

### 2.03 Equal Opportunity Complaints

The District encourages informal resolution of complaints under this policy. A formal complaint resolution procedure is available, however, to address allegations of violations of the policy in the District.

### 2.04 Fair Labor Standards Act and Wisconsin Administrative Code DWD 274.08

Certain types of workers of public employers in Wisconsin are exempt from the minimum wage and overtime pay provisions, including bona fide executive, administrative, and professional employees who meet regulatory requirements under the Fair Labor Standards Act [FLSA] as authorized by Wisconsin Administrative Code DWD 274.08. For non-exempt employees, issues concerning overtime, compensatory time off and minimum wage are found in [Appendix Part I - 2.04A](#). Notification of rights under the FLSA is set forth in the employment poster section in [Appendix Part I - 2.04B](#).

### 2.05 Family and Medical Leave Act and Wisconsin Bone Marrow and Organ Donation Leave

- A. Notification of Benefits and Leave Rights: Since the District has an employee handbook or other written policy concerning employee benefits or leave rights, information concerning FMLA entitlements and employee obligations under the FMLA is included in the *Handbook* as required by federal law. The District shall post the text of the notice contained in the following link in the appendix and in a conspicuous place where notices to employees and applicants are customarily placed: <http://www.dol.gov/whd/regs/compliance/posters/fmla.htm>. See 29 U.S.C. § 2619(a); 29 C.F.R. § 825.300(a)(1). The notice is posted at the Colby District Education Center. Information concerning leave rights under the Wisconsin Bone Marrow and Organ Donation Leave Law will be posted in a conspicuous place where notices to employees and applicants are customarily placed. Employees can view this notice at: [https://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd\\_18114\\_p.pdf](https://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd_18114_p.pdf). This notice is also included as Appendix of the Handbook.
- B. Eligibility Notice. When an employee requests FMLA leave, or when the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee, within five business days, of the employee's eligibility to take FMLA leave, including notice of the employee's ability to take leave intermittently or on a reduced schedule (if eligible), absent extenuating circumstances. 29 C.F.R. § 825.300(b).
- C. Rights and Responsibilities Notice. The District shall provide written notice outlining specific obligations of the employee and explaining any consequences of not meeting those requirements. 29 C.F.R. § 825.300(c). The District is satisfying this notice requirement by directing the employee to the following website, which combines the eligibility notice and the rights & responsibilities notice into a single form: U.S. DEP'T OF LABOR, *Notice of Eligibility and Rights & Responsibilities (FMLA)*, available at <http://www.dol.gov/whd/forms/WH-381.pdf>.
- E. Designation Notice. The District shall "inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA." U.S. DEP'T OF LABOR, *Designation Notice (Family and Medical Leave Act)*, available at <http://www.dol.gov/whd/forms/WH-382.pdf>. See 29 C.F.R. § 825.300(d).

### 2.06 Immigration Law Compliance

The District is committed to employing only United States citizens and aliens who are authorized to work in the United States. Therefore, in accordance with the Immigration Reform and Control Act of 1986, employees must complete an I-9 form before commencing work and at other times prescribed by applicable law or District policy.

<http://www.uscis.gov/files/form/i-9.pdf>

### 2.07 Employee Harassment based on a Legally Protected Status

- A. Policy Statement: The District is committed to providing fair and equal employment opportunities and to providing a professional work and student learning environment free of all forms of unlawful employment harassment and bullying.
- B. Harassment: The District shall not tolerate harassment based on any personal characteristic described above in section 2.02. Harassment and other unacceptable activities that could alter conditions of employment, or form a basis for personnel decisions, or interfere with employee's work performance are specifically

“Cyber-bullying” is defined as bullying that involves the use of digital technologies, including but not limited to, e-mail, cell phones, text messages, instant messages, chat rooms, and social media (e.g., Twitter™ or Facebook™). Cyber-bullying is prohibited and treated the same as all other types of bullying.

Bullying is deliberate/purposeful conduct, but intent/purpose may properly be inferred from the totality of the circumstances (e.g., where the behavior is persistent/repeated or where the responsible party reasonably should have been able to foresee the consequences of his/her actions and the manner in which his/her conduct would be likely to be perceived by the target(s) of the conduct).

Bullying can involve direct interaction between the aggressor-bully and the target(s), or it can be indirect (such as orchestrating others to engage in acts of bullying; facilitating bullying conduct by others; etc.).

Not all behaviors that (1) hurt another person’s feelings; (2) are a manifestation of an interpersonal conflict; or (3) are in some way unkind amount to acts of bullying. However, such negative behaviors are still a legitimate subject of concern and regulation within the school environment. Further, it shall be a goal of the District’s workplace and educational programs to help staff, students and others recognize and acknowledge that even one-time instances of, for example, name calling, negative teasing, put-downs, or excluding others (when inclusion was readily possible) are inappropriate and problematic for a number of reasons.

- B. **Employee Responsibility:** All employees are responsible for ensuring that harassment and bullying do not occur. The District intends to comply with both the letter and spirit of the law in making certain that harassment and bullying do not exist in its policies, regulations and operations. Anyone who believes that he or she has been the subject of harassment or bullying or has knowledge of violations of this policy shall report the matter in accordance with established complaint procedures ([Board Policy #512](#)). All reports regarding employee harassment or bullying shall be taken seriously, treated fairly and promptly and thoroughly investigated. Individual privacy shall be protected to the extent possible. There shall be no retaliation against any person who files a complaint under this policy. The District shall take appropriate and necessary action to eliminate employee harassment and bullying. Actions that are determined to be harassment or bullying shall be subject to disciplinary action, up to and including dismissal.

All employees have a duty to report incidents of alleged harassment or bullying to their immediate supervisor or designated equal employment officer. Employees who fail to report incidents of alleged harassment or bullying may be subject to disciplinary action, up to and including dismissal. In addition, supervisory employees who fail to respond to harassment or bullying complaints or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including dismissal.

This policy and its accompanying procedures shall be published annually and distributed to all staff. Training shall be conducted annually on this policy for all staff in the District.

## **SECTION 3. GENERAL EMPLOYMENT PRACTICES AND EXPECTATIONS**

### **3.01 District Expectations**

The District expects its employees to produce quality work, maintain confidentiality, work efficiently, and exhibit a professional and courteous attitude toward other employees, parents, and students. The District expects employees to comply with all applicable Board policies, work rules, job descriptions, terms of this *Handbook* and legal obligations.

The District expects employees to comply with the standards of conduct set out in Board policies, this *Handbook*, administrative regulations, and with any other policies, regulations and guidelines that impose duties, requirements or standards attendant to their status as District employees. **Employees are expected to carry out the instructions and directives of supervisors and to refrain from insubordinate conduct toward a supervisor.** Violation of any policies, regulations and guidelines may result in disciplinary action, including termination of employment.

- D. (for-non-felonious crimes only) the relationship between the offense and the position to which the employee is assigned.

Nothing herein shall prohibit the District from placing an employee on administrative leave based upon an arrest, indictment or conviction.

### **3.13 District Property**

The District may supply an employee with equipment or supplies to assist the employee in performing his/her job duties. All employees are expected to show reasonable care for any equipment issued and to take precautions against theft. Employees cannot take District property for personal use or gain. Theft, damage, destruction, or unauthorized removal of property belonging to the District or persons under the supervision of the District may result in discipline up to and including termination. Any equipment, unused supplies, or keys issued must be returned prior to the employee's last day of employment, including, for example, but not limited by enumeration: employee identification badges and the key fob for building entry. District equipment borrowed for short-term use should be returned the first workday after project completion.

### **3.14 Drug-, Alcohol-, and Tobacco-Free Workplace**

#### **A. Restrictions on Tobacco, Smoking-Nicotine and Vaping Products**

1. Tobacco and Nicotine Products: Employees shall not use tobacco and nicotine products except for nicotine products used as part of a smoking cessation program, as defined below, on District premises, in District vehicles, or in the presence of students at school or school-related activities. [Insert link to applicable local policy]. § 120.12(20), Wis. Stats. In addition, the District prohibits the use of vaping products regardless of whether such products contain tobacco or nicotine. Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment.
2. Definitions: A "tobacco product" includes, for example, chewing tobacco, cigarettes, cigars, and snuff. A "nicotine product" means any product that contains nicotine and is not a tobacco product, a cigarette, or a product that has been approved by the U.S. Food and Drug Administration for sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such an approved purchase (e.g., nicotine gum, nicotine skin patches). Nicotine products covered by this prohibition might include, for example, electronic cigarettes (e-cigarettes) with nicotine, nicotine vaporizers, and nicotine lollipops.

#### **B. Drug-Free and Alcohol-Free Workplace**

1. General Restrictions on Alcohol and Drugs: The District prohibits the following conduct by any person who is on District premises (i.e., property that is owned, leased, or controlled by the District); in a District vehicle; or participating in a District-sponsored activity:
  - a. The unlawful manufacturing, distribution, dispensing, possession, or use of a controlled substance (as defined under state or federal law, including all illegal drugs), a hazardous inhalant, or alcohol.
  - b. Being under the influence of a controlled substance (excluding the lawful and medically-appropriate use of medication), a hazardous inhalant, or alcohol in any manner that violates the law, violates a District policy, creates a disturbance, or jeopardizes safety.
  - c. The possession or distribution (including the purchase, sale, or transfer) of any substance that is represented as a controlled substance.
2. Additional Drug and Alcohol Restrictions Applicable to All Employees: District employees are subject to additional restrictions regarding alcohol and controlled substances. Specifically, except as otherwise required by law or specified in this policy, no District employee may possess, manufacture, distribute, dispense, use, or be under the influence of alcohol or a controlled substance, or use or be under the influence of a hazardous inhalant, when the employee is (1) on District-premises; (2) in any vehicle being used for District business; or (3) regardless of location, at any District-authorized activity, event, or function at a time when the employee is acting in the scope of his/her employment, responsible for

### 3.47 Residency

While the school board encourages all District employees to reside within the District in order to strengthen the ties between the school district and the communities it serves, school district applicants and employees are not required to live within the District.

### 3.48 Employee Use of Mobile Phone and/or Mobile Data Devices

The following paragraphs outline some of the District's expectations for an employee's use of a mobile phone and/or mobile data device. In addition to any other expectations not explicitly contained in this section, the District expects employees to comply with the District's policies, rules, and procedures with respect to creating, maintaining/retaining, and disclosing District records (including pupil records, electronic records, etc.), regardless of whether those records are created, maintained/retained, or disclosed on a district-issued mobile phone or data device or personal mobile phone or mobile data device.

Prior to using a District-issued or personal mobile phone or other mobile data device for a reason within the scope of an employee's job duties or to conduct District business, the employee and the District Administrator or an administrative-level or supervisory-level designee shall discuss and make arrangements to address concerns with appropriate records management. Because of the challenges associated with both confidentiality and records management in these situations, arrangements involving the use of a personal mobile device for regular, non-emergency work-related purposes are strongly discouraged, except in connection with actual voice phone calls and/or accessing the official District email system through the device.

In all situations, employees are strongly discouraged from using a mobile phone or device to create, maintain/retain, or disclose pupil records and/or any other confidential information, especially with respect to text messages and other types of records that are not easily retained or that are not easily located or reproduced in response to a records request. An employee who fails to comply with the District's records management requirements may be subject to discipline up to and including termination.

In the event the District determines that there is a non-compensatory business reason that is in the District's best interests, the District may issue a mobile phone and/or other mobile data device to a District employee or reimburse a District employee for approved use of a personal phone or other data device for District purposes. As to any such device:

#### A. Use of District-Issued Mobile Phone and/or Mobile Data Device

1. The device is owned by and remains subject to the District's monitoring, control policies and rules at all times; therefore, the device is not the personal property of the employee, and the employee shall have no expectation of privacy in his/her use of the device, except as otherwise required by law. The District retains the broadest allowable rights to take possession of the phone, monitor usage, and search the contents of any such device at its discretion.
2. The employee must adhere, at all times, to all aspects of the District policies, rules, and supervisory directives regarding appropriate use of District technology resources, including the District's security protocols for logging into and/or accessing the device;
3. As noted above, the employee must adhere, at all times to appropriate record-retention and confidentiality practices, especially with respect to pupil records. Due to the potential difficulties of locating and retaining records, employees are strongly encouraged to limit the use of text messaging for substantive work-related matters except in cases of emergency.
4. The device must be used primarily for District-related purposes.
5. Incidental personal use of the device is permitted provided that such use does not interfere with or detract from the employee's duties and provided that there are no additional costs to the District associated with such incidental personal use (e.g., long distance, out-of-network, per minute, or per message costs; exceeding data plan limits; etc.). In the event the District incurs any additional costs attributable to non-business use of the device, the employee shall reimburse the District for such costs. The employee shall have no expectation of privacy in his/her incidental personal use of the device, except as otherwise provided by law.

6. The employee must use reasonable care to avoid theft, loss, or damage to the District-provided device.
7. The employee is expected to return the mobile phone or mobile data device to the District Administrator or his/her designee (1) immediately upon request and (2) no later than the employee's last day of employment with the District, unless other arrangements have been made in advance with the District Administrator or his/her designee.

**B. Use of Personal Phone or Other Data Device for District Purposes**

In lieu of providing a District-owned mobile phone or other mobile data device to an employee, the District Administrator may approve reimbursement of certain costs for an employee's approved use of a personal phone or other data device for District purposes. Any such reimbursement must be arranged with the District Administrator or his/her designee in advance. In all such cases:

1. There shall be a substantial business justification for the reimbursement arrangement, other than a purpose of providing compensation to the employee;
2. The reimbursement amount must be reasonably calculated so as to be equal to or less than the lowest of the following amounts:
  - a. The reasonable cost of a plan that would be sufficient to meet the business-related needs for which reimbursement is being approved; or
  - b. The actual expenses the employee actually incurred in maintaining the device for the relevant time period; or
  - c. Except as otherwise directly approved by the School Board, an amount that does not exceed the equivalent of \$35 per month.
3. If an employee's use of the device has been approved for use and reimbursement, the employee shall provide the District Administrator or his/her designee with a copy of all invoices containing charges the employee believes is eligible for reimbursement within 30 days of the date contained on the invoice. For example, if an employee receives an invoice for charges incurred during the month of May, and the invoice is dated June 1, the employee must submit a copy of the invoice on or before July 1 to be eligible for reimbursement.
4. In any situation where a reimbursement arrangement is approved for the business use of a personal device for other than voice transmissions, the employee must adhere to appropriate records management and confidentiality practices, and the employee and the District Administrator or the District Administrator's designee shall discuss and make arrangements to address concerns with appropriate records management as noted above.
5. The District is not responsible for the loss, theft, or damage to any personal mobile phone or mobile data device used for District business, and employees are encouraged to secure personal insurance for such phones or devices.

**C. Use of Any Mobile Phone and/or Mobile Data Device While Operating (1) a Motor Vehicle or (2) Mobile Equipment as Defined in Part I, Section 3.27 of this Handbook**

1. Even if such actions are not already prohibited by applicable statutes or ordinances, District employees who are driving a vehicle or mobile equipment within the scope of their employment shall adhere to the following District rules and expectations:
  - a. **Unless** using a voice-operated, hands-free device/feature for which the driver uses their hands only for the purpose of initially activating or deactivating a function of the device, an employee-driver may **not**:
    - i. Compose, enter data for, or send any electronic text messages, electronic mail messages, or substantially equivalent electronic data communications (such as posts or messages within a communications application or web site) while driving.
    - ii. Except to report an emergency, use a cellular telephone or other mobile telephone **for any purpose while driving in** a location where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic.
  - b. An employee-driver may **not** read text messages, electronic mail messages, or substantially equivalent electronic data communications while driving in a manner that requires the employee to divert their visual attention to the device, subject to the following:

- i. If a voice-operated, hands-free system is equipped to read such communications aloud to the driver (e.g., a text-to-voice capability), then such a feature may be used unless otherwise prohibited by law.
    - ii. Provided that the use does not result in inattentive driving and is otherwise lawful, this restriction does not apply to receiving information from any device that has a primary function of transmitting and receiving emergency alert messages and messages related to the operation of the vehicle, including the normal and intended receipt of information from a global positioning system or vehicle navigation system. However, any search, route, or destination data that needs to be entered into a navigation aid/system using means other than a voice command shall not be entered by an employee while the employee is driving.
  - c. Except to report an emergency to an emergency service provider, an employee-driver may not engage in any of the following activities using a hand-held mobile communications device while driving:
    - i. Place a voice call (including entering the number to be dialed or selecting a number or name from a contact list) in a manner that requires pressing more than a single button (whether the button is mechanical or virtual) on the mobile device.
    - ii. Conduct voice communication while using at least one hand to hold the device or any accessory connected to the device.
  - d. An employee-driver shall not, in a manner that would violate state law, operate or be in a position to directly observe any electronic device located within the vehicle that is activated and that is providing entertainment primarily by visual means (e.g., playing a video, browsing the Internet, engaging with a social or entertainment-focused application, etc.).
2. **Application of Rules to the Use of District-Supplied Equipment:** If the District has supplied an employee with electronic equipment to use in connection with his/her employment, such as any District-supplied cellular phone, the employee may not use such District-supplied equipment while driving, at any time, to do any of the following: (1) compose, enter data for, send, or read any text message, electronic mail message, or substantially equivalent electronic data communications in a manner that would be a violation of this policy if the employee were driving within the scope of their employment; or (2) in a manner that would constitute a violation of an applicable law or ordinance of the jurisdiction in which the employee is driving. The restrictions in this paragraph apply to any use of District-supplied equipment during any driving performed by the employee, including when driving outside the scope of employment.
3. **"Driving" Definition:** Except in any instance(s) where this section expressly limits a restriction to situations when the vehicle is in motion, the term "driving" within this section means exercising physical control over the speed and direction of a motor vehicle or mobile equipment while it is either in motion or temporarily stationary because of traffic, a traffic control device, or other momentary delay. "Driving" does not include operating a motor vehicle or mobile equipment with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

## SECTION 4. MANAGEMENT RIGHTS

### 4.01 Delineation of Rights

Management retains all rights of possession, care, control and management that it has by law, and retains the right to exercise these functions. The exercise of such powers, rights, authority, duties and responsibilities by the Board, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgment and discretion in connection therewith shall be limited only to the precise extent such functions and rights are explicitly, clearly and unequivocally restricted by the express terms of this *Handbook*/individual contracts and then only to the extent such specific and express terms hereof are in conformance with the Constitution and laws of the State of Wisconsin and the United States. These rights include, but are not limited by enumeration to, the following rights:

- A. To direct all operations of the school system;
- B. To establish and require observance of reasonable work rules and schedules of work;
- C. To hire, promote, transfer, schedule and assign employees in positions within the school system;

job actions such as picketing or demonstrating, or to participate in activities designed to embarrass or discredit the District.

### **12.05 Approval of Personal Leave and the Total Number of Employees on Personal Leave**

- A. The request to the Administrator shall be made as far in advance as possible, normally not less than five (5) days. Emergencies may delay the submitting of the request until the employee returns to work.
- B. The Administrator has the right to approve or disapprove all requests.
- C. No more than three (3) employees covered under Part II of the handbook and no more than two (2) employees covered under Part III of the handbook per building may take personal leave on any given day when school is in session, unless the District Administrator or his/her designee grants approval to exceed the five (5) total employee limit per building.

### **12.06 Part-time Employees**

Part-time employees will receive personal leave on a pro-rated basis based upon the number of hours they are scheduled to work. The pro-rated amount shall be based on the assumption that a full-time employee works 2,080 hours per year.

### **12.07 Personal Leave Increments**

Personal leave may be allowed in increments of one half-hour day.

## **SECTION 13. UNIFORMED SERVICES LEAVE**

### **13.01 Uniformed Services Leave of Absence**

The following paragraphs implement certain aspects of the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). While USERRA applies to most types of service within the "uniformed services," these provisions are not intended to diminish any additional rights and benefits provided by other state and federal laws. Further, in limited situations where USERRA may not be applicable (e.g., for certain state-initiated call-ups of the National Guard that are for less than 14 days and not in response to a federally-declared national emergency or major disaster), other laws and/or District policies may apply and provide an employee different rights and benefits. ~~Further, in limited situations where USERRA may not be applicable (e.g., for certain state call-ups of the National Guard), other laws and/or District policies may apply and provide an employee different rights and benefits.~~

The "uniformed services" consist of the following [38 U.S.C. 4303(17)]:

- A. The United States Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard
- B. The Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Space Force Reserve (if applicable), and Coast Guard Reserve
- C. The Army National Guard and Air National Guard (when engaged in covered services)
- D. Intermittent personnel who are appointed into qualifying Federal Emergency Management Agency service or to train for such service (i.e., FEMA reservists)
- E. System members of the National Urban Search and Rescue Response System during a qualifying appointment for disaster relief and emergency assistance
- F. Commissioned Corps of the Public Health Service
- G. Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA)
- H. Any other category of persons designated by the President in time of war or emergency

Service performed in Civil Air Patrol and the Coast Guard Auxiliary are not protected by USERRA. If an employee notifies the District of a need for leave under these non-USERRA scenarios, the District will apply the relevant provisions of federal or state law (e.g., within Chapter 321 of the state statutes) or District policy. For example, section 321.66 of the state statutes provides some express rights and protections to member of the Civil Air Patrol.

The "uniformed services" consist of the following [20 CFR § 1002.5(e)]:

- I. Army, Navy, Marine Corps, Air Force and Coast Guard
- J. Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve and Coast Guard Reserve
- K. Army National Guard and Air National Guard
- L. Commissioned Corps of the Public Health Service
- M. Any other category of persons designated by the President in time of war or emergency

National Guard service under authority of state law (i.e., certain state call-ups) and service performed in the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA), the Civil Air Patrol, and the Coast Guard Auxiliary are not protected by USERRA. If an employee notifies the District of a need for leave under these non-USERRA scenarios, the District will apply the relevant provisions of federal or state law (e.g., within Chapter 321 of the state statutes) or District policy.

### 13.02 Seniority/Length of Service during Uniformed Services Leave

Employees shall continue to accrue length of service for wage/salary increments, if applicable, and all other purposes where length of service is a factor. The employee's absence shall not be construed as a break in service for any purpose.

Reemployment rights extend to persons who have been absent from a position of employment because of "service in the uniformed services." "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:

- A. Active duty, active duty for training, initial active duty for training, and inactive duty training.
- B. Full-time National Guard duty.
- C. State active duty as a member of the National Guard of a State for a period of 14 days or more.
- D. State active duty as a member of the National Guard of a State, regardless of length, in response to a national emergency or major disaster declared by the U.S. President.
- E. Absence from work for the purpose of an examination to determine the fitness of the person to perform covered duty/service.
- F. Absence from work as a member of the National Urban Search and Rescue Response System due to an appointment into qualifying Federal service.
- G. Absence from work due to an appointment into qualifying service in the Federal Emergency Management Agency as intermittent personnel.
- H. Absence from work by an individual in the National Guard or in one of the reserve components of the Armed Forces who has been authorized/ordered to perform funeral honors.

- A. Active duty and active duty for training
- B. Initial active duty for training
- C. Inactive duty training
- D. Full-time National Guard duty
- E. Absence from work for an examination to determine a person's fitness for any of the above types of duty
- F. Funeral honors duty performed by National Guard or Reserve members
- G. Duty performed by intermittent employees of the National Disaster Medical System (NDMS), which is part of the Department of Health and Human Services, when activated for a public health emergency, and approved training to prepare for such service (added by Pub. L. 107-188, June 2002). See 42 U.S.C. § 300hh-11(d).

### 13.03 Notice of Uniformed Services Leave

With limited exceptions, the employee, or an appropriate officer of the uniformed service in which his or her service is to be performed, must notify the district that the employee intends to leave the employment position to perform service in the uniformed services. The notice may be given either verbally or in writing and shall be submitted to the District Administrator or his/her designee.

The employee is required to give the notice of service in advance unless giving such notice is (1) prevented by military necessity, or (2) otherwise impossible or unreasonable under the circumstances. An employee is expected to provide the notice as far in advance as is reasonable under the circumstances. When it is feasible to give 30-days' advance notice



D. Pay Rate for "Out-of-Classification" Overtime: When overtime for an employee is a combination of hours worked in multiple pay rates or classifications with different rates, the overtime rate will be determined based upon a blended rate of all positions.

Position Rate A(\$)  
multiplied by number of hours = total pay A

Position Rate B(\$)  
multiplied by number of hours = total pay B

Total pay for A + B divided by the total hours worked is the blended rate

ALL hours over 40 are based on the blended rate multiplied by 1.5

### 3.06 Lunch Period

All employees who work six (6) hours or more per day will be entitled to a duty-free, unpaid half hour lunch period. Absent an emergency, an employee may not perform any work during a duty-free, unpaid lunch period without the prior written authorization of his/her immediate supervisor. Employees who perform work during a duty-free, unpaid lunch period without prior authorization may be subject to discipline. ~~All employees who work six (6) hours or more per day will be entitled to an unpaid half hour lunch period, which shall be duty-free.~~

### 3.07 Breaks

Employees scheduled to work at least four (4) hours per work day shall receive one (1) fifteen (15) minute paid break. Employees scheduled to work at least eight (8) hours per work day shall receive two (2) fifteen (15) minute paid breaks. Breaks shall be scheduled by the immediate supervisor.

Hours Worked	Break(s) and Lunch Period Scheduling
0 to 3.99 hours	0 minutes
At least 4.0 to 5.99 hours	15 minutes
At least 6.0 to 7.99 hours	15 minutes and 30 minute duty-free lunch
At least 8.0 or more hours	(2) 15 minutes and 30 minute duty-free lunch

### 3.08 Time Cards or other Form of Electronic Tracking of Hours Worked

Time cards or an electronic time card system shall be used by all employees. Employees will punch in only at such time as they are fully prepared to begin work. Employees are responsible for their own time cards and shall not punch in or out for another employee. Employees caught punching in or out for another employee will be subject to discipline up to and including discharge. If an employee leaves the premises for any personal reason, the time clock is to be used to punch out and punch in upon return.

### 3.09 Emergency School Closings

- A. All custodians are expected to report to work when school is closed due to inclement weather or situations beyond the control of the District, if at all possible.
- B. All other employees shall not report to work on days when the school to which they are assigned is closed due to inclement weather or situations beyond the control of the District. Any employee not at work when school is closed for an emergency shall not be paid for that day. If the day is not rescheduled, the employee may elect one of the options listed in Section 2.10. Employees shall be required to make days up in the event that the District schedules make-up days.
- C. If employees report to work and a decision to close schools is made after that time, those employees will only be paid for the actual hours worked on such day.
- D. If employees report to work and a decision to close schools is made after that time, those employees will only be paid for the actual hours worked on such day those employees may elect one of the options in Section 3.10 for time lost due to the partial school closing.

1. Mentor for Initial Educator and a teacher new to the District (who holds a current Wisconsin teaching license)
  - a. An initial educator will be provided a qualified mentor by the District. Any continuing teacher interested in being considered for serving as a mentor must submit a letter indicating interest by April 1 of each year. When mentors are selected by the District, volunteers will be considered first. If the District deems that a suitable match cannot be made from the list of volunteers, the District may contract other continuing teachers who are qualified mentors. The District reserves the right to use qualified persons who are not District employees or continuing teachers.
  - b. If a continuing teacher is selected as a mentor, he/she shall be paid a stipend of \$500 for the period served as a mentor (from August of the first year through October of the subsequent year) for an initial educator.
  - c. A teacher new to the District, but not an initial educator, may also be provided a qualified mentor by the District.
  - d. A continuing teacher serving as a mentor may request the District assign him/her to a different teacher new to the system teacher and/or be relieved completely from mentor responsibilities. The request must be in writing to the District Administrator. The District Administrator will respond to the request within ten (10) days of receipt. The District Administrator will grant the request if the District Administrator, in his/her discretion, has a qualified replacement mentor. The present continuing teacher will serve as the mentor until such time as the suitable replacement is found. In the event a mentor is replaced, compensation will be prorated for the period served as a mentor.
  - e. The teacher receiving mentoring may request the District to provide a different mentor. The request must be in writing to the District Administrator. The District Administrator will respond to the request within ten (10) days from receipt.
  - f. The District will make a good faith effort to assign an individual mentor for each teacher new to the District; however, a mentor may elect to work with more than one employee.
  - g. The Mentor Specialist position is a position established for a retiring staff member who will have an entire year of work with new staff members. Unlike traditional teacher mentors, who are assigned one-to-one with new staff members, Mentor Specialists would meet with all staff in a building monthly to help them during their transition to the Colby School District. A Part II employee would qualify if retiring from the district and he/she would serve in the role of Mentor Specialist during their final year. Employee must notify the Superintendent in writing of his/her intention to retire by February 15 of the previous year in order to qualify for this position. Anyone fulfilling the duties associated with the Mentor Specialist position, who announces their intention to retire by Feb 1 of the school year prior to their last full year, and who has at least 10 years of experience in the field of education, will be entitled to \$5,000 on top of his/her regularly negotiated contract.

## **SECTION 5. TEACHER ASSIGNMENTS, VACANCIES AND TRANSFERS**

### **5.01 Teacher Assignments, Vacancies and Transfers**

- A. Determination of Assignment: Teachers will be assigned or transferred by the District Administrator of the District and/or his/her designee.
- B. Assignment Preference Consideration: Teachers may express in writing to the District Administrator and/or his/her designee their preference of a) school; b) grade level; or c) subject. If a teacher wishes to be transferred to another position which may open during the

## COLBY SCHOOL DISTRICT Extra Duty Wage Schedule

Carl Perkins Staff Coordinator	\$ 473.00
Chemical Hygiene Coordinator	\$ 685.00
Steering Committee - Elementary, MS, HS	\$ 514.00
Substitute Caller Grades K-4	\$1,654.00
Substitute Caller Grades 5-12	\$2,205.00
Sustainability Coordinator	\$ 652.80
Teacher Mentors	\$ 536.00
Mentor Specialist (Yearlong assignment in teachers final year)	\$5,000.00
Wellness Coordinator	\$ 685.00
Instructional Technology District Coordinator	\$2,500.00
Instructional Technology HS, MS, or CE Support	\$1,500.00
After School Study Club Coordinator	\$1,000.00
Teacher Overload Assignment	\$1,500/semester
Paraprofessional Overload Assignment	\$1,500/semester
Teacher Teaching Distance Learning Classes to Non-District Students	\$500/semester (1-5 Students) \$1,000/semester (6-10 Students) \$1,500/semester (11-15 Students) \$2,000/semester (16+ Students)
Curriculum Study	\$ 12.50 per hour
Summer School	\$27.00 per hour
ESEA Grant Planning and Writing	1% of Allocation
Fiscal Grant Management	1% of Allocation
IEP Translation	Regular Rate of Pay w/OT as applicable (Hourly Staff)
IEP Overload	\$75.00
Eval/IEP Overload	\$100.00
Weight Room Supervision	\$27.00 per hour (Certified Staff) Regular Rate of Pay w/OT as applicable (Hourly Staff)
Detention	\$27.00 per hour (Certified Staff) Regular Rate of Pay w/OT as applicable (Hourly Staff)
LEA Rep. for IEP Meetings	\$27.00 per meeting (Certified Staff) AND Approval of SPED Director
Study Team	\$27.00 per meeting (Certified Staff) Regular Rate of Pay w/OT as applicable (Hourly Staff)
Translation for PT Conferences	\$11.00 per hour (Sub Rate)
Event Supervisor (Crowd Control)	\$38.00 per event
Ticket Takers, Ticket Sellers, Timers, Scorekeepers, Yard Keepers, Down Keepers (per athletic event)	\$28.00 per event
Athletic Announcer/Media Specialist	\$ 750.00
Chaperones (for any approved bus trip at a time other than during regular school hours)	\$ 20.00 per trip for 0 – 60 miles \$ 25.00 per trip for over 60 miles \$ 50.00 for any overnight trip**

**\*\* Does not apply to advisors/coaches already compensated through extra-curricular Letters of Appointment.**