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June 6, 2023

**Via email**

Village of Kronenwetter  
c/o Dan Mahoney, Interim Administrator  
1582 Kronenwetter Drive  
Kronenwetter, WI 54455  
dmahoney@kronenwetter.org

Re: Review & Revision of HR-003  
Employee Training, Education, and Conferences

Dear Mr. Mahoney:

The Village asked for review and revision of Village Policy HR-003 regarding employee training, education, and conference attendance. The question before the Village is whether to eliminate HR-003 or not. We recommend keeping HR-003 with revisions for the following reasons.

Mainly, the retention of a policy creates clarity in operations despite the fact that employees and officials can and do change. The Village and its public generally do well to maintain a well-trained work force. The Village certainly has broad legal authority to reimburse expenses under Wis. Stat. § 61.34. Actual rules governing the employee attendance and reimbursement of expenses for continuing education are not explicit in either state or federal law. Without a local policy, the Village will not have any clear statements on how the Village chooses to handle this issue.

Note that the Village also has HR-007 on its business mileage and travel policy. Keeping HR-003 helps clarify that employee training, education, and conferences are also “business travel” and subject to the same, single set of reimbursement rules. This simplifies budgeting. A department head or other budgetary person can more effectively budget for this topic when it is clear in advance what reimbursement policies will apply.

Our understanding is that HR-003, if retained, affects all management staff in the Village. Please also beware that the statutes define a “local public official” holding a “local public office” subject to the ethics statutes very broadly:

“Local public office” means any of the following offices, except an office specified in sub. (13) [state offices]:

- (a) An elective office of a local governmental unit.
- (b) A county administrator or administrative coordinator or a city or village manager.
- (c) An appointive office or position of a local governmental unit in which an individual serves for a specified term, except a position limited to the exercise of ministerial action or a position filled by an independent contractor.

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10 Forest Avenue, Suite 200  
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Waupun  
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Wausau  
500 3rd Street, Suite 420,  
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132 Main Street  
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Oshkosh, WI 54901  
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- (cm) The position of member of the board of directors of a local exposition district under subch. II of ch. 229 not serving for a specified term.
- (d) An appointive office or position of a local government which is filled by the governing body of the local government or the executive or administrative head of the local government and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial action or a position filled by an independent contractor.
- (e) The position of member of the Milwaukee County mental health board as created under s. 51.41 (1d).
- (f) An employee of a school district who holds a school administrator license or permit issued by the department of public instruction under rules promulgated by the department under s. 118.19 and whose employment requires that the individual hold that license or permit.
- (g) An employee of a school district who acts as the head of facilities and maintenance and whose employment duties include making purchasing decisions or recommendations for the school district.

Wis. Stat. § 19.42(7w). Anyone subject to this definition would do well to be ethically protected by the Village having an official policy regarding the reimbursement of expenses. In contrast, an ad hoc method of approving reimbursements for various reasons, persons, and amounts would not be optimal. The Village is best off avoiding not just impropriety, but the appearance of impropriety too. Enclosed is a brief Wisconsin Ethics Commission guide in case it is helpful.

As to the suggested revisions, the current policy seemed more restrictive than necessary. Related activities outside of Village work hours and reimbursement have no need of regulation. Formally planned and already budgeted training probably does not also require individual Village Board approvals during the year. But anything outside of such planning and budgeting should, and the Village Board probably ought to itself consider requests of the Administrator and its own Board members.

Also enclosed are a redline and clean version of HR-003. Perhaps it will require further revision after your review. In any case, it is a pleasure to be of assistance to the Village. Please let us know if we can do anything else. Thank you.

Sincerely,  
**DEMPSEY LAW FIRM, LLP**



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Wausau Office

Enclosures

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