will be given to requests for vacation carry-over when an employee has less than fifteen (15) days' vacation. A maximum of five (5) days will be allowed to carry-over. Vacation carry over will be allowed if the carry-over is necessary due to special circumstances and the employee has CEO & General Manager approval.

### **Sick Leave**

#### *A. Accrual*

Full-time eligible employees shall earn sick leave with pay at the rate of one day for each month of service. Eligible part-time employees shall earn sick leave with pay at the rate of one-half (1/2) day for each month of service.

Sick leave earned is allocated to the employee's available balance annually on the second payroll check of the year following when the time is earned. New employees can use sick leave as described in section B (below), causing their available balance to go negative only until their first full allocation of hours.

In each calendar year in which **96** hours of sick leave credits are earned any unused sick leave credits up to 80 hours annually will be /accumulated to a maximum of 960 hours. For any unused sick leave in a calendar year above 80 hours, the employee shall be paid as follows: 16 hours unused – 100% paid out; 12 hours unused – 75% paid out; less than 12 hours 50% paid out at straight time wage rate into the VEBA account if employed at the Utilities. When an employee reaches his/her maximum accumulation of 960 hours, the employee will annually be paid for one-half (1/2) of the unused sick leave in excess of 960 hours at straight time rates. This payment is made on the first payroll check of the next calendar year. The payment will be into the VEBA account or as applicable per the laws in effect.

Sick leave will accrue during leaves covered by Worker's Compensation but not during unpaid leaves of absence.

Sick leave shall not be deemed as time worked for the purpose of computing overtime during the normal work week except during emergencies with the approval of the Senior Manager.

#### *B. Use of Sick Leave*

In order to be granted current year sick leave with pay, the employee must:

- Report the reason for absence from work promptly to the Supervisor.
- Keep the Utilities informed of the employee's condition.
- Permit the Utilities to make such medical inquiry or visits as may be determined necessary. A medical certificate certifying the inability to work will be required by the Utilities for any usage of sick leave over 40 hours in a year.

Sick leave shall be accumulated during the orientation period and can be used beginning three (3) months after the first day of employment. Current year Sick Leave can be used in one-half (0.5) hour increments. Employees are limited to 96 hours of sick leave usage in a given year.

Accumulated banked sick leave utilization will be allowed only in the event an employee is on qualified FMLA.

A separate bank will be created beginning January 1, 2013, to differentiate the hours earned prior to December 31, 2012. An employee who requires the use of accumulated sick leave may choose to take the hours from either bank.

#### *C. Payment upon Separation from Employment*

All employees hired prior to June 30, 2012, upon death or retirement under Wisconsin Retirement System standards shall receive payment of all unused sick leave credits (sick leave bank) earned as of December 31, 2012. Any sick leave credits used from this credit will be allowed to be earned back up to 960 hours after January 1, 2013. For example, if any employee has 960 hours unused sick leave as of December 31, 2012 and has to use 100 hours in any year after 2013, the employee will be allowed to accumulate 100 hours prior

to retirement, however the 100 hours will be paid out at fifty (50%) and the 860 hours will be paid at the regular rate of pay in effect at the time.

Any unused sick leave credits earned after January 1, 2013 and remaining in the sick leave bank at the time of retirement or death of the employee shall be paid out at fifty (50%) at the regular rate of pay in effect at the time. Any unused sick leave for the current year after January 1, 2014 shall be paid out at hundred (100%) at the regular rate of pay in effect at the time of death or retirement.

In order to assist employees to obtain health benefit coverage upon retirement, an employee who leaves employment upon retirement under Wisconsin Retirement System standards shall have the employee's accumulated unused sick leave deposited into the Utilities' VEBA plan or as applicable per the laws in effect as follows:

1. One hundred percent (100%) into the retiree insurance account if the retiree is sixty (60) years of age or less;
2. Seventy-five percent (75%) into the retiree insurance account and twenty-five percent (25%) in wages if the retiree is sixty-one (61) or sixty-two (62) years of age;
3. Fifty percent (50%) into the retiree insurance account and fifty percent (50%) in wages if retiree is sixty-three (63) or sixty-four (64) years of age;
4. Twenty-five percent (25%) into the retiree insurance account and seventy-five percent (75%) in wages if the retiree is sixty-five (65) or older

Separation from employment for reasons other than death or retirement will result in forfeiture of earned but unused sick leave.

### **Funeral Leave**

In the event of a death of an immediate family member, a full-time or eligible part-time employee will be allowed up to three work days off for immediate family within seven days of a death. These day(s) will be paid if they are normally scheduled work day(s) and will be based on the number of hours the employee was scheduled to work that day. Immediate family is defined as parents, children, spouse, spouse's parents or domestic partner as defined by state law, grandparents, grandchildren, brother, sister, sister-in-law/brother-in-law, spouse or domestic partner's parents, domestic partners' children, son-in-law/daughter-in-law, stepparents and stepchildren. For all other deaths, the employee and Senior Manager will determine the amount of unpaid time the employee will be absent from work.

### **Retirement**

Any employee who plans to retire and access benefits from the Wisconsin Retirement System shall provide the CEO & General Manager with notice at least three (3) months prior to the date of retirement. An employee who voluntarily retires without giving a three (3) months prior written notice automatically waives the right to payout of any earned and unused vacation. The CEO &

General Manager, in his sole discretion, can waive this requirement under extenuating circumstances.

Any employee retiring from MPU will be required to complete a post-employment hearing test at an MPU designated facility no sooner than seven (7) days following the last day worked. Completion of the hearing test will be required prior to payment of any unused sick leave banks and unused current sick and vacation balances.

In the case of disability retirement, payout hours will not extend the accrual of sick/vacation. Retirement date for disability retirement will only be extended by hours paid to the employee, not hours paid to VEBA. Disability retirees are not eligible for holiday pay during the time between the last day worked and the retirement date.

MPU's retirement plans are provided by the Wisconsin Retirement System and Social Security. MPU will pay its contribution and the employee must pay the employee's contribution as required by law to the Wisconsin Employee Trust Fund. Employees are required to work their last day of employment with MPU.

### **Unpaid Leave of Absence**

An Employee may request an unpaid leave of absence. MPU's CEO & General Manager may grant or deny the leave request at his sole discretion. An unpaid leave of absence shall not be used for purposes of outside employment. This leave will only be considered if the employee has exhausted all other earned paid leave. In no event shall any single leave of absence be granted for a period of more than thirty (30) days in any one year.

Acceptance of other employment during an unpaid leave of absence, at the option of MPU, shall constitute voluntary termination by the employee of employment with MPU.

Except under the Family Medical Leave Act (FMLA), benefits are not paid for by MPU nor accrued to the employee during leaves exceeding thirty (30) calendar days.

### **Family and Medical Leave Policy**

Eligible employees will be allowed unpaid leave as provided by the Federal and Wisconsin Family and Medical Leave policy on a calendar year basis.

Both types of leave will run concurrently with each other and with any other leave which is available to employees under the policies of MPU as well as under Federal and Wisconsin law. All or a portion of the period of family and medical leave may be paid in certain instances. The taking of leave under this Policy will not be used against an employee in any employment decision, including in the determination of raises or discipline.

### **Eligibility for Leave**

It is the policy of MPU to provide employees with Wisconsin Family or Medical Leave if they have worked for at least fifty-two (52) weeks and have completed 1,000 hours of employment in the twelve (12) month period prior to the time leave begins. Employees will be eligible for, or also eligible for, Federal Family and Medical Leave if they have worked for at least twelve (12) months and have completed 1,250 hours of employment in the twelve (12) month period

prior to the time leave begins. The leave taken under this Policy will count toward the leave to which an employee may be entitled under federal and/or Wisconsin law.

### **Amount of Leave Available**

Employees are generally entitled to unpaid leave for any one or combination of the following reasons:

**Birth or Placement for Adoption or Foster Care of a Child:** Unpaid leave of up to twelve (12) weeks under Federal law and six (6) weeks under Wisconsin law, as applicable, may be taken by an eligible employee, upon the birth or placement for adoption or foster care (Federal only) of a child with the employee. Leave may be taken in a block of time or intermittently as permitted by law. These periods of leave will run concurrently. In no event, however, may leave be taken on an intermittent basis after sixteen (16) weeks from the birth; or adoption. A statement of the anticipated date of birth or date of placement for adoption or foster care must be provided to MPU within fifteen (15) calendar days of requesting leave. Any accrued time off that the employee may have at the time his or her leave begins may be substituted, or may be required to be substituted, for all or a portion of the otherwise unpaid leave. The paid time used will not be available later.

**Serious Health Condition of Employee:** Unpaid leave up to twelve (12) weeks under Federal law and two (2) weeks under Wisconsin law may be taken by an employee in the event he or she experiences a “serious health condition.” These periods of leave will run concurrently. A serious health condition will generally occur when the employee receives inpatient care at a hospital, hospice or nursing home or receives outpatient care which requires a schedule of continuing treatment by a health care provider and renders the employee incapable of performing the functions of his or her position. Medical leave may be taken all at once or in smaller increments as is medically necessary. If leave is taken in smaller increments, the employee may be temporarily transferred to another job in MPU.

The employee must provide MPU, within fifteen (15) calendar days of requesting leave, with a Health Care Provider Certification which is completed by the employee’s treating health care provider.

Leaves which the employee has accrued at the time his or her medical leave begins may be substituted, or may be required to be substituted, for all or a portion of the otherwise unpaid FMLA leave period. If the leave arises due to a work-related injury, workers’ compensation leave will run concurrently with the leave an employee is entitled to under the FMLA, to the extent permitted by law. Any paid leave used will not be available later.

**Serious Health Condition of a Child, Parent, Spouse, Domestic Partner or Parent of Domestic Partner:** Unpaid leave of up to twelve (12) weeks under Federal law may be taken by an employee to care for a child, spouse or parent with a “serious health condition” and two (2) weeks of under Wisconsin law may be taken by an employee to care for a child, spouse, parent, spouse parent, domestic partner or parent of domestic partner with a “serious health condition” (see preceding paragraphs for definition of “serious health condition”). These periods of leave will run concurrently.

A Domestic Partner is (1) a partner who is registered with the County Register of Deeds (registration is limited to same gender partners); (2) partners (not necessarily of the same gender) who meet the following criteria: (a) Each individual is at least 18 years old and otherwise competent to enter into a contract; (b) Neither individual is married to, or in a domestic partnership with, another individual; (c) The two individuals share a common residence; (d) The two individuals are not related by blood in any way that would prohibit marriage under the Wisconsin Code; (e) The two individuals consider themselves to be members of each other's immediate family; (f) The two individuals agree to be responsible for each other's basic living expenses.

The employee must provide MPU, within fifteen (15) calendar days of the request for leave, with a Health Care Provider Certification prepared by the treating health care provider of the individual which sets forth the facts surrounding the health condition of the individual and that the employee is needed to care for the person.

Leaves which the employee has accrued at the time his or her leave begins may be substituted, or may be required to be substituted, for all or a portion of the otherwise unpaid time. Any paid leave used will not be available later.

**Service Member Family Leave:** An eligible employee who is the spouse, son, daughter, parent, or next of kin (closest blood relation) of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member. The leave described in this paragraph shall only be available during a single 12-month period.

During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 workweeks of leave for all purposes identified under the federal FMLA.

The employee must provide MPU, within fifteen (15) calendar days of the request for leave, with a Health Care Provider Certification prepared by the treating health care provider of the individual which sets forth the facts surrounding the health condition of the individual and that the employee is needed to care for the person.

Leaves which the employee has accrued at the time his or her leave begins may be substituted, or may be required to be substituted, for all or a portion of the otherwise unpaid time. Any paid leave used will not be available later.

**Military Exigency Leave:** Employees may take FMLA leave for a qualifying exigency related to the employee's spouse, son, daughter, or parent (the "covered military member") being on active duty or call to active duty status in support of a contingency operation. A member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency. "Qualifying exigencies" include:

- To deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven or fewer days of notice;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service



organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;

- Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Rest and recuperation leave of up to five days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment;
- Attending certain post-deployment activities within 90 days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member; and
- Any other additional activities that the employer and employee agree is a qualifying exigency which arose out of the covered military member's active duty or call to active duty status.

### **Notifying MPU of the Need for Family or Medical Leave**

In the event an employee would like foreseeable family or medical leave, MPU must be notified at least fifteen (15) calendar days before the date on which leave is to begin. In the event of an emergency, notice must be provided no later than two (2) working days after the commencement of leave. The failure to timely notify MPU of the need for leave may result in the delaying or denial of leave until proper notice is received.

### **FMLA Time Off Substitution**

An employee qualified for Wisconsin FMLA will be allowed to choose whether to use available sick leave, vacation or banked sick during the Wisconsin FMLA.

Leave to care for grandparents is not a covered FMLA leave unless the grandparent stood in the place of a parent when the employee was growing up. Accrued sick leave is available under FMLA for parents, spouse, domestic partner, and/or children only.

An employee who does not qualify for Wisconsin FMLA or who has exhausted the Wisconsin FMLA will be required to utilize leaves in the following priority for Federal FMLA:

1. Available sick leave, once exhausted can use (2)
2. Available vacation, once exhausted can use (3)
3. Banked Sick leave, once exhausted, time off without pay.

### **Health and Wellness Plan Coverage**

The employee may continue to receive health and wellness plan (including dental) coverage while on a family or medical leave. If the employee elects to substitute paid leave, or if MPU requires the substitution of paid leave, their share of premiums will be paid through MPU's normal payroll deduction method. Other employment benefits will also be continued during the family and/or medical leave. An employee must notify MPU of their intent to continue health and wellness plan coverage while on leave. If an employee fails to return to work or fails to remain at work for a period provided at law, MPU may recover its portion of the premium paid for health plan coverage during the leave.

### **Additional Certifications**

MPU may request that an employee provide additional health care provider certifications from a health care provider chosen, and paid for, by MPU. MPU may request that an employee re-certify as to the continuation of the serious health condition at various points in time.

### **The Genetic Information Nondiscrimination Act of 2008 (GINA)**

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, MPU requires that employees not provide any genetic information when responding to requests for medical information associated with FMLA leave. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

### **Return to Work at the End of Leave**

At the end of an employee's family or medical leave, the employee will be returned to the position held by the employee at the commencement of leave or, if the position is filled, to equivalent employment with MPU. If an employee wants to return to work before their leave is to end, and work is available, the employee must notify MPU at least two (2) days prior to the desired return date. If the reason for leave was due to the serious health condition of the employee, a medical release must be provided to MPU before the employee returns to work. If a medical release is not received, the employee's return to work will be delayed until it is received.

### **Failure to Meet Policy Requirements**

If the employee fails to meet the requirements of this Policy for family or medical leave, the request for leave may be denied or delayed until the requirements are met.

### **Military Leave of Absence**

MPU will provide military leave pursuant to federal and state law.

Employees who serve an annual two (2) week reserve duty shall receive the difference between the amount of reserve duty wages they receive and their regular pay during such period. The employees shall also continue to receive insurance benefits as provided for in this Manual.

### **Jury Duty/Witness Compensation**

When an employee is chosen to fulfill his or her lawful obligation to serve on jury duty or is subpoenaed to testify on behalf of MPU, MPU will pay the employee the difference between the amount of jury duty or witness compensation received, less mileage allowance or the amount received as a result of the subpoena less mileage allowance, and the employee's regular pay when the employee is on such duty or subpoenaed, provided the employee reports to work when excused from jury duty or the subpoena. Upon return from witness or jury duty, the employee must present the check stub(s) or voucher(s) reflecting witness or jury duty payment.

### **State Licenses/Certificates**

MPU encourages employees to pursue state licenses or certificates in their field of employment. Consequently, any exempt employee who fulfills the minimum requirements to become certified by the State when required by Utilities shall receive a \$125.00 per month increase in wages. An exempt employee who becomes licensed in their profession (Professional Engineers and Certified Public Accountant) through the State of Wisconsin shall receive a \$250.00 per month increase in wages. This additional pay is limited to one license or certificate per employee. These wages are included in the Control Point in Appendix E.

### **Professional Memberships**

MPU encourages employees to belong to and participate in professional organizations that enhance the employee's work abilities or enhances the image of MPU in the community. MPU will pay for annual membership fees for such organizations upon approval from the CEO & General Manager. Normally, MPU shall pay for membership to one organization unless determined otherwise by the CEO & General Manager. In addition, mileage will also be paid for attendance at meetings of the organization when the meeting is held outside the Manitowoc/Two Rivers area. The request for approval for membership fee reimbursement for a professional organization shall be submitted to the CEO & General Manager.

### **Service Club Memberships**

MPU recognizes the goodwill created through membership in community service organizations. MPU may reimburse the employee for membership fees and expenses for active participation. Approval or denial of the request shall be at the discretion of the CEO & General Manager. Each organization shall be limited to one MPU sponsored member.

### **Holidays**

All full time employees shall receive eight (8) hours of pay at the regular rate and eligible part time employees shall receive four (4) hours of pay at the regular rate for the following holidays:

New Year's Day	Thanksgiving
Friday immediately before Easter	Friday immediately following Thanksgiving
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Labor Day	New Year's Eve

Non-exempt employees required to work on a holiday shall receive eight (8) hours of holiday pay plus pay for the hours worked, at one and a half time. Exempt employees required to work on a holiday shall receive eight (8) hours of holiday pay plus one and one half times the actual hours worked as compensatory time off. (See the Compensatory Time-Off section). Holiday credits are allowed during vacation.

Employees shall not be eligible for holiday pay if they have not been engaged in active employment at any time including time off for disciplinary action within the sixty (60) calendar days immediately prior to the paid holiday, unless such absence during that period shall be by reason of their first sixty (60) days temporary total disability due to compensable injuries or illness incurred in the course of their employment. The term 'active employment' means no more than one unpaid day off in the past 60 days. The sixty (60) day limitation does not apply to newly hired employees.

Holidays falling on a Sunday shall be celebrated on the following Monday, and those falling on Saturday shall be celebrated on the previous Friday. However, if Christmas Eve or New Year's Eve falls on a Sunday, the holiday shall be celebrated on the previous Friday. When Christmas Day or New Year's Day falls on a Saturday the holiday shall be celebrated on the following Monday.

## **Travel Expenses**

### **Business Related Mileage**

An employee, who is required to use their personal vehicle on MPU business, will be reimbursed for actual mileage at rates prescribed by the Internal Revenue Service. IRS rates will be implemented and become effective on the first day of the month following their publishing by the IRS. MPU will not pay for or reimburse commuting mileage or mileage between the employee's principal residence and their regularly designated place of employment or for mileage for educational courses approved under MPU Resolution No. 212.

### **Commercial Travel (Airline, Train, Bus)**

Whenever commercial travel is used, all reservations are to be made through the Executive Assistant to the CEO & General Manager. Only expenses that relate to the employee will be allowed.

### **Lodging**

Lodging at meetings shall be at reasonably priced "national chain" locations or the equivalent. When a convention or seminar is held at a hotel, the minimum room rate advertised for the location shall be approved.

### **Spouse Expenses**

All costs associated with spouse traveling with a Utility employee to a seminar, conference or training would be covered by the employee. The spouse expense for event registration will not be covered by the Utility.

### **Meals**

Meals will be reimbursed for business travel. The Utility will cover the spouse's meal expense if the meal is part of a group event. The Utility will cover the expenses of alcoholic drinks if

entertaining at a Utility social event; evening dinner meetings and/or for a group event as appropriate for the CEO & General Manager. The Utility will cover up to one alcoholic drink for an employee with evening dinner when attending a conference, seminar or training that requires an overnight stay. The following are the maximum meal allowances unless a higher amount is authorized and approved by the CEO & General Manager: Breakfast - \$15.00; Lunch - \$25.00; Dinner - \$40.00.

### **Personal Long-Distance Phone Calls**

While on out-of-town overnight travel on MPU business, long-distance personal phone calls of a reasonable length will be reimbursed only when an MPU mobile phone is not provided.

### **Rental Cars**

MPU has established a corporate account with Enterprise Rent-A-Car for vehicles. All exempt employees should use this service when traveling for utility business over 100 miles one-way. All non-exempt employees should use this service when traveling for utility business over 100 miles, if public transportation is not available. Employees using their own vehicle will be reimbursed a maximum of 100 miles each way based on the current IRS rates. In the event a rental car is unavailable, or the stay exceeds two nights, the actual mileage will be reimbursed based on the current IRS rates or other mode of public transport, whichever is less. The Executive Assistant to the CEO & General Manager will arrange car rentals. The requests for rental car should be made as much as in advance as possible.

While on out-of-town overnight travel car rental reservation if necessary shall be made through the Executive Assistant of the CEO & General Manager.

### **Travel Advances**

Requests for expense account advances are allowed for out-of-state travel of three (3) or more days. Check requests must be made at least two (2) weeks before the Commission meeting date preceding the travel date, to permit adequate time for check processing.

### **Reporting Requirements**

Employees requesting reimbursement for business related travel expenses must submit an *Expense Reimbursement Requisition*. Receipts must be attached for all expenditures over Twenty Dollars (\$20.00).

### **Deferred Compensation**

MPU offers several choices for employees who wish to defer compensation and the related state and federal income taxes as provided under current IRS Code Section 457 and Section 40.81(1), Wisconsin Statutes. Information on each plan can be obtained from the Executive Assistant to the CEO & General Manager.

#### **The Wisconsin Deferred Compensation Plan**

This plan is managed by the Wisconsin Department of Employee Trust Funds under the supervision of the State Deferred Compensation Board.

### **The North Shore Savings - Deferred Compensation Plan**

This is managed by the investment and trust departments of North Shore Savings and Loan, Milwaukee, Wisconsin.

### **Flexible Benefit Plan**

MPU currently offers a Flexible Benefit Plan which allows an employee to pay for health care expenses and dependent care expenses with pre-tax dollars. Prior to each plan year an employee can designate how much they would like deducted from their pay and deposited into the plan. Information can be obtained from the Executive Assistant to the CEO & General Manager.

### **Education/Training/Seminars/Conferences**

#### **Continuing Education & Apprenticeship Programs**

MPU may provide financial assistance to an employee who has been employed at MPU for at least twenty-four (24) months, with the exception of the Apprenticeship Program which begins immediately upon employment, and who desires to acquire knowledge which would enable the employee to seek advancement with MPU. Approval or denial of any request shall be solely at the discretion of the CEO & General Manager.

Any employee who desires to receive financial assistance for continuing education courses must submit a written request to the CEO & General Manager on the Continuing Education & Apprenticeship Program Reimbursement Form (Appendix H) prior to signing up for the course. Approval or denial of the request shall be at the discretion of the CEO & General Manager.

An Employee seeking to obtain a degree must submit a written plan of courses and estimated total costs to the CEO & General Manager prior to enrolling in the degree program. Courses taken shall be generally job related and provide the potential for advancement within your chosen occupation with MPU.

Upon successful completion of qualifying courses with a grade of either "A" or "B" or "C", MPU will reimburse an employee for 100% of the cost excluding course textbooks, but not to exceed \$750 less the amount of any outside financial assistance received for a maximum of \$3,000 in a calendar year. For a degree program, a progress report on courses completed shall be provided with each expense reimbursement referencing the course plan. A course may be substituted if necessary. However, a change in the desired major for the degree will require a new approval from the CEO & General Manager.

Any employee receiving continuing education assistance under this provision agrees to remain in the employment of MPU for two (2) years following the completion of the course/degree/graduation and reimbursement, or the employee will be required to refund the full amount of financial assistance given. – Appendix H.

Continuing education assistance applies only to obtaining skills for future employment opportunities, not to training or coursework which is necessary for an employee's position at the time of application for benefits. As the continuing education benefit is for the benefit of the employee, any travel to and from classes, is not considered time worked and not compensable by MPU.

### **Training/Seminars/Conferences**

MPU also supports industry related training, job specific seminars, and conference attendance. A written request shall be submitted to the CEO & General Manager using a Training/Seminar/Conference Request form (Appendix I) or Continuing Education/Apprenticeship Program Request form (Appendix H) prior to signing up for the training/seminar/conference at least thirty (30) days prior to the expiration of “early bird” registration. All in-state travel for meetings, trainings, seminars that do not require an overnight stay and the total cost per attendee is less than \$250 will be approved by the Senior Manager for their employees. Each of those approved must be reported in the weekly report the following week and prior to employee attending training.

Airline reservations must be made at least three (3) weeks prior to departure date. When non-exempt employees participate in these programs, they are expected to use public transportation to travel to and from the program, when available. It is the policy of MPU to ensure that hourly employees are properly compensated for all hours worked, including compensable travel time as required by law. Non-exempt employees are entitled to have travel time counted as hours worked when travelling to approved training, seminars or conferences as follows:

- Overnight travel away from home is compensable if the travel time overlaps the employee’s regularly scheduled work hours. For example, if an employee normally works from 6 a.m. to 2 p.m., and leaves for an out-of-town assignment at 1 p.m. and arrives at 4 p.m., the employee is paid for one hour of travel time.
- Overnight travel time on non-working days is considered paid travel time if conducted during the employee’s normal work hours and required by MPU. For example, if the same employee travels on a regular day off, perhaps Sunday, the employee is paid for any travel time between 6 a.m. and 2 p.m. if travel during those hours is required by MPU.
- If an employee performs work duties at the direction of MPU and for the benefit of the MPU while traveling, travel time during nonworking hours may be considered compensable travel time. For example: If an employee is required to pick up an order of parts on the way to the training or to write a report while on a flight, the time would be compensable.
- Any time spent traveling away from home outside regular working hours if the employee is a passenger on an airplane, train, boat, bus or in an automobile is not compensable. Thus, a non-exempt employee whose regular shift is 9:00 a.m. to 5:00 p.m., Monday through Friday, who is required to travel by bus on Sunday night in order to be at an out-of-town meeting on Monday morning, will not be paid for travel time.
- If a non-exempt employee must drive and no alternative public transportation is offered, all driving time will be considered hours worked and must be compensated at either the regular or overtime rate because the act of driving is considered work that is required by MPU.

Voluntary travel undertaken at the employees own option for his or her sole convenience is not compensable travel time. Employees that wish to travel at their convenience must sign and submit the Training / Seminar / Conference Request form (Appendix I) which details the reason for the request and provides acknowledgement that the travel time is not compensable as provided in this policy.

An employee that leaves the employment of MPU within one year of participating in such training/conference/seminar programs agrees to reimburse MPU for the costs of the training. One day seminars/training are excluded from this requirement. Reimbursement only applicable when training requires an overnight stay. Approval or denial of the request shall be at the sole discretion of the CEO & General Manager. If an overnight stay of more than five (5) days is required, the Commission must approve the request.

### **Voluntary Employees' Beneficiary Association - (VEBA PLAN)**

Recognizing the need for post-retirement health benefits, MPU has established a VEBA Plan for employees. The terms and conditions of the Plan are set forth in the Plan's Participation Agreement, a copy of which is available from the Executive Assistant to the CEO & General Manager. Employee wages will be reduced by \$50 per pay period which corresponds to the \$50 per-pay-period contribution that MPU will make to the VEBA plan to fund the employee's retiree health benefit account. According to IRS rules, this is not an elective or discretionary contribution and all eligible employees will participate on the same terms and conditions. MPU will pay \$15 of the VEBA administration costs per year and the employee or the employee's account is responsible for all other costs.

### **Banking Partner**

Bank First National offers MPU employees incentives for transferring their personal accounts to Bank First. Employees wishing to take advantage of these incentives can obtain information by visiting or calling the bank office:

Bank First National  
402 North 8th Street  
Manitowoc, WI 54221-0010  
920-684-6611

## **WORKING CONDITIONS**

### **Workday/Hours - Work Week**

The work schedule for exempt employees shall be established by their supervisor or Senior Manager with the approval of the CEO & General Manager. Although departmental needs will dictate, a normal workweek runs from Monday through Friday.

The work week for non-exempt employees will be a 40-hour week from Sunday through Saturday. MPU is open to the public from 8:00 a.m. to 4:30 p.m. Monday through Friday. Please refer to [Appendix C](#) for Department Hours of Work schedules.

### **Rest Periods**

Non-exempt employees are granted one fifteen (15) minute rest period during each four (4) hour work period. The employee's supervisor may modify the rest period when required. Rest periods shall not be accumulative and shall not be utilized to compensate for other absences.

### **Inclement Weather**

Employees are expected to perform emergency-type work under all weather conditions. However, during conditions such as a severe thunderstorm, a hailstorm, a severe blizzard, or when wind



chills are at dangerous levels, employees will not be expected to work outdoors. At the Senior Manager's discretion, employees will be allowed to work indoors on such occasions.

If an employee arrives late or needs to leave early because of inclement weather, the employee will be required to use vacation time, compensatory time, or time without pay for the time that they are not present.

## **OPERATING POLICIES, RULES AND REGULATIONS**

### **Confidentiality**

As a service organization, MPU deals with sensitive and confidential information concerning customers, vendors, employees, and the general public. Public trust and confidence is an essential element in our goal to serve our customers in the most efficient manner possible. Consequently, any unauthorized release of confidential, sensitive, or privileged information is considered an act subject to disciplinary actions as determined by the CEO & General Manager.

### **Personnel Records**

MPU maintains personnel records and files for each employee. Maintaining these files with up-to-date information is very important as it provides MPU with contact information in case of emergency, addresses for mailing, data for payroll purposes, and information for insurance programs and other benefits.

All employees must promptly notify the Executive Assistant to the CEO & General Manager of any change in:

1. Address;
2. Marital status for benefit plan purposes;
3. Beneficiary or dependents indicated in the employee's insurance policy;
4. Number of dependents for withholding purposes; and
5. Party to be notified in case of emergency.

If an employee plans to get married, the employee should notify the Executive Assistant to the CEO & General Manager prior to the marriage so MPU can make the appropriate arrangements for the employee's spouse with regard to the benefit plans. A delay in filing the proper forms could result in lack of coverage. If an employee becomes divorced or widowed, they should check whom they have designated as beneficiaries. In the event of an employee's death, the listed beneficiary will receive any insurance benefits due. Be sure the listed beneficiary is the person the employee intends to receive the benefits.

The employees who maintain personnel records are custodians who can only use the information for legitimate purposes. Employees have the right to know exactly what data relating to them has been collected. Most data is private and will not be revealed without their authorization. Credit checks often referred to as employment verifications are typical examples. When an employee applies for a credit card, home or auto loan, MPU may be contacted to verify the employee's job title, date of employment and wage information. MPU does not reveal this information or even acknowledge employment at MPU unless the company submits the request in writing with the employee's signature authorizing the release of the information.

If an employee desires to review their personnel records, contact the Executive Assistant to the CEO & General Manager for an appointment. Consistent with applicable law, MPU will allow employees to inspect their personnel records twice a year and within seven (7) working days after the employee makes the request for inspection. Only administrative, management, and supervisory personnel with a need to know may review another employee's personnel records.

### **Anti-Harassment Policy and Complaint Procedure**

MPU is committed to maintaining a work environment that is free of discrimination and harassment. As provided by law and in keeping with this commitment, MPU forbids and will not tolerate harassment of its employees by anyone, including any supervisor, co-worker, vendor, client or customer. This prohibition of harassment applies equally to all employees of MPU from the CEO & General Manager through supervisors and line employees.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record, conviction record, pregnancy, use or nonuse of lawful products, or on the basis of any other status or characteristic prohibited by state, federal, or local law. Harassment may also include threatening behavior which includes threatening physical harm, verbal abuse, stalking, and other types of intimidating conduct. MPU will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. MPU has developed the following guidelines prohibiting harassment for the benefit of all its employees. It is essential that all employees be aware of and comply with these guidelines. MPU strongly disapproves of sexual or other forms of harassment of employees, and will take appropriate disciplinary action against any employee who violates this Policy.

Sexual harassment is a form of discrimination of a sexual nature, and deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex, constitute sexual harassment when:

1. Submission to such conduct is an explicit or implicit term or condition of employment;
2. An individual's submission to or rejection of such conduct becomes the basis for employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include, but is not limited to, explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body. Sexual harassment also includes conduct directed by one person at another person of the same or opposite gender.

Employees confirmed to have engaged in harassment as defined by this policy are subject to discipline by MPU, up to and including suspension or termination of their employment, and may also face civil or criminal penalties.

### **Complaint Procedure**

MPU is committed to maintaining a workplace free of illegal discrimination and harassment. To meet this obligation, MPU will take seriously any complaints or reports of harassing conduct by or against any of its employees.

MPU cannot prevent or stop harassment of which it is unaware. Therefore, the timely reporting and prompt, effective resolution of complaints is crucial to preventing harassment, or to minimizing its effects. MPU has therefore established the following **Complaint Procedure** regarding allegations and incidents of harassment.

All MPU employees are responsible for helping to assure that harassment is avoided. Employees who believe that they have experienced or witnessed harassment are responsible to immediately notify their supervisor, the Business Services Manager, or the CEO & General Manager. Normally, this will involve filing a written complaint on a form provided by MPU, as a means of providing details on which to base the initial investigation. Once notified, this individual will promptly initiate an investigation. MPU forbids retaliation against anyone who in good faith complains about or reports harassment.

When a written harassment claim is made involving employees of the Manitowoc Public Utilities and a third party not employed by the Manitowoc Public Utilities (including but not limited to City of Manitowoc employees), an independent third party will be hired to investigate the claim promptly. A copy of the investigative report will be furnished to the CEO & General Manager of the Manitowoc Public Utilities.

### **Supervisory Personnel**

All supervisory personnel are responsible for documenting, in writing, and reporting all complaints of harassment to the Senior Manager, or if the Senior Manager is involved in the matter, to the CEO & General Manager. Pending the outcome of the investigation, supervisory personnel are responsible for taking any immediate action necessary to prevent the recurrence of the harassing conduct, including taking any action necessary to limit the contact between the affected employees.

If the investigation confirms that the harassing conduct did occur, and that disciplinary action is appropriate, the supervisor is authorized to immediately implement disciplinary action.

***ANY EMPLOYEE WHO BELIEVES THEY HAVE BEEN SUBJECT TO HARASSMENT IN VIOLATION OF THIS POLICY ARE STRONGLY ENCOURAGED BY MPU TO IMMEDIATELY FILE A COMPLAINT IN ACCORDANCE WITH THIS PROCEDURE.***

The Complaint Procedure requires that MPU investigate all harassment complaints thoroughly and promptly and take all appropriate action that may be necessary to end the harassment and prevent the misconduct from reoccurring. To the fullest extent practicable, MPU will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has

occurred, MPU will take corrective action, including such discipline up to and including immediate termination of employment, as is appropriate.

All employees are required to cooperate with the investigation of a sexual or other harassment complaint. Failure to cooperate in an investigation of a harassment complaint or making a false statement in a harassment complaint or investigation, could subject you to discipline, up to and including discharge.

### **Alcoholic Beverages**

No alcoholic beverages are to be stored or consumed on any MPU property. If alcoholic beverages are available at MPU sponsored events, the event will be held at a licensed establishment with a licensed bartender on duty.

### **Smoking**

In compliance with the State of Wisconsin Clean Air Act, smoking is not allowed in any MPU-owned facilities including vehicles owned or leased by MPU. The term “facilities” is defined as the General Office Building, Garages, Storeroom, Water Filtration Facilities, Collector Wells, Power Plant including Custer CT, Dewey Street Electric and Water Distribution Buildings, Water Towers, Substation Buildings, Quonset Hut, Pump Stations or any such buildings, warehouses, etc. owned by MPU. The term “vehicles” means any motor-operated vehicle owned by MPU whether driving or stationary. In addition, smoking is not allowed on customer premises.

Smoking is permitted in designated areas as follows:

- General Office Building and Water Filtration Plant: Southeast corner of the Main Office between the garage and the Finished Water Pump Station
- Power Plant: Outside the power plant within 10 feet of the building perimeter
- Dewey Street-Electric Distribution: Outside the north storeroom personnel access door
- Dewey Street-Water Distribution: Outside the east personnel access door

The areas where smoking is allowed will have signs indicating these provisions. Receptacles for smoking materials will be provided in areas where smoking is permitted. Smokers are expected to keep the areas where smoking is permitted clean.

### **Use of Telephones**

Whenever an employee uses a telephone they “become” MPU by what they say and how they say it. When an employee is courteous and tactful, customers will enjoy dealing with MPU.

#### **Long Distance Calls**

When placing a long distance call, you must first dial eight (8) to get an outside line.

#### **Personal Calls**

Employees of MPU are expected to keep the number and length of personal calls to a minimum. Telephones including MPU issued cell phones are MPU property and employees have no right or expectation of privacy in conversations. MPU has the right to record calls for training and quality assurance purposes. This policy also applies to employees who have

been issued MPU cell phones for business purposes. Employees are prohibited from conducting personal business on MPU phones.

### **Long-Distance Personal Calls**

Any personal long-distance telephone calls or fax transmissions must be reimbursed to MPU.

### **Cell Phone Use**

Use of personal cell phones for personal casual calls is not allowed during working hours unless in case of an emergency. The use of personal cell phones to conduct personal business is not allowed during employee working hours. Employees are prohibited from texting on personal or employee issued cell phones or other handheld devices while driving.

### **Smartphone Allowance Policy**

Employees determined by Senior Manager will be provided with a Smartphone Allowance policy per Appendix F.

### **Distracted Driving Policy**

Employees shall not use a handheld phone while operating a vehicle. This includes but is not limited to, answering or making phone calls, engaging in phone conversations and reading or responding to emails, instant messages and text messages. If an employee must use a handheld phone, he/she must park in a safe location. Employees are not required to operate communication devices while driving but can use a hands-free phone or two-way radio with discretion. Violation of this policy will subject the employee to disciplinary action up to and including termination of employment.

### **Computers**

Employees may use their computers to listen to CDs or MP3s. Streaming audio only for the purpose of listening to music is allowed. Video use is prohibited.

### **Video-Surveillance**

MPU may monitor its property, offices, equipment, vehicles (restrooms and lounges excluded) remotely at any time, without any additional notice to employees. Employees have no expectation of privacy while working in or near MPU facilities.

### **Electronic Communications Policy**

It is the policy of MPU to ensure that employees use electronic communications systems, such as e-mail, voicemail and the Internet, *exclusively* for MPU business and not use them in a way that is disruptive, offensive to others, or harmful to MPU. MPU maintains these systems and therefore all software and hardware is MPU property. Additionally, all messages composed, sent or received on these systems are and remain MPU property. *Messages are not the private property of any employee and employees have no right or expectation of privacy in messages.* Additionally, employees should be aware that deleted files may be retrieved and read by MPU. MPU reserves the right to retrieve, monitor, or review any messages in the system, and may disclose such messages for any purpose without notice to the employee and without seeking permission from the employee. Passwords must be disclosed to the appropriate MPU supervisor upon request.

The electronic communications systems are not to be used to create, send, receive, view, or display any message or files which may be reasonably construed as *offensive, disruptive, or harmful*. Offensive, disruptive, or harmful messages and files include, but are not limited to, any message or file which contains pornographic images, sexual implications, racial slurs, gender specific comments or other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability; any comment which in any way defames another person; or any comment intended to frighten, intimidate, threaten, abuse, annoy, or harass another person. In the event an employee receives or views an offensive, disruptive or harmful message the procedures outlined in the MPU Harassment Policy shall be followed.

The electronic communications systems are not to be used to copy, send, or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from management. A violation of MPU policy will result in the appropriate discipline, up to and including discharge. Employees who observe violation of this policy shall notify their immediate supervisor. Specific examples of violations, in addition to those mentioned above, include:

- Sending messages to partners, individuals, groups, or public forums which are threatening, harassing, or obscene;
- Electronic snooping, which includes, but is not limited to, unauthorized access to existing electronic mail messages or computer files containing existing electronic mail messages, or intercepting electronic mail messages as they are being written or transmitted;
- Divulging confidential information, user identification codes, or passwords;
- Unauthorized use of the electronic mail system for non-work related matters including, but not limited to, solicitation for charitable or commercial ventures or for religious, political, or other causes;
- Receiving or downloading, or sending or uploading of proprietary information, including, but not limited to, copyrighted materials, trade secrets, and proprietary financial information, without prior authorization from MPU; and
- The improper or unauthorized deletion or alteration of information.

Notwithstanding MPU's right to view, retrieve and read any electronic messages or files, such messages or files should be treated as confidential by other employees and accessed only by the intended recipient. Employees should not attempt to gain access to another employee's electronic messages or files without the latter employee's permission.

Computer passwords are not a guarantee of confidentiality or privacy. Employees shall not use a password, access a file, or retrieve any stored information, unless authorized to do so.

All e-mail and other electronic communication messages or files are MPU property and will remain so. *Misuse of MPU communications systems will result in appropriate disciplinary action up to and including termination.*

All posting on social media during work hours is prohibited unless for MPU business (i.e. MPU Facebook page).

Any employee who becomes aware of a violation of this policy should file a complaint with his or her supervisor or CEO & General Manager. MPU will undertake a prompt and thorough investigation of any complaint under this policy. MPU will, to the greatest extent possible, maintain the confidentiality of all those involved in the investigation. If an investigation confirms that there has been a violation of this policy, MPU will take appropriate disciplinary action, up to and including discharge.

All employees are required to cooperate with the investigation of violations of this policy. Failure to cooperate with an investigation, or making a false statement in a complaint or investigation, could subject the employee to discipline, up to and including discharge.

### **Personal Mail**

Employees are discouraged from having personal mail delivered to the MPU offices. Employees are also prohibited from preparing any personal letters during regular working time at MPU.

### **Self-Dealing**

In no event shall employees solicit products or services for MPU from another employee without the express approval from the CEO & General Manager. Prior to the negotiation of any agreement with any company MPU plans to do business with, employees may not disclose financial, political, or other interests to the company.

### **Parking**

Employees reporting for work at the General Office Building, Water Filtration Plant, Dewey Street Building, or the Power Plant are encouraged to use the parking lots available. Employees recognize there may be a risk of paint damage to vehicles parked in proximity to the Power Plant. Employee parking is prohibited in the parking lot on the west side of the General Office Building. This area is reserved for customer parking. Personal vehicles not being used for MPU-related work are prohibited from parking in the MPU Garage during regular working hours.

### **Attendance/Tardiness**

Employees must arrive and be prepared to commence work at their scheduled start time. Employees are responsible for notifying their supervisor of absences, late arrivals, or early departures each day of the absence, tardiness, or early departure. Unscheduled absences, tardiness, and unscheduled early departures (unexcused), failure to provide appropriate notification, or abuse of sick leave or other paid time off may result in corrective action up to and including termination of employment.

Absences, tardiness, and early departures due to approved FMLA leave, Short-Term Disability leave, military leave, jury duty, workers' compensation, other approved leave, or reasonable accommodation as required by law will not be counted as occurrences.

Employees must notify their supervisor of any unscheduled absence, tardiness, or unscheduled early departure as far in advance as possible. An employee who will be unable to report to work as scheduled, who will be tardy, or who plans to leave early must contact his/her supervisor as far in advance as possible and at the latest prior to the start of the shift or the early departure. Notification and acknowledgment by a supervisor of tardiness, unscheduled early departure, or unscheduled absence will not excuse it.

An unscheduled absence will be recorded as one (1) occurrence. Each tardy or unscheduled early departure will be recorded as one (1) occurrence. No occurrences will be recorded for scheduled absences or use of accrued sick leave in accordance with the provisions of this manual. However, pattern absences, failure to provide timely notification, or failure to comply with the Sick Leave Policy may result in absences being counted as unscheduled absences.

Occurrences will be tracked by each department based on a rolling twelve (12) month period. Supervisors should follow the corrective action progression described below to address unscheduled absences, tardiness, and unscheduled early departures. When an employee has accumulated two occurrences, each occurrence thereafter will advance the corrective action process, up to and including termination of employment. However, depending on the situation, corrective action may be accelerated, repeated, or taken out of sequence and the Utility reserves the right to effect immediate termination should it be warranted.

1. Verbal warning upon two (2) occurrences.
2. Written warning upon three (3) occurrences with ½ day time off without pay.
3. Termination of employment upon four (4) occurrences.

Employees will be subject to immediate corrective action for no call/no show. Two (2) or more consecutive workdays of no call/no show may be considered job abandonment and result in termination of employment. Supervisors should be observant and identify pattern absences. Employees will be subject to immediate corrective action for pattern unscheduled absences.

Hourly employees will not be compensated for time lost due to tardiness. However, an employee who is late six minutes or less is considered tardy but will be paid for the time. Tardiness of more than six (6) minutes will be unpaid. Meal periods and breaks may not be used to cover for absences or tardiness. An employee may not extend the normal workday or work beyond his/her scheduled shift to make up for being tardy without the prior approval of the employee's supervisor

An unscheduled absence typically is unpaid unless an employee's supervisor approves the use of accrued vacation, sick leave, or in accordance with the provision of this manual. Acceptable means of verifying the reason for the unscheduled absence may be required. An employee will not be compensated for unscheduled absences that extend beyond his/her accrual balances.

Due to the nature of the services that employees provide we are rarely able to close our operations. With that in mind, employees are expected to report for work on severe weather days and to plan ahead to anticipate any difficulties that might be encountered. If an employee will be late or unable to report to work, the employee must notify his or her supervisor as soon as possible. The departments will decide whether employees will receive occurrences for tardiness or unscheduled absences on severe weather days.

### **Solicitation on Utilities' Premises**

Solicitation by sales people offering merchandise not related to MPU business is prohibited during normal working hours. Soliciting by employees is discouraged and acceptance of offers is not mandatory for maintaining employment.



### **Personal Use of Utilities' Equipment**

With the approval of the immediate supervisor and appropriate Senior Manager, an employee may use equipment owned by MPU at their personal residence during non-working hours. Care should be exercised to use all safety precautions when operating the equipment and to return the equipment in clean, well-maintained operating condition. Employees will be required to reimburse the employer for the cost of repairs or replacement of equipment damaged or lost while being used for personal use. Such tools and equipment shall be "*signed out*" on a department list and "*signed in*" when returned. Employees assume full responsibility for damage to any and all property or for injuries sustained while using MPU equipment for personal use. No vehicles, line trucks, hot line equipment, pumps, trailers, generators, bobcats, trenchers, or dump trucks will be allowed for employee use. No dumpsters at any MPU locations are allowed for employee use.

### **Company Bulletin Board**

MPU maintains two bulletin boards at each of the main operating facilities: General Office, Power Plant, Dewey Street, and Water Filtration Plant. One bulletin board is used exclusively for posting mandatory state and federal government information releases. The other bulletin board is used for interoffice communication releases from the CEO & General Manager and items of general interest to the entire staff. Anyone who wishes to post an announcement or article on a bulletin board must receive prior approval from the CEO & General Manager or his designee.

MPU maintains an electronic bulletin board. The electronic board is used exclusively for interoffice communications released from the CEO & General Manager and items of general interest to the entire staff. The employees can use the bulletin board to make suggestions for improvements or raise issues of concern. The Electronic Communications Policy in this manual shall be applicable to employees using the electronic bulletin board.

### **Complaint/Grievance Procedure**

It is the policy of MPU to provide for an equitable resolution of employee complaints and grievances.

#### **Definitions**

"Days" as used in this procedure is defined as "working days."

"Employee termination" as used in this procedure, shall not include the following:

- Layoffs;
- Workforce reduction activities;
- Voluntary termination including, without limitation, quitting or resignation;
- Job abandonment;
- End of employment due to disability, lack of qualification or other inability to perform job duties;
- Retirement; or
- Any other cessation of employment not involving involuntary termination.

“Employee discipline” as used in this policy, shall include any employment action that results in disciplinary action, as described in Discipline Procedures section of this manual. It shall not include the following:

- Plans of correction or performance improvement;
- Performance evaluations or reviews;
- Documentation of employee acts and/or omissions in an employment file;
- Administrative suspension with pay pending investigation of alleged misconduct or nonperformance;
- Non-disciplinary wage, benefit or salary adjustments;
- Other non-material employment actions;
- Counseling meetings or discussions or other pre-disciplinary action; or
- Demotion for reasons other than discipline, transfer or change in assignment unless such action results in a reduction of salary.

“Workplace safety” as used in this procedure means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety.

### **Informal Complaint Procedure**

Employees may bring forward an informal complaint regarding any alleged unsafe act or practice, adverse working conditions, violation of a written or verbal policy or procedure, violation of employee’s civil rights, or an involuntary demotion or involuntary transfer which results in a reduction of salary or disciplinary action.

Except in the case of termination, the employee must first attempt to resolve the complaint with his/her immediate supervisor by discussing the complaint with his/her immediate supervisor within ten (10) days following the date of the alleged act or action. The supervisor shall attempt to resolve the complaint and will provide a response to the employee no later than five (5) days following receipt of the complaint. In the event of discharge, the employee shall follow the “Formal Grievance Procedure.”

In the event the complaint is not resolved by the immediate supervisor, the employee may file the complaint with the next level of supervision, which may be a Senior Manager, Senior Manager - Business Services or the CEO & General Manager. The supervisor shall attempt to resolve the complaint and will provide a response to the employee no later than five (5) days following receipt of the complaint. This decision will be final for complaints other than for employee termination, employee discipline and workplace safety.

### **Formal Grievance Procedure**

(Initial Step for Discharge; appeal of discipline and workplace safety decisions)

#### *Appeal to CEO & General Manager*

If a complaint involving workplace safety or employee discipline is not resolved during the informal complaint process by a Senior Manager or the Senior Manager - Business Services, or if the grievance involves termination, the employee may file a written grievance with the CEO & General Manager within five (5) working days

from the receipt of response by the Senior Manager or Senior Manager - Business Services. The written grievance must contain the following information:

- Name of Grievant;
- A statement of the pertinent facts surrounding the nature of the grievance;
- The date the alleged incident occurred;
- The work rule or policy allegedly violated including any safety rule alleged to have been violated, if applicable;
- The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion; and
- The specific requested remedy.

The CEO & General Manager will meet with the grievant within ten (10) days of receipt of the written grievance. The CEO & General Manager will provide a written response to the grievance within ten (10) days of the meeting with the grievant. The CEO & General Manager's written response to the grievance must contain:

- A statement of the date the meeting between the grievant and the CEO & General Manager was held;
- A decision as to whether the grievance is sustained or denied; and
- In the event the grievance is denied, a statement outlining the timeline to appeal the denial.

#### *Impartial Hearing Officer*

If the grievance is not resolved at the CEO & General Manager level, the employee may file an appeal to the Impartial Hearing Officer (IHO) by giving written notice to the CEO & General Manager within five (5) days of issuance of the CEO & General Manager's response. Depending on the issues involved, the IHO will determine whether a hearing is necessary unless a hearing is required under procedures established by MPU in a different applicable policy. The CEO & General Manager will work with the IHO and grievant to schedule a mutually agreeable hearing date if one is needed. If it is determined that no hearing is necessary, the matter will be decided based on the submission of written documents.

**Selection of IHO:** The selection of the IHO shall be made by the CEO & General Manager. The IHO shall not be an employee of MPU. The IHO may be a lawyer, professional mediator/arbitrator or other qualified individual. The cost of the IHO will be the responsibility of MPU.

**Standard of Review:** The IHO will adhere to specific guidelines set forth by MPU regarding hearing procedures. The Rules of Evidence will not be strictly followed, but no factual findings may be based solely on hearsay evidence. The standard of review for the IHO is whether the decision of the CEO & General Manager was arbitrary or capricious. A decision will not

have been arbitrary or capricious if it was made in the best interest of MPU. If the decision was not arbitrary or capricious then the IHO is required to find on behalf of the CEO & General Manager. The IHO must sustain or deny the grievance. The IHO has no authority to modify the CEO & General Manager's decision and may not grant in part the specific request of the grievant.

IHO Response: The IHO shall file a written response within thirty (30) days of the hearing date or the date of submission of written documents, if no hearing is held. The IHO's written response to the grievance must contain:

- A statement of the pertinent facts surrounding the nature of the grievance.
- A decision as to whether the grievance is sustained or denied, with the rationale for the decision.
- A statement outlining the timeline to appeal the decision to the Manitowoc Public Utilities Commission (Commission).

#### *Review by the Manitowoc Public Utilities Commission*

The non-prevailing party may file with the CEO & General Manager a written request for review of the IHO's decision by the Commission within five (5) days of receipt of the IHO's written response.

The Commission shall not take any additional testimony or evidence; it may only decide whether the IHO reached a decision based on the information presented to the IHO which is (a) invalidation of state or federal constitution; (b) in excess of authority or utilities jurisdiction; (c) in contradiction to the Procedures of this Policy; (d) unsupported by substantial evidence; (e) based on erroneous application or interpretation of Utilities policies and (f) is arbitrary or capricious. The Commission will review the record and make a decision. A written decision will be made within thirty (30) days of the filing of the appeal.

The Commission's written decision regarding the grievance must contain:

- A decision as to whether the grievance is sustained, denied or modified.

The Commission shall decide the matter by a majority vote and the decision of the Commission is final and binding and is not subject to further review.

#### *General Requirements*

- Grievance meetings/hearings held during the employee's off-duty hours will not be compensated.
- Granting the requested or agreed upon remedy at any step in the process resolves the grievance.
- Timelines: Unless mutually agreed to in writing by the Employee and MPU in advance of the expiration of the timeline, the timelines provided in this

policy must be strictly adhered to. Failure of the Employee to comply with the timelines will be deemed a waiver of the processing of the grievance and the grievance will be denied. The Employee may advance a grievance to the next step of the process if a response is not provided within the designated timeframe. The CEO & General Manager may advance a grievance to the next step at the request of either the Employee or the Employee's supervisor.

## **Work Rules**

The following work rules list grounds upon which disciplinary action is warranted. This list is not inclusive and the Utilities may impose discipline for conduct not listed below.

### **Work Performance**

The following acts shall be violations of work rules and may be grounds for disciplinary action:

- Insubordination, disobedience, failure or refusal to follow the written or oral instructions of supervisory authority, or failure to carry out work assignments.
- Neglecting job duties and responsibilities.
- Disclosure of confidential information and records to unauthorized persons, when the employee has been informed that the matter is confidential.
- Intentionally falsifying records or giving false information relating to any matters relevant to Utilities affairs to other Utilities, State or Federal officers or employees responsible for record keeping or for enforcement of State or Federal law.
- Failure to observe all safety rules and practices on the job, including failure to use protective equipment and clothing.
- Failure to observe all safety rules and practices in the operation of Utilities vehicles and equipment.
- Work disruptions or stoppage, illegal strike or other forms of job action or withholding services.
- Failure by a Senior Manager or other supervisory person to take appropriate action to enforce or to deal with known infractions of these work rules by employees under his/her supervision.

### **Attendance and Punctuality**

The following acts shall be violations of work rules and may be grounds for disciplinary action:

- Failure to report promptly at the starting time of a shift/work schedule; leaving before the scheduled quitting time of a shift/work schedule; or failure to notify the proper authority of impending absence or tardiness.
- Unexcused or excessive absenteeism or failure to report to work.
- Delays or detour for personal business or pleasure while on Utilities time or on Utilities business.
- Abuse of sick leave privileges, including but not limited to claiming inability to work due to illness or injury when in fact no such illness or injury exists which prevents working.

- Failure to respect break time periods.

### **Use of Utilities-Owned Property**

The following acts shall be violations of work rules and may be grounds for disciplinary action:

- Abuse or misuse of Utilities property, materials or equipment including motor vehicles.
- Stealing or unauthorized possession of Utilities property, equipment, or materials.
- Unauthorized use of Utilities property or equipment including but not limited to vehicles, telephones, copy machines, or mail service.
- Selling, giving away or otherwise transferring Utilities property or the use of Utilities property to any person unless specifically authorized to do so by the CEO & General Manager.

### **Personal Actions and Appearances**

The following acts shall be violations of work rules and may be grounds for disciplinary action:

- Commission of a Federal or State crime during hours of employment as a Utilities employee or involving the use of any Utilities property or facility.
- Threatening, attempting to inflict, or inflicting bodily harm upon fellow employees, representatives of other agencies, or members of the public while working as a Utilities employee, except when exercising a privilege conferred by law, and then only to the extent that such activity is legally privileged.
- Threatening, intimidating, interfering with, or using abusive language toward fellow employees or members of the public while working as a Utilities employee, including slurs based upon race, reed, gender, or place of national origin.
- Sexual or other harassment of any other employee.
- Unauthorized possession of weapons on the job or during hours when the employee is working at his/her Utilities employment.
- Making or disseminating false, defamatory or malicious statements concerning other employees, supervisors or officers of the Utilities.
- Unauthorized possession or use of alcoholic beverages or controlled substances during work hours, while on Utilities time or property, or while engaging in Utilities business.
- Reporting to work under the influence of alcohol or controlled substances.
- Manifesting evidence of abuse of alcohol or controlled substances when such abuse affects the employee's performance of his/her employment functions.
- Reporting to work in a condition reasonably likely to be unsafe to the employee, other employees, members of the public or to physical property due to the influence of medication or due to illness.
- Eating or drinking in unauthorized areas or at times when not authorized by supervisory personnel.
- Setting or selling commercial or private products or services on Utilities time or on Utilities premises without written authorization.

- Unauthorized solicitation of funds or donations for any purpose on working time.
- Unauthorized distribution of printed matter on working time.
- Unauthorized possession, lending, borrowing, or duplication of Utilities keys or credit cards; careless or improper use of Utilities keys or credit cards; or failure to report promptly the loss of Utilities keys or credit cards.
- When Utilities employment requires wearing of a uniform, unauthorized or improper use of the uniform or failure to wear the uniform properly,
- Soliciting or accepting any unauthorized compensation, reward, kickback, gratuity or gift of any kind or value for performing any service related to the employee's job as an employee of the Utilities.
- Engaging in union activities on working time, except as permitted by Federal and/or Wisconsin law.
- Intentionally, carelessly or negligently damaging or destroying property while performing duties as an employee.

### **Discipline**

The following procedures generally outline the steps to be taken by departments in administering employee discipline. These procedures are not all inclusive and therefore departments may pursue other discipline methods appropriate to a situation, subject to review by the CEO & General Manager.

#### **Factors to be Considered**

When considering the application or degree of disciplinary actions the following should be considered:

- The seriousness and circumstances of the particular offense.
- The employment history of the employee involved, including length of service.
- The frequency, date and nature of prior disciplinary actions taken with respect to the employee.

#### **Available Corrective Activity**

The following employee discipline actions, set forth in ascending order of severity, are available to the Utility and may be imposed in appropriate cases. The Utilities may impose such discipline as it deems appropriate under the circumstances and is not committed to discipline in a strict progression as set forth below.

##### **a. Oral Reprimand**

This involves a face-to-face meeting between the first line supervisor and the employee to discuss the unsatisfactory areas of the employee's work performance or conduct and suggestions for improvements. The employee should be warned of future disciplinary action if the situation is not corrected. The occurrence of such discussion should be documented by the supervisor, and a copy of such documentation placed in the employee's permanent record. Oral reprimands can be given by the supervisor without approval from the CEO & General Manager.

**b. Written Reprimand**

This involves a written statement outlining the causes of the reprimand and indicating that disciplinary action will result if not corrected. Where applicable, references to previous oral reprimands should be noted. The written reprimand should be discussed with the employee at the time it is given and a copy should be forwarded to the CEO & General Manager and placed in the employee's personnel file. Written reprimands can be given by the supervisor without approval from the CEO & General Manager.

**c. Suspension Without Pay**

This involves a removal from work without pay for a varying length of time. Notice of the suspension must be in writing with copies going to the employee, CEO & General Manager and the employee's personnel record. The written notice of suspension shall state the reason for the suspension and the length and dates of the suspension and shall bear the department head's signature. The written notice shall be delivered personally to the employee unless the employee is on vacation or sick leave, in which case it may be mailed to the employee's current or last-known home address as shown in the Utility's employment records. A suspension without pay must be approved by the CEO & General Manager.

**d. Alternatives to Suspension**

Reassignment: Under some circumstances, reassignment of an employee to another job situation may be appropriate either as a disciplinary action or as a means of assisting the employee in avoiding disciplinary actions in the future. Where appropriate, the CEO & General Manager may offer the employee reassignment in lieu of other disciplinary actions, if another position is available. If the employee declines reassignment, other disciplinary actions appropriate the employee's conduct may be imposed.

Demotion: In some circumstances, the CEO & General Manager may recommend demotion or transfer-demotions within a department as a disciplinary action. However, disciplinary demotions should only be made if there is reasonable belief that the action will improve the employee's conduct.

Discharge: This involves the employee's termination as an employee. Discharge may be initiated by a suspension "pending discharge" to provide adequate time for additional investigation. If the facts continue to warrant discharge, the notice of discharge shall be issued in order to effectuate the discharge. All discharges shall be formalized in writing and signed by the department head or designee. Discharges must be approved by the CEO & General Manager.

**Separation from Service**

All separations from Utilities service shall be designated as one of the following: resignation, layoff, disability or dismissal/termination. The termination date is recognized as the last day on the payroll.

**Resignation**

Resignation is a voluntary, permanent separation initiated by the employee. It is expected that employees will give as much notice as possible in order to facilitate recruitment and



orientation of new employees. Employees are asked to submit their resignation in writing at least two (2) weeks in advance of their planned departure. Failure to do so will result in the employee not receiving pay-out for unused vacation.

### **Layoff**

A layoff is the termination of employment due to a shortage or stoppage of work or funds, functional reorganization, abolishment of a position, or other similar reasons. Employee will receive pay-out for unused vacation.

### **Disability**

An employee may be separated from Utilities service when the employee is unable to perform the required duties due to physical or mental illness, injury or disease with a reasonable accommodation, if such accommodation provides an undue hardship, or the employee poses a direct threat to the employee's self or others.

### **Automatic Termination/Dismissal**

Any employee absent from work for three (3) consecutive workdays without adequate notice or satisfactory explanation to the Utilities shall be deemed automatically terminated. For purposes of this Section, workdays are deemed to be consecutive, notwithstanding their separation by scheduled days off or by approved leaves of absence. Failure to provide the Utilities with a required, signed resignation notice shall be considered absence without adequate notice. This termination will result in the employee not receiving pay-out for unused vacation.

### **Termination**

Utility employees are at-will employees and may be dismissed for any reason at any time, including violation of any of the provisions of this Manual. Employee will receive pay-out for unused vacation.

### **No Weapons Policy**

Manitowoc Public Utilities prohibits all persons who enter Manitowoc Public Utilities property from carrying a handgun, firearm, or prohibited weapon of any kind onto the property regardless of whether the person is licensed to carry the weapon or not.

This policy applies to all Manitowoc Public Utilities employees, contract and temporary employees, visitors on Manitowoc Public Utilities property and customers, members and contractors on Manitowoc Public Utilities property, *regardless of whether or not they are licensed to carry a concealed weapon*. The only exceptions to this policy will be police officers, security guards or other persons who have been given written consent by Manitowoc Public Utilities to carry a weapon on the property.

All Manitowoc Public Utilities employees are also prohibited from carrying a weapon while in the course and scope of performing their job for Manitowoc Public Utilities, whether they are on Manitowoc Public Utilities property at the time or not and whether they are licensed to carry a handgun or not. The only exceptions to this policy will be persons who have been given written consent by Manitowoc Public Utilities to carry a weapon while performing specific duties on

Manitowoc Public Utilities behalf. This policy also prohibits weapons at any Manitowoc Public Utilities sponsored function such as programs, parties or picnics.

Prohibited weapons include any form of weapon or explosive restricted under local, state or federal regulation. This includes all firearms, illegal knives or other weapons covered by the law. All compliance questions and issues are to be directed to your supervisor. Prior approval for any questionable item must be obtained from your supervisor.

"Manitowoc Public Utilities property" covered by this policy includes, without limitation, all Manitowoc Public Utilities owned or leased buildings and surrounding areas such as sidewalks, walkways and driveways or lots under Manitowoc Public Utilities ownership or control. Manitowoc Public Utilities vehicles are covered by this policy at all times regardless of whether they are on Manitowoc Public Utilities property at the time. It is not illegal to have a weapon stored in your vehicle in Manitowoc Public Utilities parking lots provided that it is stored in a legal manner as prescribed by Wisconsin law.

Manitowoc Public Utilities reserves the right to conduct searches of any person or object that enters onto Manitowoc Public Utilities property if reasonable suspicion exists that a weapon may have been brought on its property. Manitowoc Public Utilities further reserves the right to conduct searches on its property or authorize searches by law enforcement on its property without the employee being present.

Failure to comply with all terms and conditions of the policies described above may result in discipline up to and including termination. Furthermore, carrying a weapon onto Manitowoc Public Utilities property in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from Manitowoc Public Utilities property, and may result in prosecution.

**THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATION ON THE PART OF THE MANITOWOC PUBLIC UTILITIES TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.**

## **DRUG AND ALCOHOL-FREE WORK PLACE**

### **Alcohol and Drug Policy Statement**

The use of drugs and alcohol in the work place has a significant impact upon individuals and businesses in the form of increased absenteeism, discipline problems, accidents, health care costs, and other drug- and alcohol-related problems. In order to further the goal of maintaining a drug- and alcohol-free workplace and out of concern for the health, safety, and welfare of our employees, MPU has adopted this policy.

### **General Rule**

Employees must report to work and remain free of drugs, intoxicants, alcohol, narcotics, or any other controlled substance, including during lunch breaks or other breaks. Employees may be disciplined, up to and including termination, for possession, consumption, distribution, not being free of, or use of any drugs, drug paraphernalia, intoxicants, alcohol, narcotics, or any other illegal drug on or about MPU premises at any time. Illegal drugs include any "controlled substance" as

defined by state and/or federal laws. Examples of such illegal drugs include, but are not limited to: marijuana, hashish, amphetamines, barbiturates, tranquilizers, narcotics, cocaine, and hallucinogens, such as LSD or PCP.

The only exception to this policy may occur if an employee is prescribed an alcohol related or a “controlled substance” by a medical or dental practitioner licensed to prescribe such substance. However, because certain prescription drugs can affect an individual’s demeanor and job performance, it is the employee’s responsibility to notify their immediate supervisor if the employee has been prescribed and is taking prescription drugs that could affect demeanor or job performance. In such case, the employee shall provide MPU with a statement from the employee’s health care provider that the prescribed use of drugs will not impair the employee’s ability to safely and efficiently perform the employee’s job duties. Such prescription drugs must be given under medical supervision and may not interfere with the performance of job duties.

Whenever an employee’s supervisor believes that an employee is using and/or under the influence of alcohol or an illegal drug, the employee may be required to submit to a medical examination and/or alcohol and drug test and may be referred to MPU’s Employee Assistance Program (EAP) for further assessment. When an employee is injured on the job, the employer has the right to require an alcohol and drug test of the employee. Any employee who refuses to submit to a medical examination, alcohol and/or drug test, or accept a referral to the EAP for assessment or treatment may be subject to disciplinary action up to and including discharge.

Employees are strongly urged to avoid all activities which would create an apparent conflict with this policy, such as the consumption of any alcoholic beverages prior to normal working periods. The immediate benefits of adhering to this practice include attainment of the highest level of employee performance, well-being, and safety.

Violation of this policy will subject the employee to disciplinary action up to and including termination of employment. Depending on the seriousness and circumstances of the offense and at MPU’s sole discretion, MPU will take appropriate personnel action against such an employee or require the employee to participate in a drug abuse assistance or rehabilitation program.

An employee must notify MPU of any criminal statute conviction involving drugs or alcohol which occurred relative to conduct during work hours or at the workplace.

### **Voluntary Participation in EAP**

Consistent with MPU philosophy that its employees are a valuable resource, MPU offers help to employees who are impaired by alcohol and/or drugs, or other personal or medical problems. However, it is the responsibility of each employee and each employee is encouraged to seek assistance from MPU’s EAP before alcohol and/or drug abuse problems lead to disciplinary action, which may include discharge. The EAP is designed to provide assistance to employees with alcohol and drug abuse or other personal problems. Employees will not be disciplined for participation in the EAP. However, it should be understood that if an employee engages in conduct which is in violation of this policy regarding alcohol or other drug use, participation in the program will not excuse the employee from the disciplinary consequences of such conduct. Once a violation of this policy occurs, subsequently seeking assistance on a voluntary basis will have no bearing on the determination of appropriate disciplinary action.

## **Confidentiality**

MPU respects the confidentiality of all employees. Accordingly, the records maintained as a result of this policy shall be maintained in a secure location with controlled access. The identities of any employees participating in the EAP will not be disclosed to anyone without the prior written consent of the employee authorizing release of the information to an identified person.

## **RANDOM DRUG AND ALCOHOL TESTING POLICY**

MPU has the right to initiate random drug and alcohol testing of its employees.

Random drug and alcohol testing shall be unannounced. MPU employees shall be randomly selected for drug and alcohol testing during each calendar year.

Employees who are required to possess a commercial driver's license (CDL) as a condition of employment shall be subject to random drug and alcohol testing pursuant to the Omnibus Transportation Employee Testing Act of 1991 will continue to be randomly tested separately under that program pool and shall not be included in the number of employees selected for this program.

The selection of employees for random drug and alcohol testing shall be performed by the organization utilized to administer the testing program. Employees will have an equal chance of being selected for testing each time a selection is made. Such random testing may take place at any time during the calendar quarter and at any time during the work day. Being selected for random testing does not preclude being tested separately if the employee's supervisor believes that the employee is using and/or under the influence of alcohol or an illegal drug during work hours, when an employee is injured on the job or when an employee is involved in an accident on the job.

- A first-time offense, employee sent to EAP and employee follows EAP recommendations for treatment, plus employee agrees to allow MPU access to all information. A repeat offense will result in employment termination.
- An employee during orientation with this offense will result in employment termination.

Any employee who refuses to submit to a random drug or alcohol test will be subject to disciplinary action up to and including discharge.

- **Testing Location and Hours**

Monday thru Friday 7:00 a.m. thru 4:00 p.m. – Report to Holy Family Memorial Transcend, located at 1650 South 41<sup>st</sup> Street

After hours – Report to the Holy Family Memorial Center Emergency Room, located at 2300 Western Avenue

## **EQUIPMENT, ACCIDENTS AND SAFETY**

Employees are MPU's best protection against accidents. They should learn how to properly operate all equipment for their job. Employees should never operate equipment unless they have

first learned how to safely operate that equipment. If an employee has any questions about the use of MPU equipment, they should see their immediate supervisor *before* attempting to operate the equipment.

All unsafe working conditions should be reported to the employee's immediate supervisor. If an accident does occur, no matter how minor the injury or damage, it must be reported immediately to the employee's supervisor. The necessary accident reports must be completed as soon as possible after the accident. Failure to report unsafe working conditions could lead to disciplinary action. Failure to timely report an accident or to file the necessary accident reports could jeopardize the employee's eligibility for Worker's Compensation benefits and could lead to disciplinary action.

All defects in vehicles, tools and equipment must be reported to the employee's supervisor as soon as possible after being noticed.

All traffic violation fines are to be paid by the employee.

### **Eye Safety Program**

This Eye Safety Program shall apply to all regular full-time employees at the Manitowoc Public Utilities.

All operating and construction personnel are required to wear approved safety glasses at all times during working hours. All other utility personnel, when at a job site, must wear safety glasses. Those employees not wearing prescription glasses and requiring safety glasses will be provided them and they will be responsible for keeping them available for use when needed. Extra pairs of plain lens safety glasses will be kept for those employees or visitors who might have an occasional need for them. Side shields will be available and may be required if working conditions deem it desirable.

Those employees requiring prescription safety glasses will be provided them by the Employer subject to the following conditions:

The Employer will:

1. Pay up to Sixty Dollars (\$60.00) toward the cost of safety optical wear.
2. Pay up to Thirty Dollars (\$30.00) for lens replacements required due to lens corrections.
3. Pay up to \$75 to replace glasses or frames damaged on the job.
4. Allow the employee to choose a style of frame and any style lens, i.e., single vision, bifocal or trifocal, which satisfy the requirements of the MPU Safety Manual.
5. When required by safety regulations, MPU will provide specialty use, prescription safety eyewear (e.g., inserts/lenses for full-face respirators, welding helmets and non-metallic safety eyewear required for specific job hazards.)

The employee must:

1. Obtain and pay for the necessary eye examination by a licensed optical practitioner, except for the reimbursement for an eye exam allowed by policy.
2. Furnish a prescription for the lens and frames to the Manitowoc Public Utilities.
3. Pay for the proper fitting of the optical wear by a licensed optical practitioner (usually considered to be a part of the examination).
4. Pay for special features desired in the glasses except those necessary for proper performance of the job and approved by the Manitowoc Public Utilities.

### **Clothing Reimbursement and Flame Resistant Clothing**

The details on clothing reimbursement and flame resistant clothing are presented in Appendix D.

### **POWER PLANT 12 HOUR SHIFT SCHEDULE**

The benefits which are earned and utilized on an eight (8) hour/day basis shall be earned and utilized on that basis for the employees on the 12-hour schedule. For example, if an employee desires to use vacation or sick leave on a twelve (12) hour day, one and one-half days of vacation would be deducted from the employee's accrued benefits. In addition, any reference to days in the vacation or sick leave provisions of the manual shall be interpreted as an 8-hour day.

**APPENDIX A  
HEALTH & WELLNESS PLAN  
(effective January 1, 2020)**

Health & Wellness Plan	Preferred Plus Providers**	Network Providers	Non-Network Providers
Plan Year Maximum	Unlimited		
<b>Deductible***</b>			
Single	\$750	\$750	\$1000
Family	\$1,500	\$1,500	\$2,000
<b>Coinsurance after Deductible</b>	90%	90%	80%
<b>Deductible/Coinsurance Maximum Out-of-Pocket</b>			
Single	\$2,000	\$2,000	\$4,000
Family	\$4,000	\$4,000	\$8,000
<b>Hospital Inpatient</b>			
Copay (per admission)	\$250 then D & C	\$1,500 the D & C	\$3,000 then D & C
<b>Outpatient Surgery</b>			
Copay (per surgery)	\$250 then 100% after deductible	\$500 then 100% after deductible	\$1,000 then D & C
<b>Office Visit</b>			
Copay (per visit)	\$40 Copay, then deductible	\$40 Copay, then deductible	\$70 then 80% after deductible
Routine Visits	Paid at 100%	Paid at 100%	80% no Deductible
<b>Emergency Room</b>			
Copay* (per visit) *copay waived if admitted	\$150 then 90% after deductible	\$150 then 90% after deductible	\$150 then 90% after deductible

\*\*Refer to Auxiant's website ([www.auxiant.com](http://www.auxiant.com)) for the most current list of Preferred Plus Providers

\*\*\* Health Risk Assessment participation deductible credits will be as follows:

- Single: \$250
- Family: \$250 for employee-only participation/\$500 for employee and spouse participation

MRI/MRA Incentive Program – Members are eligible to receive a \$500 incentive for the first procedure and \$250 for each subsequent procedure if you have your MRI and/or MRA done at Smart Choice MRI on the same day. Smart Choice is located in Milwaukee, Appleton, Waukesha, Kenosha and Richfield.

Prescription Copays	Retail Pharmacy (30-day supply)	Mail Order Pharmacy (90-day supply)
Preferred Generics	\$0.00	\$0.00
Generics	\$20.00	\$20.00
Preferred Brands	\$35.00	\$35.00
Non-Preferred Brands	\$70.00	\$70.00
Specialty Drugs	20%: Max \$300	20%: Max \$300

Employee Contribution (per pay period)	Single	Family
Health & Wellness Plan	\$47.99	\$123.79
Dental	\$14.18	\$30.98
Spousal Coverage (if applicable)		\$50.00

Employees with working spouses on MPU's insurance plan will need to contribute an additional \$50 per paycheck if their spouse's employer offers affordable insurance coverage with a single premium contribution of less than \$150 per month but they chose to stay on MPU's plan.

APPENDIX B



MANITOWOC PUBLIC UTILITIES

VACATION REQUEST FORM

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

I would like to take vacation days as follows:

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

Date: \_\_\_\_\_ Number of hours: \_\_\_\_\_

After the above days are used, I have \_\_\_\_\_ days of vacation left in the year \_\_\_\_\_.

Supervisor Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Department Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
*(If Applicable)*

Senior Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
*(If Applicable)*

CEO & General Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
*(If Applicable)*

RECEIVED

Date: \_\_\_\_\_ Time: \_\_\_\_\_ By: \_\_\_\_\_



## **APPENDIX B VACATION SCHEDULING**

The following procedure shall be used in approval/disapproval and scheduling of vacation requests:

1. On or before December 15, each Senior Manager shall determine and communicate the maximum number of employees that may be on vacation at any given time for the following year. Senior Managers will take into consideration items such as work load; employees off for training, meetings, outages, etc.
2. On or before February 28 of each year, non-exempt employees may provide their requests for vacation and Senior Managers shall communicate on the status of the employee requests within ten (10) working days. Supervisors must inform employees if their request is approved or denied by March 10.
3. The vacation approval/disapproval criteria will be as follows:
  - a. Length of vacation request – priority shall be for multiple weeks over a week; a week over consecutive multiple full days; consecutive multiple full days over a full day and a full day over one-half (½) day of vacation.
  - b. In the event that more than the maximum number of employees (that are allowed vacation) have requested vacation for the same time period, the vacation will be approved based on date and time of the request (first-come, first-served) and/or at the discretion of the Senior Manager.
  - c. Once vacation is approved, an employee will not be allowed to change or cancel the vacation except in the event of an emergency as determined by the Senior Manager.
  - d. Use of vacation shall be allowed in one-half (½) day increments for non-exempt employees.
4. Senior Manager may require employee to cancel vacation to maintain utilities operations.
5. Vacation must be approved by the supervisor by the end of the previous workday.
6. Up to sixteen (16) hours in a calendar year may be used in one (1) hour increments provided prior approval from the immediate supervisor has been received.

## **APPENDIX C HOURS OF WORK**

### **General**

The normal work schedules for non-exempt employees are described below for each Department. In non-emergency situations, the employee shall be notified before the end of the work day preceding the day when hours are to be changed.

The regular hours for non-exempt office employees shall be from 8:00 a.m. to 4:30 p.m. with a one-half (1/2) hour non-paid lunch. However, the hours shall be from 7:30 a.m. to 4:00 p.m. with a one-half (1/2) hour non-paid lunch during the period from the day after Memorial Day to Labor Day.

### **Business Services**

#### Meter Technicians 1, 2, and 3

7:30 a.m. to 4:00 p.m. Employees in this classification shall have a thirty- (30) minute unpaid lunch break from the time they stop working at a job site to the time they resume working at the job site.

#### Meter Technicians 4, 5

7:30 a.m. to 3:30 p.m. The Meter Technicians 4 and 5 will take a 20-minute paid lunch break on the job site. When the Meter Technicians 4 and 5 are required to work at MPU facilities, the hours shall be modified to allow for one-half (1/2) hour non-paid lunch.

#### Customer Service Representatives

The Customer Service Representative shall be scheduled from 8:00 a.m. to 4:30 p.m. with a half-hour (1/2) non-paid lunch. The employees in this position may be assigned a flexible schedule such as a staggered eight- (8) hour shifts between the hours of 7:00 a.m. to 6:00 p.m. Scheduled hours shall be provided to employees on a monthly basis.

#### Administrative Assistant

8:30 a.m. to 5:00 p.m. with a one-half (1/2) hour non-paid lunch.

### **Operations:**

#### Administrative Assistant

7:00 a.m. to 3:30 p.m. with a one-half (1/2) hour non-paid lunch.

### **Electric Distribution**

#### Line Crew

7:00 a.m. to 3:00 p.m., with a twenty- (20) minute paid lunch break on the job site. When Line Crew employees are scheduled to work at the Utilities and are not on the job site, their hours shall be modified to allow for a one-half (1/2) hour non-paid lunch.

If a power outage occurs during an employee's non-paid lunch, the employee may either receive overtime pay for the time worked or may leave work after eight (8) hours of total work, provided the employee is released by the supervisor.

## **Power Production**

The regular hours of the Maintenance crews including coal operation shall be 7:00 a.m. to 3:30 p.m. with a one-half (1/2) hour non-paid lunch.

### Shift Workers

The normal hours of work for the Power Plant are 7:00 a.m. to 3:30 p.m. with a one-half (1/2) hour unpaid lunch. All employees in Power Plant Production, except relief employees, shall be deemed shift workers and their work week and schedules shall be determined by the Employer to ensure coverage needed to operate the facility.

Shift employees who are scheduled to work on the official holiday shall receive one and a half (1½) time for all hours actually worked in addition to their holiday pay.

### Non-Shift Workers

Non-shift employees shall be paid on a time and one-half basis for work performed in excess forty (40) hours per week.

Non-shift employees who are scheduled to work on the paid holiday shall receive one and a half (1½) time for all hours actually worked in addition to their holiday pay.

### Relief Workers

Relief work sign up shall be posted by October 15 so selection can be completed by December 30.

Relief workers shall be paid one and one-half (1-1/2) times their straight time hourly rate for scheduled or unscheduled work performed on Saturday and Sunday if the employee works more than forty (40) hours in the work week. Only for relief Operators and relief Fireman/Boiler Operators, vacation and sick leave will be counted as hours worked. Relief Assistant Operator's vacation and sick leave will not be counted as hours worked.

Relief workers may trade hours with shift workers provided prior written approval is received from the employee's immediate supervisor. If a trade is approved and a relief workers is required to work on a Saturday or Sunday, the relief workers shall receive straight time pay for work on Saturday or Sunday unless time and one-half (1-1/2) is required by state or federal law.

## **Water**

### Water Production

Shift Workers: 6:00 a.m. to 2:00 p.m., 2:00 p.m. to 10:00 p.m., Monday through Friday;  
7:00 a.m. to 3:00 p.m., Saturday and Sunday

Maintenance Workers: 7:00 a.m. to 3:30 p.m., half (1/2) hour non-paid lunch.

### Water Distribution

7:00 a.m. to 3:00 p.m., with a twenty- (20) minute paid lunch break on the job site. When employees are scheduled to work at the Utilities and are not on the job site, their hours shall be modified to allow for a one-half (1/2) hour non-paid lunch.

## **Technical Services**

### Information Technology

7:00 a.m. to 3:30 p.m. with ½ hour non-paid lunch. The employees in this position may be assigned a flexible schedule such as a staggered eight- (8) hour shifts between the hours of 7:00 a.m. to 6:00 p.m. Scheduled hours shall be provided to employees on a monthly basis.

### Administrative Assistant

8:30 a.m. to 5:00 p.m. with a one-half (1/2) hour non-paid lunch.

### CAD Technicians and Engineering Technicians

The hours of work of the CAD Technician and Engineering Technician shall be from 7:00 a.m. to 3:30 p.m. with a one-half (1/2) hour non-paid lunch. These positions may be assigned to a flexible schedule such as staggered eight (8) hour shifts between the hours of 7:00 a.m. and 6:00 p.m. Scheduled hours shall be provided to the individual employees on a monthly basis.

**APPENDIX D**  
**CLOTHING REIMBURSEMENT AND FLAME-RESISTANT CLOTHING**

**CLOTHING REIMBURSEMENT**

Employees in the following positions shall receive an annual clothing reimbursement of Two Hundred Twenty-Five Dollars (\$225.00): Lineman, Electrical Technician, Electric Distribution Foreman, Meter Technicians, Contract Operations Foreman, Power Plant Assistant Operator, Power Plant Fireman, Power Plant Mechanic, Power Plant Operator, Energy Supply and Production Supervisor, Instrumentation Supervisor, Mechanical Maintenance Supervisor, Power Production Operations Supervisor, Water System Operator, Water/Wastewater Operator, Water Distribution Foreman, Water Plant Foreman, Water Distribution Superintendent and Water Production Superintendent.

Employees classified as Meter Technicians (who are not issued flame resistant clothing – see below) shall receive the following clothing benefits:

- A. Eight (8) sets of one hundred percent (100%) cotton shirts, and pants at no cost to the employee.
- B. One (1) winter coat and one (1) jacket. The replacement of such items will be with an employer/employee 70/30 split cost sharing.
- C. Raingear and hats are provided as needed.
- D. Up to three pants and shirts per employee will be replaced annually.
- E. Appropriate laundering shall be the employees' responsibility.
- F. Upon termination of employment all shirts and jackets with MPU logo must be returned to the employer.

**FLAME RESISTANT (FR) CLOTHING**

MPU employees working on electrical generation or electrical distribution components are required to wear flame resistant clothing or clothing system (multiple layers) with an effective arc rating (cal/cm<sup>2</sup>) not less than the anticipated level of arc energy.

The following employees are required to wear Flame Resistant Clothing: Electric Line Crew employees, Electric Meter Technicians, Electricians, MPU supervisors and contractors authorized to work on or near unguarded MPU electric facilities. This requirement does not include ground men, line patrollers, trainees or other supervisors on the job site who do not work within 10 feet of unguarded electric facilities operating at 50 volts or more.

MPU will rent, launder and repair Fire Retardant (FR) clothing for employees who are required to wear FR clothing.

**Clothing Requirements:** When flame resistant clothing is required, the outer layer of flame resistant clothing shall cover the entire area from the employee's neck to their wrists and ankles and shall have an effective arc rating greater than the assessed hazard. All other clothing in this area shall be contained beneath the flame resistant layer.

When exposed to an open flame or a potential electric arc, clothing made from acetate, nylon, polyester or polypropylene shall not be worn beneath the flame resistant layer.

**For electrical systems operating at or above 1000 Volts**, MPU supervisors (with MPU Engineering assistance) will assess electrical arc flash energy exposure. When the electrical arc hazard analysis determines an exposure could exceed 2 cal/cm<sup>2</sup>, then an outer layer of MPU Approved Flame Resistant Clothing is required. The effective arc rating of the clothing shall be determined by MPU using applicable codes.

**For electrical systems operating below 1000 Volts**, work rules of NESC Part 4 and engineering controls shall be used to limit arc flash energy exposure. In lieu of performing an arc hazard analysis, an outer layer of MPU Approved Flame Resistant Clothing with a minimum effective arc rating of 4 cal/cm<sup>2</sup> shall be required to limit the likelihood of ignition.

**Uniform Logo:** Logo on clothing, if any, shall be limited to MPU logo, employee's name and/or the manufacturer's logo. Material shall be minimally equivalent in flame resistant rating as the clothing and affixed in accordance with clothing manufacturer requirements.

**APPENDIX E**  
**WAGES**

POSITION		2020	
		MINIMUM	CONTROL POINT (1)
<b>BUSINESS SERVICES</b>			
Senior Manager - Business Services(**)	X	\$105,024.00 -	\$131,280.00
Business Services Administrative Assistant		\$13.48 -	\$16.85
<b>Accounting</b>			
Accountant		\$50,453.00 -	\$63,066.00
Accounting Technician 1		\$18.26 -	\$22.83
Accounting Technician 2		\$15.48	\$19.35
Accounting Clerk		\$13.82 -	\$17.27
Accounting Clerk/Receptionist		\$13.44 -	\$16.80
Billing Clerk		\$15.48	\$19.35
<b>Customer Service</b>			
Customer Support Supervisor		\$49,756.00 -	\$62,195.00
Customer Service Representative	X	\$16.05 -	\$20.06
<b>Meter Services</b>			
Key Accounts & Meter Services Manager (**)	X	\$64,220.00	\$80,275.00
Key Accounts Advisor	X	\$50,072.00	\$62,590.00
Meter Technician V	X	\$16.81 -	\$19.56
Meter Technician IV	X	\$20.26 -	\$23.01
Meter Technician III	X	\$23.71 -	\$26.46
Meter Technician II	X	\$27.26 -	\$30.01
Meter Technician I	X	\$30.81 -	\$34.09
Meter Reader	X	\$12.89	\$16.11
<b>EXECUTIVE</b>			
CEO & General Manager (**)	X	\$218,000.00 -	\$272,000.00
Executive Assistant to the CEO & General Manager		\$43,933.00 -	\$54,916.00
<b>UTILITY OPERATIONS</b>			
Senior Manager - Utility Operations		\$119,416.00 -	\$149,270.00
Administrative Assistant		\$13.48 -	\$16.85
<b>Electric Distribution</b>			
Electric Distribution Manager (**)	X	\$101,760.00 -	\$127,200.00
Electric Distribution Superintendent (**)	X	\$74,154.00 -	\$92,692.00
Apprentice Line Technician Year 1 (70% of LT)	X		\$27.61
Apprentice Line Technician Year 2 (80% of LT)	X		\$31.55
Apprentice Line Technician Year 3 (90% of LT)	X		\$35.50
Apprentice Line Technician Year 4 (95% of LT)	X		\$37.47
Line Technician (**)	X	\$38.45 -	\$39.44
Senior Line Technician (**)	X		\$40.94
Linecrew Foreman (**)	X		\$42.44
<b>Power Production</b>			
Power Production Manager (**)	X	\$101,206.00 -	\$126,508.00

Assistant Operator	X	\$24.83 -	\$31.02
Electrical Technician (**)	X	\$28.53 -	\$35.66 (2)
Energy Supply/ Production Supervisor (**)	X	\$64,221.00 -	\$80,276.00
Fireman/Boiler Operator	X	\$31.54 -	\$33.61
Instrumentation & Electrical Supervisor(**)	X	\$74,008.00 -	\$92,510.00
Instrumentation & Electrical Technician	X	\$28.70	\$35.88 (2)
Utility Engineer	X	\$74,731.00	\$87,917.00
Mechanic (**)	X	\$26.83 -	\$33.53
Mechanical Maintenance Supervisor (**)	X	\$76,056.00 -	\$95,070.00
Plant Operator	X	\$34.22 -	\$35.47
Power Production Operations Supervisor (**)	X	\$62,083.00 -	\$77,604.00
<b>Water</b>			
Water Systems Manager (**)	X	\$85,632.00 -	\$107,040.00
Water Distribution Foreman (**)	X	\$26.34 -	\$32.93 (2)
Water Distribution Superintendent (**)	X	\$66,734.00 -	\$83,417.00
Water Production Foreman (**)	X	\$27.17 -	\$33.98 (2)
Water Production Superintendent (**)	X	\$68,740.00 -	\$85,925.00
Water System Operator Trainee (**)	X	\$25.81 -	\$27.10 (2)
Water System Operator III (**)	X	\$27.36 -	\$28.71 (2)
Water System Operator II (**)	X	\$28.97 -	\$30.37 (2)
Water System Operator I (**)	X	\$30.63 -	\$32.40 (2)
Water/Wastewater Operator (***)	X	\$20.92 -	\$26.14 (2)
<b>TECHNICAL SERVICES</b>			
Senior Manager - Technical Services		\$116,720.00 -	\$145,900.00
Administrative Assistant		\$13.48 -	\$16.85
<b>Engineering</b>			
Engineering Manager (**)	X	\$97,284.00 -	\$121,605.00
CAD Technician		\$20.16 -	\$25.20
Electrical/Mechanical Engineer – Associate (**)	X	\$56,291.00 -	\$70,364.00
Electrical/Mechanical Engineer – Mid (**)	X	\$70,752.00 -	\$88,440.00
Electrical/Mechanical Engineer – Senior (**)	X	\$88,440.00 -	\$110,550.00
Engineering Technician	X	\$23.93 -	\$29.91
Environmental Engineer – Associate (**)	X	\$54,037.00 -	\$67,546.00
Environmental Engineer – Mid (**)	X	\$67,743.00 -	\$76,277.00
Environmental Engineer – Senior (**)	X	\$81,618.00 -	\$91,900.00
<b>Power Supply</b>			
Power Supply Planning Manager		\$112,810.00 -	\$141,013.00
Conservation and Efficiency Coordinator	X	\$52,936.00 -	\$66,170.00
Power Supply Analyst		\$70,756.00 -	\$88,445.00.
<b>IT</b>			
Information Technology Manager		\$87,722.00 -	\$109,653.00
Help Desk Technician		\$16.36 -	\$20.45
Network Administrator (**)		\$56,209.00 -	\$70,261.00
–Program Support Specialist		\$56,209.00 -	\$70,261.00
Database Administrator		\$57,775.00 -	\$72,219.00
System Administrator		\$57,775.00	\$72,219.00



(1) – Control Point includes license pay of \$3,000/year and/or certification pay of \$1,500/year

(2) – Control Point excludes license and certification pay

X – Employees authorized to enter customers' premises

\*\* - Emergency Positions that are subject to residency requirement

\*\*\* - Employee residency requirement applicable to contract operations.

### **Supplementary Wages for Non-Exempt Employees:**

- Shift Premium for Employee Scheduled for Shift Work:
  - Second Shift
    - Water System Operator - \$0.60 per hour
    - Power Production - \$0.90 per hour
  - Third Shift
    - Power Production - \$1.05 per hour
- Relief Man (Power Plant Only):
  - One Position: \$ 0.75 per hour
  - Two Positions: \$1.50 per hour
- Lunch Credit: On emergency call-outs there shall be a one-half (1/2) hour lunch credit provided after the first four (4) hours of work and after each succeeding four (4) hours of work thereafter.
- Phone Call-In: For an emergency call-out a one-half (1/2) hour credit will be provided for resolving issues/problems via phone.

### **License Pay for Non-exempt Employees**

The license and certification pay is part of the control point

- Pay for professional certifications and license incentives (when required by MPU):
  - Certificates issued by Wisconsin state - \$50.00 per month for Electrician
  - Licenses issued by state of Wisconsin
    - Ground Water - \$30.00 per month
    - Surface Water - \$30.00 per month
    - Distribution - \$30.00 per month
    - Wastewater – Up to \$50.00 per month (\$10.00 each per month)
      - A1 – Biological Treatment: Suspended Growth Processes
      - B – Solids Separation
      - C – Biological Solids/Sludge Handling, Processing & Reuse
      - D – Disinfection
      - L – Laboratory

### **Stand-by Wages for Exempt and Non-Exempt Employees:**

- Any qualified employee, with approval of the Senior Manager, assigned to stand-by duty shall receive an additional lump sum payment of \$350.00 per week.
- A qualified employee who is assigned by a Senior Manager to provide contracted, stand-by duty services to other municipalities for water/wastewater services shall receive an additional lump sum payment of \$100.00 per week.
- Any employee qualified and approved for stand-by duty shall receive only one of the above stand-by wage and not both under any circumstances.

## **APPENDIX F**

### **SMART PHONE ALLOWANCE**

#### **PURPOSE:**

Eligible employees may receive an allowance for business use of their personal smartphone device. MPU will no longer provide these employees a company owned smartphone if they wish to use their personal smartphone for MPU business. The benefit of this policy is to allow employees to utilize a single phone for both personal and business purposes.

#### **POLICY STATEMENT:**

Employees who hold positions that include the need for a smartphone (see eligibility criteria below) may receive an allowance to compensate for business-related costs incurred when using their individually-owned smartphone. The allowance will be in the amount of \$40 per month (or the actual cost of the plan, whichever is less) paid annually on July 1 for the previous year. In order to receive the phone allowance, the employee must submit a copy of the phone bill or the copy of the contract.

An employee is eligible for an allowance if at least two of the following criteria are met:

- The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important to MPU that s/he is accessible during those times;
- The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours;
- The job function of the employee requires him/her to have wireless data and internet access; and/or
- The employee is expected to respond to emergencies.

Employees must provide their phone number to the utility for posting on the company contact list. Requests for the allowance of a smartphone for business use must be approved by the Senior Manager. Senior Managers are also responsible for periodic (no less than annual) review of allowances to verify continued need and consistency with documented business reasons.

**APPENDIX G**  
**EMPLOYEE RESIDENCY VERIFICATION AND CERTIFICATION**

**PURPOSE:**

The Manitowoc Public Utilities (“MPU”) has established a Residency Incentive Program (hereinafter referred to as “incentive”) to encourage qualified employees of MPU to reside in the City of Manitowoc. The incentive as approved by the MPU Commission applies to eligible employees as defined below:

1. **ELIGIBILITY:** Employees who work more than 1,000 hours per year who maintain their actual bona fide residence within the Corporate limits of the City of Manitowoc are eligible to receive the incentive as set forth under paragraph 2 herein:
  - a. An employee residing within the Corporate limits of the City of Manitowoc as of January 1, 2016, shall be eligible upon implementation of this Residency Incentive Program.
  - b. An employee shall become eligible under this Residency Incentive Program upon completion of the Orientation Period and within the first full pay period after the employee establishes residency within the Corporate limits of the City of Manitowoc.
  - c. Eligibility of an employee shall end with the last full pay period that the employee resides within the Corporate limits of the City of Manitowoc before establishing residency outside of the Corporate limits of the City of Manitowoc.
  - d. Any employee not employed for the entire month or on unpaid leave of absence for ten (10) consecutive working days in any month will not receive the residency pay for that month. If an employee leaves mid-month, the incentive will be removed from their last paycheck.
2. **RESIDENCY DEFINED:** The term “residence”, as used in this Residency Incentive Program, shall be construed to mean the actual living quarters maintained by an employee. Neither voting in the City nor payment of taxes of any kind by employee, by itself, shall be deemed adequate to satisfy the requirements of this section, nor shall the provisions of this section be satisfied by the maintaining of a rented room or rooms by an employee solely for the purpose of establishing residency when it appears that the employee’s residence is outside the City. Ownership of real property within the City when not coupled with the maintenance of actual living quarters in the City, as herein required, shall be deemed insufficient to meet the requirements of this section. Final determination of any residency question shall be at the discretion of, and shall be determined by, the CEO & General Manager.
3. **ELIGIBILITY DETERMINATION:** Senior Managers shall provide to the Executive Assistant a list of all eligible department employees within their department, and shall notify the Executive Assistant of any change of eligibility status for department employees.
  - a. Any dispute regarding eligibility of a department employee shall be referred to the Senior Manager for investigation and determination. Any dispute regarding eligibility of a Senior Manager shall be referred to the CEO & General Manager for investigation and determination.
  - b. The CEO & General Manager shall make a final determination regarding any residency and eligibility question. All employer contributions under this Residency Incentive Program shall be discretionary as authorized by the MPU Commission.
4. **BENEFIT:** MPU shall pay employees eligible for the incentive \$100 per month, on the first paycheck of each month. Employees that terminate employment are not eligible for the Residency incentive on their final paycheck.

**APPENDIX H**

**CONTINUING EDUCATIONAL & APPRENTICESHIP PROGRAM REIMBURSEMENT**

Name of Employee: \_\_\_\_\_

School or Program: \_\_\_\_\_

Start Date: \_\_\_\_\_ Anticipated Finish Date: \_\_\_\_\_

Description of Program Requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason for the Requested Training: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For Diploma, Degree, Certification, or License? (Y or N) \_\_\_\_\_

\*Note: Continuing Education only reimburses for tuition/fees.

I acknowledge that my attendance at this continuing education program is a benefit to both myself and MPU. As such, I agree to repay these expenses to MPU if I choose to voluntarily terminate employment, or if I am 'terminated for cause', within **two years** of attendance. This repayment will be made via a payroll deduction on my last check and I will be invoiced and responsible for any remaining balance.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

-----  
Estimated Cost:

Tuition/fees: \$ \_\_\_\_\_  
Meals: \$ \_\_\_\_\_  
Transportation: \$ \_\_\_\_\_  
Lodging: \$ \_\_\_\_\_  
Miscellaneous: \$ \_\_\_\_\_  
Total Cost: \$ \_\_\_\_\_

\_\_\_\_\_  
Requested By (Employee)

\_\_\_\_\_  
Recommended (Department Manager)

\_\_\_\_\_  
Recommended (Senior Manager)

Cost Distribution:

Outside Assistance: \$ \_\_\_\_\_  
Employee Cost: \$ \_\_\_\_\_  
Budgeted: \$ \_\_\_\_\_  
Non-budgeted: \$ \_\_\_\_\_

\_\_\_\_\_  
Approved CEO & General Manager

\_\_\_\_\_  
Date

-----  
Was a completed training record form returned?

Date \_\_\_\_\_ Initials \_\_\_\_\_

**APPENDIX I**  
**TRAINING / SEMINAR / CONFERENCE REQUEST FORM**

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

1. I would like to attend the following (attach details):

\_\_\_\_\_

Date(s): \_\_\_\_\_ Time: \_\_\_\_\_

2. Estimated expenses:

Registration: \_\_\_\_\_

Meals: \_\_\_\_\_

Transportation: \_\_\_\_\_

Lodging: \_\_\_\_\_

Airfare: \_\_\_\_\_

**Total Cost:** \_\_\_\_\_

3. I acknowledge that I am expected to utilize public transportation and MPU has offered me the option of public transportation for this event. For my convenience, I request the following (check applicable options):

I would like to use my personal vehicle to travel to and from this event.

I would like to use a rental car to travel to and from this event.

I would like to travel to the event the night prior.

I would like to travel home from the event the next day.

4. I acknowledge that I will only be paid for travel time in accordance with the MPU Travel Policy regarding training/seminars/conferences.

5. I acknowledge that my attendance at this event is a benefit to both myself and MPU. As such, I agree to repay these expenses to MPU if I choose to voluntarily terminate my employment, or if I am 'terminated for cause', within **one year** of attendance. This repayment will be made via a payroll deduction on my last check and I will be invoiced and responsible for any remaining balance. *\*One-day seminars/training excluded from this requirement.*

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Department Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Senior Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_

CEO & General Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_

(If Applicable)

Approval  Denial  \_\_\_\_\_

**APPENDIX J**  
**PSC REGULATIONS**

**PSC 113.0507 Unconscionability.**

(1) If the commission finds that any conduct or aspect of a transaction directed against a customer by a utility is unconscionable, it may refuse to enforce any unconscionable aspect or conduct to avoid any unconscionable result.

(2) Without limiting the scope of sub. (1), the commission may consider, among other things, the following as pertinent to the issue of unconscionability:

(a) That the practice unfairly takes advantage of the lack of knowledge, ability, experience or capacity of customers.

(b) That those engaging in the practice know of the inability of customers to receive benefits properly anticipated from the goods or services involved.

(c) That there exists a gross disparity between the price of goods or services and their value as measured by the price at which similar goods or services are readily obtainable by other customers, or by other tests of true value.

(d) That the practice may enable merchants to take advantage of the inability of customers to reasonably protect their interests by reason of physical or mental infirmities, illiteracy or inability to understand the language of the agreement, ignorance or lack of education or similar factors.

(e) That the terms of the transaction require customers to waive legal rights.

(f) That the terms of the transaction require customers to unreasonably jeopardize money or property beyond the money or property immediately at issue in the transaction.

(g) That the natural effect of the practice would reasonably cause or aid in causing customers to misunderstand the true nature of the transaction or their rights and duties thereunder.

(h) That the writing purporting to evidence the obligation of the customer in the transaction contains terms or provisions or authorizes practices prohibited by law.

**History:** Cr. [Register, July, 2000, No. 535](#), eff. 8-1-00.

**PSC 113.0508 Oppressive and deceptive practices prohibited.** A utility shall not engage in any oppressive or deceptive practices. It shall not do any of the following:

(1) Use or threaten force or violence to cause physical harm to the person, dependents, or property of the ratepayer.

(2) Threaten criminal prosecution without merit or authority.

(3) Initiate or threaten to initiate communications with the ratepayer's employer except as permitted by statute.

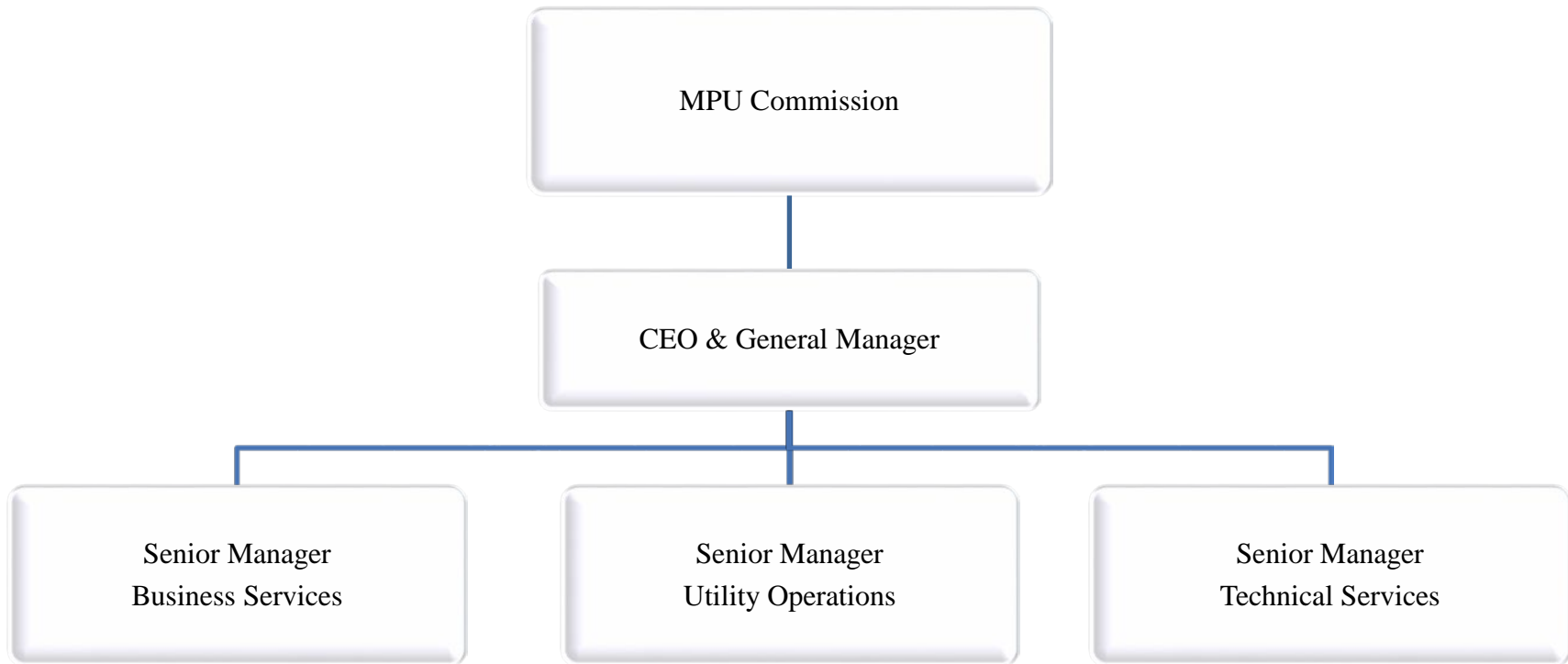
(4) Engage in any conduct which can reasonably be expected to threaten or harass a ratepayer.

(5) Claim or attempt to claim to enforce a right, with knowledge or reason to know that the right does not exist.

(6) Use obscene, threatening, or abusive language in communicating with a ratepayer or a person related to a ratepayer.

**History:** Cr. [Register, July, 2000, No. 535](#), eff. 8-1-00.

**APPENDIX K**  
**ORGANIZATION STRUCTURE**



**APPENDIX L**

**LICENSE PAY FOR NON-EXEMPT EMPLOYEES REQUEST FORM**

Employee Name: \_\_\_\_\_

Date: \_\_\_\_\_

1. In accordance with the MPU Policy Manual, I certify that I possess the following professional certifications and/or licenses which are required and applicable to my position at MPU.

- Electrician - \$50.00 per month
- Ground Water - \$30.00 per month
- Surface Water or Zeolite Softening- \$30.00 per month
- Distribution - \$30.00 per month

Wastewater – Up to \$50.00 per month (\$10.00 each per month)

- A1 – Biological Treatment: Suspended Growth Processes
- B – Solids Separation
- C – Biological Solids/Sludge Handling, Processing & Reuse
- D – Disinfection
- L – Laboratory

2. I acknowledge that I have included provide proof of licensing and/or certification with this request. I further acknowledge that I will provide proof that I am maintaining the necessary licensing and/or certification upon request.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Department Manager Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Senior Manager Approval: \_\_\_\_\_

Date: \_\_\_\_\_

CEO & General Manager Approval: \_\_\_\_\_

Date \_\_\_\_\_

(If Applicable)

Approval  Denial  \_\_\_\_\_