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# UW-Madison Police Department

**Policy: 22.1**

**SUBJECT: COMPENSATION AND BENEFITS**

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## **INDEX:**

- 22.1.1 DEPARTMENT WAGES PROGRAM
- 22.1.2 LEAVE AND BENEFITS PROGRAM
- 22.1.3 PERSONNEL BENEFITS
- 22.1.4 PERSONNEL SUPPORT SERVICES
- 22.1.5 LINE-OF-DUTY DEATHS
- 22.1.6 UNIFORMS AND EQUIPMENT
- 22.1.7 EMPLOYEE ASSISTANCE PROGRAMS
- 22.1.8 EMPLOYEE IDENTIFICATION
- 22.1.9 LONG TERM MILITARY DEPLOYMENT AND REINTEGRATION

## **POLICY:**

The University of Wisconsin–Madison Police Department shall document, disseminate, and equitably apply, policies relating to wages. The Department shall also document, disseminate, and equitably apply, policies relating to leave and benefits.

## **DEFINITIONS:**

“Disability” is defined as the inability “to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death or to be of long -continued and indefinite duration.”

“Election official” is defined as an individual who is charged with any duties relating to the conduct of an election. This includes poll workers.

“Line-of-duty death” is defined as the death of an active duty employee by felonious or accidental means during the course of performing his or her duties while on or off duty.

“Pay range” refers to a minimum and maximum dollar amount; pay ranges are expressed in hourly amounts based on official hourly rate rounding for University Staff. Academic Staff pay ranges are expressed in annual salary.

“Pay schedule” refers to a set of pay ranges to which a set of classifications are assigned.

“Survivors” refer to the immediate family members of the deceased personnel, to include spouse or partner, children, parents, siblings, fiancée, and/or significant others.

## **PROCEDURE:**

### **22.1.1 DEPARTMENT WAGES PROGRAM**

The following describes the agency’s wages program:

- A. The State of Wisconsin employs a compensation strategy that ensures that the overall compensation program, consisting of both pay and benefits, supports the mission, goals, and business objectives of the state.
- B. The wages program addresses the following areas:
  - 1. Entry level salaries;
  - 2. Wage differential within ranks;
  - 3. Wage differential between ranks;
  - 4. Wage levels for those with special skills, if any, are referenced in the personnel compensation plan. Special skills are also recognized on the employee performance evaluation, which is considered during the distribution of merit pay increases (if the position is part of the merit pay system);
  - 5. Compensatory time policy;
  - 6. Overtime policy;

7. Provisions of wages augmentation;
  8. Standby/on-call pay.
- C. Each position within the Department is assigned a pay schedule and pay range. Each classification is assigned to a pay range by the Secretary of the Office of State Employment Relations. Refer to Wisconsin Statutes 230.09(1) and (2)(b), 230.12, and 111.80(3), 111.825, and 111.825(5).
- D. Pay provisions are also outlined in the following:
1. Wis. Statutes – Chapter 230; and Chapter 36;
  2. Policy bulletins;
  3. UW-Madison Human Resources Policies
  4. UW-System Human Resources Policies
  5. UW-Madison Human Resources – Payroll and Benefits.
  6. 2015-2017 Wisconsin Compensation Plan
- E. The University of Wisconsin–Madison Classified Human Resources maintains the compensatory time and overtime policy for the University. FLSA non-exempt university staff employees may earn up to eighty (80) hours of compensatory time within a calendar year. Any compensatory time not used within the calendar year must be used by April 30 of the following year or it will be automatically paid out to the employee.
- F. The Fair Labor Standards Act (FLSA) determines whether a position is eligible for overtime pay. All nonexempt employees will be granted overtime pay for working more than 40 hours in a week. Within Department practice, non-exempt employees may elect to earn compensatory time instead of overtime pay for working more than forty (40) hours in a week.
- G. Pay rates for university staff employees are processed on an hourly basis. Increases are governed by the State of Wisconsin Compensation Pay Plan and UW-Madison Human Resources Policies.
- H. Most employees regularly scheduled to work at least two hours between 6 p.m. and 6 a.m. or on a weekend may be eligible for shift and/or weekend differential compensation in addition to base wages. To find current shift and weekend differential rates, refer to the UW-Madison Human Resources Policies.
- I. Pay rates for academic staff are processed on an annual basis. Increases are governed by the State of Wisconsin Compensation Plan and UW-Madison Human Resources Policies.

### **22.1.2 LEAVE AND BENEFITS PROGRAM**

The following outlines the Department’s leave program:

- A. Administrative leave applicable to all employees may include but is not limited to military leave, jury and court service leave, or leave pending the outcome of some internal investigations. Current definitions, pay status, and requisite conditions for each provision are addressed in UW-Madison Human Resources Policies.
1. Wisconsin Statute 7.33(4) provides that state employees may act as “election officials” without loss of pay when their election duties occur on a scheduled workday.
  2. University staff employees may request and be granted leaves of absence without pay. The terms and conditions for granting leaves of absence without pay are contained in Chapter ER-18 of the Wisconsin Administrative Code and UW-Madison Human Resources Policies.
- B. The State of Wisconsin grants nine (9) days of paid legal holiday and thirty-six (36) hours of personal holiday per calendar year. Provisions are covered in Wisconsin Statute 230.35, in the State of Wisconsin Compensation Plan, in Policy Bulletins issued by the Office of State Employee Relations and UW-Madison Human Resources Policies. If the legal holidays of January 1, July 4, or December 25 fall on a Sunday, University offices are closed on the following day (Monday) and the holiday is observed on that Monday. If any of the other legal holidays fall on a regularly scheduled day off (such as Saturday or Sunday), employees are granted floating holiday time. Legal and floating holiday hours should be used in the calendar year in which they are granted. There are no provisions that allow university staff to carry over floating holiday time into the next calendar year. Employees who are required by the employer to work a holiday shall be paid at the rate of time and one-half. Such premium compensation may be either in cash or compensatory time.

- C. Employees are to report daily to a supervisor whenever sick leave must be used, unless other mutually agreeable arrangements have been made due to an extended illness or recovery from injury. If no supervisor is available, employees are to report to the officer in charge (OIC) of their work unit. Employees earn sick leave credits from the beginning to the end of University employment, and there is no limit to the amount an employee can accumulate. Generally, university staff employees earn a minimum of five hours of sick time biweekly. Sick leave can be used in various situations. Sick leave credits are available at the time of death, disability, or retirement to pay state group health insurance premiums. Sick leave may also be used for personal illness or medical appointments. Sick leave may be used in other circumstances with prior approval. Academic Staff sick leave use and accrual is based on the academic staff policies and procedures.
- D. Full-time employees accrue paid vacation (annual) leave based on the date of hire. Such leave accrues at the following rate for FSLA non-exempt university staff: 104 hours each year for the first five years of service (the amount will be prorated during the first year of employment); 144 hours each year for a full year of service between five and ten years of service; 160 hours each year for a full year of service between ten and fifteen years of service; 184 hours each year for a full year of service between fifteen and twenty years of service; 200 hours each year for a full year of service between twenty and twenty five years of service; and 216 hours each year for a full year of service after twenty-five years of service. Vacation accrues at the following rate for full-time supervisory university staff and FSLA exempt personnel: 120 hours each year for the first five years of service (the amount will be prorated during the first year of employment); 160 hours each year for a full year of service between five and ten years of service; 176 hours each year for a full year of service between ten and fifteen years of service; 200 hours each year for a full year of service between fifteen and twenty years of service; and 216 hours each year for a full year of service after twenty years of service. Academic Staff receive 176 hours of paid vacation leave per year. University Staff employees may only carry over 40 vacation hours from the previous calendar year, unless granted approval by the Chief or designee. University staff shall utilize all carry over vacation hours by June 30 of the following year. Academic Staff employees may only carry over 40 hours from the previous fiscal year, unless granted approval by the Chief or designee. Academic staff shall utilize all carry over vacation hours by December 31 of the following fiscal year.
- E. The Family and Medical Leave Act (FMLA), which became effective August 5, 1993, provides certain employees with up to 12 work weeks of unpaid, job-protected leave a year and requires group health benefits to be maintained during the leave. New military family leave entitlements (qualifying exigency leave of 12 weeks and military caregiver leave of 26 weeks) were added in 2008. The U.S. Department of Labor (DOL) has issued detailed regulations interpreting the FMLA.

### **22.1.3 PERSONNEL BENEFITS**

The following describes additional personnel benefits:

- A. The Federal Age Discrimination in Employment Act (1987) prohibits employers from setting a mandatory retirement age for most employees. However, UW–Madison employees may receive a retirement annuity beginning as early as age 55 (age 50 for protective category employees). The Department of Employee Trust Funds manages the State of Wisconsin Retirement System (WRS). All permanent employees are required to participate in WRS. Employees may also make additional contributions toward their WRS account. In addition, tax sheltered annuity (TSA) programs and deferred compensation programs are available. Specific details regarding TSA programs and deferred compensation may be obtained from the UW–Madison Classified Human Resources. The University does not contribute toward TSA programs or the deferred compensation program. Employees who qualify may also receive Social Security benefits. Taxes paid to the Social Security program are established by Congress. Benefits are based on earnings, length of coverage, and age. Employees who retire and who meet eligibility requirements may use unused sick leave toward payment of health care.
- B. The State of Wisconsin carries group hospital, medical, and dental insurance through a variety of companies. Employees who meet established eligibility requirements may enroll in the program. Insurance plans are made available to employees based upon job classification. Specific details regarding such plans are provided by the University of Wisconsin-Madison Human Resources Payroll and Benefits Services. Hospital, medical, and dental insurance premiums are paid in part by the employee through payroll deduction and in part by the University.
- C. The duty disability program provides a lifetime disability benefit under Wisconsin Statute 40.65. The Wisconsin Retirement System (WRS) also offers a Long-Term Disability Insurance (LTDI) plan. It is available to persons who are participating WRS employees on or after October 16, 1992. Depending on the employee's employment dates, he or she may be eligible only for LTDI or may be eligible to choose between the two disability plans. The categories are:

1. If the employee became a new participant under the WRS on or after October 16, 1992, or the employee was covered under the WRS before that date but had a break in coverage after that date, the employee is only eligible for LTDI benefits.
  2. If the employee was covered under the WRS before October 16, 1992, and remained continuously employed under the system until becoming disabled, the employee may apply for WRS disability benefits **OR** elect coverage under the LTDI plan. An election to be covered under the LTDI program is irrevocable and is an absolute waiver of rights to WRS disability benefits.
  3. The State also offers an income continuation program (ICI). Benefits from this program do not duplicate, but may supplement, WRS or LTDI benefits.
- D. Death benefits are also available. These benefits are dependent upon the employee's health coverage plan.
- E. The State of Wisconsin carries life insurance with a selected company or companies. Employees who meet established eligibility requirements may enroll in the program. The life insurance program provides term life insurance and accidental death and dismemberment insurance on a scheduled basis. Life insurance premiums are paid by the University through payroll deduction. Employees on leave without pay will be required to pay the full premium if they wish to maintain coverage during their absence. Personnel should refer to the University of Wisconsin - Madison Human Resources Payroll and Benefits Services for additional information.
- F. State of Wisconsin employees generally have liability protection in accordance with Wis. Statute 895.46(1). The state plan protects employees from liability resulting from their conduct while engaging in their duties as employees, regardless of where the incident occurs, if the employee is acting within the scope of his or her employment activities and notifies the University immediately of the incident. Legal defense, judgments, or negotiated settlements then become the state's obligation.
- G. Realizing that continuing education is a fundamental component in the personal and career development of our employees, the Department encourages and supports employees in their educational endeavors within the framework of a thoughtful and fiscally responsible budget. Employees receive tuition reimbursement benefits at the discretion of the Department only if there is sufficient budgeted educational reimbursement money. The procedure for tuition reimbursement is as follows:
1. The Department will accept requests for educational reimbursement during the month of April for classes that would be taken during the following fiscal year. Requests should be turned in to the Personnel Sergeant and must be received prior to the class start date. Requests will either be approved or denied before the course term starts.
  2. Reimbursement monies that were approved but not used during a particular fiscal year will not be carried over or allowed to be held in standby by any employee. Educational reimbursement money budgeted is for that specific fiscal year only and is subject to change on a yearly basis.
  3. University and Academic staff with at least a permanent half-time appointment or greater may take up to up to 18 career-related credits in a calendar year. University and Academic Staff may be reimbursed for up to 100% of tuition and fees upon successful completion of the course at the discretion of the Division. Successful completion of courses graded using the traditional grading scale is defined as earning a grade of C or greater. Accredited institutions of higher education available for reimbursement will be determined by the employing unit. Career-related coursework is undergraduate or graduate level courses and professional development courses which will qualify an employee for development within their current position or for advancement within the profession in which the employee is currently working, the current classification or classification series. Exceptions to this requirement may be made at the employing unit's discretion on a case by case basis. Courses for personal enrichment do not qualify for reimbursement. The training or course is generally taken on the employee's own time, using either leave without pay or accrued compensatory time off. Annual leave or make-up time within the same work week may be arranged if the supervisor or chairperson can show that the unit's work will not be affected adversely.
  4. The UW Madison Employee Coursework and Training Assistance Policy describes the request procedure to be completed prior to starting any courses for which reimbursement will be requested.
  5. Tuition reimbursements totaling \$5,250 or more in one calendar year will be subject to Federal and State tax withholding and reporting regulations.

#### **22.1.4 PERSONNEL SUPPORT SERVICES**

The following describes support services to employees in the event of a serious injury to an employee or serious injury or death to an employee's family member:

- A. The Department will provide assistance services to personnel and their families following serious injury to an employee or serious injury or death to an employee's family member. These services may include but are not limited to
  - 1. Family notifications;
  - 2. Assisting the family at the hospital;
  - 3. Supporting the family at the funeral or burial;
  - 4. Assisting with legal and benefits information;
  - 5. Providing counseling referrals;
  - 6. Supporting the family during suspect criminal procedures, if any; and
  - 7. Maintaining long-term support contact with the family and keeping informed of their needs.
- B. The Personnel Sergeant or designee shall be responsible for initiating contact with an employee or the employee's family following serious injury to an employee or serious injury or death to an employee's family member. The Personnel Sergeant or designee will provide specific information regarding benefits and services provided by the Department.

#### **22.1.5 LINE-OF-DUTY DEATHS**

The following outlines the agency's efforts to provide assistance to the immediate survivors of an active-duty employee who dies in the line of duty and to provide tangible and emotional support during this traumatic period for the surviving family:

- A. Personnel providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes, and desires, but should not make promises to family members that cannot be met. Whenever the health of immediate survivors is a concern, emergency medical services should be summoned.
- B. The subsequent procedures should be followed in cases of line-of-duty deaths and in cases of critically injured personnel with poor prognosis of survival.
  - 1. The name of the deceased Department member shall not be released to the media or other parties before immediate survivors living in the area are notified.
  - 2. The Chief of Police, a police manager, or the person designated on the emergency information form will inform the immediate family of the Department member's condition or death.
  - 3. Notification of the immediate family should be made without unnecessary delay.
  - 4. Notification of survivors in the immediate area shall be made in person or as desired by the immediate family.
  - 5. If the opportunity exists to get family members who live locally to the hospital prior to the staff member's death, immediate transportation should be provided.
  - 6. Communication of information concerning the Department member and the incident should, whenever possible, be restricted to a hard-wired telephone to avoid interception by the media or others. Should the media obtain the Department member's name prematurely, a request should be made that the information be withheld until proper notification of survivors can be made.
  - 7. The staff member assigned to make notifications is responsible for the identification of additional survivors outside the area and should make any notifications as desired by the immediate family. Such notifications should be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.
  - 8. Whenever possible, the Chief of Police should join the family at the hospital in order to emphasize the agency's support. The next highest ranking officer to arrive at the hospital should be responsible for or designate a staff member to be responsible for coordinating the arrival of immediate survivors, Departmental personnel, the media, and others and assume the following responsibilities: arrange for waiting facilities for immediate survivors and a press staging area; ensure that medical personnel provide pertinent medical information on the staff member's condition to the family and that immediate family members are provided with appropriate assistance at the hospital; provide hospital personnel with all necessary information on billing for medical services such that medical bills are directed to the appropriate Department authority and not forwarded to the employee's family or other survivors; and arrange transportation for the family and other survivors upon their departure from the hospital as needed.
  - 9. In addition, the Chief of Police or designee may perform the following personnel assignments: assist in handling incoming phone calls and inquiries to direct the public to appropriate personnel; ensure that mental health services are available for surviving family members; ensure that personnel are provided the opportunity to participate in

critical incident stress debriefings as appropriate; and notify and request assistance from the LEDR Team through Wisconsin State Patrol, District #1, at: (608) 846-8500.

- C. The assigned Department liaison, normally a police manager or supervisor, will serve as a facilitator between the family and the Department. This assignment includes the following:
  - 1. Providing oversight of travel and lodging arrangements for out-of-town family members.
  - 2. Identifying alternative churches and reception halls that will accommodate the funeral. These alternatives should be presented to the family, who will make the final determination.
  - 3. Coordinating all official law enforcement notifications and arrangements, to include the honor guard, pallbearers, traffic control, and liaison with visiting law enforcement agencies.
  - 4. Assisting family members in dealing with general media inquiries and informing them of limitations on areas that are family or law enforcement sensitive. Ensure that members of the agency are aware of restrictions regarding the release of information that might undermine future legal proceedings.
  - 5. Ensuring that security checks of the police survivor's family residence are initiated immediately following the incident.
  
- D. A funeral liaison officer may be appointed. This individual, normally a police manager or supervisor, acts as facilitator between the decedent's family and the Department during the wake and funeral. The funeral liaison officer is responsible for
  - 1. Meeting with family members and explaining his or her responsibilities to them; being available to the family prior to and throughout the wake and funeral;
  - 2. Ensuring that the needs and wishes of the family come before those of the Department, when possible;
  - 3. Assisting the family in working with the funeral director regarding funeral arrangements;
  - 4. Relaying any information to the family concerning the circumstances of the decedent's death and appropriate information regarding any investigation; and
  - 5. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the Department Liaison, as well as, if appropriate, briefing the family members on the procedures involved in the law enforcement funeral.
  
- E. A benefits coordinator will be appointed. This individual, normally the Personnel Sergeant or the Professional Standards/Personnel Lieutenant, acts to impart information on available benefits to the decedent's family. This assignment works closely with the Department Human Resources Assistant – advanced and is responsible for
  - 1. Filing workers' compensation claims and related paperwork;
  - 2. Presenting information on benefits available to the family;
  - 3. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate;
  - 4. Preparing all documentation of benefits and payments due to survivors, to include the nature and amount of benefits to be received and the name of a contact person at each benefit office; and
  - 5. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received.
  
- F. A family support advocate will also be appointed. This individual serves in a long-term liaison and support capacity for the surviving family. The duties of this individual include
  - 1. Keeping immediate surviving family members informed of criminal proceedings relating to the death of their family member;
  - 2. Accompanying surviving family members to criminal proceedings, explaining the nature of the proceedings, and introducing them to prosecutors and other persons as required;
  - 3. Identifying all support services available to family members and working on their behalf to secure any services necessary;
  - 4. Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the Department and the immediate family; and
  - 5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance and encouraging others to visit and help as necessary.

#### **22.1.6 UNIFORMS AND EQUIPMENT**

The following describes the provision of clothing and equipment used by employees in performing the law enforcement function:

- A. Employees assigned to patrol, dispatch, and security services shall wear the prescribed Department issued uniform and accompanying equipment unless otherwise approved. Such items shall be issued, worn, and maintained in accordance with existing directives.
- B. All Department issued uniforms and related equipment are University property. Such items shall be issued upon appointment and returned upon separation of employment. The replacement of uniforms and equipment due to normal usage shall be at Department expense. Employees may be responsible for the replacement or repair of items that are lost or misused.
- C. Inventory records shall depict the issuance and condition of uniforms and equipment. Such records shall be updated, at minimum annually, by Support Services personnel.
- D. Provisions for uniforms and equipment for personnel are further outlined in patrol equipment directives and disciplinary procedures.

### **22.1.7 EMPLOYEE ASSISTANCE PROGRAMS**

The following outlines the available sponsored Employee Assistance programs:

- A. The University of Wisconsin–Madison makes available to employees an Employee Assistance Office designed to assist in the identification and resolution of concerns or problems (personal or job related) that may adversely affect an employee’s personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters. The Employee Assistance Office provides short-term counseling and problem solving for employees.
- B. The University of Wisconsin–Madison Employee Assistance Office maintains
  1. Written directives describing program services;
  2. Procedures for obtaining program services;
  3. Confidential, appropriate, and timely problem-assessment services;
  4. Referrals to services, either workplace or community resources for appropriate diagnosis, treatment, and follow-up; and
  5. Written procedures and guidelines for referral to and/or mandatory participation.
- C. Supervisors and managers are trained in the following employee assistance services during the State- mandated, University-sponsored supervisor training:
  1. Supervisor’s roles and responsibilities; and
  2. Identification of employee behaviors which would indicate the existence of employee concerns, problems, and/or issues that could impact job performance.

### **22.1.8 EMPLOYEE IDENTIFICATION**

The following shall govern employee identification requirements:

- A. Uniformed or plainclothes officer will provide name, badge number and agency upon request if the request does not interfere with an investigation or jeopardize the officer’s safety. Plainclothes officers should present a badge prior to taking police action. Plainclothes officers should wear a visible form of identification when interacting with other police officers in tactical situations and special events. When a plainclothes officer is challenged by a uniformed police officer, the responsibility lies with the plainclothes officer to establish his or her identification. In emergency or tactical operations where immediate identification is not feasible, the officer should provide reasonable identification upon request as soon as possible. Officers shall verbally identify themselves when engaged in official duties while on the phone.
- B. Department personnel, including interns, shall be issued unique photo identification cards (also containing name and title). In addition, employees shall be issued a University identification card, which functions as an electronic key for the University’s access control system. These ID cards are individually numbered and programmed to open certain facility doors depending on the person’s position and function. This ID is to be carried or worn at all times during working hours (except by those working undercover), as well as when in the Department facility.

### **22.1.9 LONG TERM MILITARY DEPLOYMENT AND REINTEGRATION**

The following outlines procedures for employees' military deployment exceeding 180 days

- A. Employees requiring leave of absence for active military service shall provide the Department advance notice of his/her intent to take military leave unless advance notice is precluded by military necessity or is otherwise unreasonable considering circumstances.
- B. The employee shall submit a copy of his/her military orders to his/her supervisor as soon as reasonably possible along with written notification to include:
  - 1. Anticipated date(s) of mobilization
  - 2. Commanding Officer's name and contact information
  - 3. Name of military ombudsman (or equivalent) and contact information
- C. The Department Human Resources Assistant will serve as the Department and University's point of contact for the employee.
- D. Out processing of the employee will be completed by the Department Human Resources Assistant prior to deployment. Out processing will include an exit interview with information regarding:
  - 1. Employee benefits
  - 2. Salary continuation
  - 3. Reintegration procedures upon return
  - 4. Any other relevant information
- E. The employee shall be responsible for storage of Department owned equipment during deployment.
- F. During the employee's absence, the Department shall provide support to the employee and his/her family through the Department point of contact.
- G. The Department point of contact shall:
  - 1. Keep up-to-date status on the employee
  - 2. Share agency significant events and promotion opportunities with the employee
  - 3. Keep track of any email and address updates
- H. Prior to returning to full duty, the employee shall meet with the Department Human Resources Assistant and the employee's immediate supervisor for a reintegration interview. The interview shall include:
  - 1. Any updates to the employee's benefits or compensation
  - 2. Information regarding the employee's work schedule
  - 3. Information regarding required training, including weapons proficiency, that must be completed, if applicable
  - 4. Information regarding the Employee Assistance Office and the Department's Peer Support program
- I. Upon return to work, the employee must provide appropriate documentation regarding the amount of military pay received during the leave.