



POLICY & PROCEDURES MANUAL

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WELCOME/INTRODUCTION

The City of Mequon welcomes you as an employee. The attached are guidelines that employees are required to follow. The following City policies, procedures, and practices are subject to change by the City within its sole discretion and with or without notice to employees. They are reviewed and revised periodically. None of these policies are intended to be construed as an employment contract or a guarantee of employment. These general City policies do not precede department standard operating procedures and collective bargaining agreements. If you have any questions or comments, you are encouraged to talk to your supervisor.

ACCIDENT POLICY

Purpose

The well-being and safety of employees is of utmost importance to the City.

Procedure

In the event a significant accident occurs involving a City employee, the following steps should be taken:

- The Assistant City Administrator should be notified as soon as possible.
- The Human Resources Department will be the designated person to contact the employee's emergency contact.
- The City Administrator and/or his/her designee will be the spokesperson to handle media inquiries. Therefore, employees should not discuss the accident with the media or other members of the public. Refer to the *Media Relations Policy* for further clarification.

AFFIRMATIVE ACTION STATEMENT

The City of Mequon will not discriminate in its hiring practices on the basis of race, color, sex, national origin, religion, age, handicap, or other non-job related factors, except where such factors constitute a bona fide occupational qualification. The City of Mequon is an equal opportunity employer hiring those persons whose qualifications best correspond to those of the position being filled. Equal employment opportunity will be practiced in related activities pertaining to applicants and employees who will be judged on their individual merit and relevant qualifications in a fair and equitable manner.

Affirmative action will be sought to eliminate restrictive policies in a timely coordinated manner with due regard and consideration to all applicants and present employees.

ATTENDANCE POLICY

Purpose

The City places great emphasis on attendance. Frequent absence or tardiness places an extra burden on your co-workers. Only when you are consistently on the job can the City carry out its schedules and meet the needs of our citizens. Your individual contribution is important to the functioning of the organization.

Regular attendance is expected of every employee. It is your responsibility to be on the job on time each day and ready to work. Although there are justifiable reasons to take off from work, employment assumes the availability for work and excessive absenteeism and/or excessive tardiness may lead to discipline, up to, and including discharge.

Procedure

If you must be absent or late on any workday, please notify your supervisor as early as possible. If you are absent due to an injury or illness, the City may request medical verification of the illness or injury and may also request a release for your return to work, signed by a licensed physician.

DATING POLICY

Purpose

The City strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, their ability to influence others, and their responsibilities for direct or indirect supervision of City employees.

Procedures

During working time and in working areas, employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.

During non-working time, such as lunches, breaks, and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.

Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on City premises, whether during working hours or not.

Employees who allow personal relationships with coworkers to affect the working environment may be subject to the appropriate provisions of the City's disciplinary policy. For minor issues, counseling may be required. For more serious issues or failure to change inappropriate behavior and maintain expected behavior in the workplace, employees will be subject to discipline up to and including termination. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.

Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.

The City recognizes that people may develop personal friendships with others with whom they work or who work for the same employer. The City further recognizes that in some situations those relationships may extend beyond a platonic relationship, which may result in concerns or problems on the part of the City if one of the employees is in a position to influence the working conditions of the other employee or the relationship impacts on the efficiency of the operations of the City. Thus, the City strongly encourages supervisors, managers, executives or anyone else in a sensitive or influential position to avoid such relationships with other City employees where a concern or problem may arise. Should such a relationship develop, the employee is required to notify their direct supervisor.

Where problems or potential risks are identified, the City will work with the parties involved to consider options for resolving the conflict. The initial solution will be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

In some cases, more extreme measures may be necessary such as transfer to other positions or departments. The individual with the more senior position will be considered for transfer first to avoid any perception of retaliation against the person in the less senior position.

Refusal of reasonable alternative positions, if available, may be deemed a voluntary resignation.

Failure to work with the City to address such a conflict of interest in a mutually agreeable fashion may ultimately be deemed insubordination and, therefore, serve as cause for immediate termination. The City's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

The provisions of this policy apply regardless of the sexual orientations of the parties involved.

Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.

DRESS CODE POLICY

Purpose

It is very important that you dress appropriately for your job function and, while we trust each employee's common sense and good judgment, a dress code must be followed that is appropriate to the work environment. The City has adopted a business casual dress code but emphasizes that some positions may call for more formal business attire. Appropriate dress and hygiene are important in promoting a positive image to our customers, both internally and externally. Some City employees are required to wear uniforms, while others are not. Listed below are general guidelines for both groups:

General Guidelines-Employees Required to Wear a Uniform

Each department has specific guidelines for employees required to wear a uniform and you should check with your supervisor.

General Guidelines-Employees Not Required to Wear Uniform

The City wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Therefore, the following clothing is not acceptable: spandex; shorts; sweatshirts; jerseys; bare feet; bibs; pants or skirts worn below the waistline; short skirts; sexually provocative clothing; hats; clothing with profanity, nude or semi-nude pictures, sexually suggestive slogans, cartoons, or drawings; the observable lack of undergarments; and exposed undergarments. The Friday dress code for City Hall permits casual attire including jeans that are clean and do not contain holes or tears.

While the City observes a business casual dress environment, there may be situations requiring more formal attire. If you are conducting or attending meetings, seminars, etc. where you come in contact with other business professionals, you are expected to represent the City in a professional manner and dress appropriately for conducting such business. Know your audience, remember who you represent, and dress accordingly. If you are unsure of the appropriate attire, please ask your supervisor.

Compliance

Management is responsible for ensuring their departmental personnel are in compliance. Supervisors reserve the right to send any person home to change clothes if they violate any part of the Dress Code Policy.

DRUG TESTING POLICY

Purpose

The City of Mequon is committed to providing a safe, efficient, and productive work environment for all employees and visitors and to assisting employees who might have a substance abuse problem in getting help. To promote these goals, employees are required to report to work in an appropriate mental and physical condition, free from the effects of alcohol and other drugs.

The City of Mequon will cooperate with all federal, state, or local authorities in all matters pertaining to the use, possession, distribution, sale, purchase, or manufacture of alcohol and other drugs on City premises or work time.

The City hereby adopts the following policy:

No City employee may manufacture, purchase, use, possess, distribute, sell, or be under the influence of illegal drugs at any time, and on-the-job use of or impairment by alcohol is prohibited.

The legal possession and/or use of prescribed drugs is permitted on the job only if in the City's judgment it does not impair an employee's ability to perform his/her job effectively and safely.

The off duty use of alcohol and other drugs may impair the ability of an employee to perform his/her duties, and may endanger the employee, his/her co-workers, or the public, as well as property. For this reason, off duty use is also prohibited to the extent it does or may result in a violation of this policy.

Definitions

Supervisor: Those employees assigned to a position having day-to-day responsibility for supervising subordinates, or are responsible for commanding a work element.

Drug Test: The compulsory production and submission of urine by an employee, in accordance with departmental procedures, for chemical analysis to detect prohibited drug usage of controlled substances: heroin, cocaine, phencyclidine, lysergic acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine, or any form of a tetrahydrocannabinols, or any other controlled drug listed in Schedules I or II of State Code.

Positive Drug Test: A confirmed finding of the presence of drugs or their metabolites in the sample tested at levels at or above the threshold detection levels established by the approved testing laboratory used by the City.

Positive Alcohol Test: A confirmed finding of blood-alcohol concentration in the employee's sample tested at levels at or above the threshold detection levels established by the approved testing laboratory used by the City.

Reasonable Cause or Reasonable Suspicion: Quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on observable actions,

alone or in conjunction with other factors including, but not limited to, dangerous or accident-prone conduct; an accident which indicates the possible use of alcohol or drugs; drug-related signs such as paraphernalia, unexplained reduced short-term memory, unexplained physical symptoms such as, but not limited to, bloodshot eyes, dilated pupils, stuffy or runny nose, anxiety, and inability to concentrate.

Refusing To Be Tested: Failing to provide an adequate urine, saliva, blood, or breath specimen for a drug and/or alcohol test without a valid medical explanation; failing or refusing to submit to a test under this policy as directed; and/or engaging in any conduct which clearly obstructs the testing process. An employee has the right to refuse to be tested for drugs and/or alcohol, but will face the disciplinary consequences described below.

Approved Testing Laboratory: A laboratory which meets federal requirements and is certified to administer such testing.

Types of Testing

Initial Test: New applicants shall be required as a condition of employment to take and pass the drug screen as described herein.

Reasonable Suspicion Test: Any employee will be required to take a drug and alcohol test upon reasonable cause or reasonable suspicion.

Post-Accident Test: Any employee involved in an accident while driving a City vehicle will be required to submit to a post-accident drug and alcohol test.

Prohibited Activity

The following rules shall apply to all employees, while on and off duty:

No employee shall illegally possess any controlled substance.

No employee shall ingest any controlled drug or other dangerous substance, unless as prescribed by a licensed medical practitioner.

An employee who is required to use a prescription medication and who has been advised by his/her physician not to work during such use must notify his/her immediate supervisor, including the prescribed period of use.

Supervisors shall document this information through the use of an internal memorandum and maintain this memorandum in the employee's medical file.

Any employee having a reasonable basis to believe that another employee is illegally using, or is in possession of, any controlled substance, or under the influence of alcohol while on the job shall immediately report the facts and circumstances to his supervisor.

Drug Testing Methodology

The laboratory selected to conduct the analysis shall be experienced and capable of quality control, documentation, chain of custody, technical expertise, and demonstrated proficiency in urinalysis. Employees having negative drug test results shall receive a confirmation stating that no illegal drugs were found. A copy of the memorandum will be placed in the employee's medical file.

Drug Test Results

All records pertaining to City-required drug tests shall remain confidential. Test results are only given to the City's Assistant City Administrator, and shall not be provided to other employers or agencies without the written permission of the person whose records are sought. Drug test results and records shall be retained in the employee's medical file for an indefinite period.

Actions Taken/Positive Results/Refusal To Be Tested

If an employee tests positive, or if an employee refuses to be tested, the employer shall pursue discipline for the employee up to, and including, termination. The exception shall be medications properly prescribed by a physician.

ELECTRONIC COMMUNICATIONS POLICY

Purpose

The City of Mequon maintains a number of electronic communications facilities for the use of its employees, elected officials and authorized third parties in conducting City business or City approved activities. These electronic communication mediums include electronic facsimile (fax), electronic mail, voice mail, and Internet access.

Information Ownership

All information and/or content created, transmitted, or stored electronically using City equipment is considered City property and can be reviewed, audited, and disclosed by the City, through authorized City personnel, when business needs dictates or when it has a legal obligation to do so.

In general, all electronic information is not considered confidential and as such, is not entitled to protection normally associated with individual privacy right.

Definitions

Fax: Electronic transmission of either a paper document or a computer generated document (including text and images) over a standard analog phone line resulting in a paper document at the remote end.

Electronic Mail: Any electronic message with or without attached files or documents, which is stored electronically.

Voice Mail: Any telephone-activated voice messaging system in use within the City.

Local Area Net Access: The connection of an individual's workstation to the computer networks inside City Hall, but may expand to other City buildings.

Third Parties: Contractors or temporary employees who have been granted authorization to these facilities for business purposes.

Sensitive Information: Any employee information, as well as additional information so designated by a department head.

Policy

Access to an electronic communications medium for employees, elected officials or authorized third parties is based on documented business need. Each medium has its own criteria for justification and approval. The aforementioned groups are provided these communication tools to enhance their personal productivity on the job. As such, the City expects they will be used in an appropriate manner. Please remember that correspondence via electronic communication is subject to scrutiny under open records laws.

Electronic Facsimile (Fax) Criteria

Electronic facsimile (fax) access, both incoming and outgoing, is available to employees for City-related business.

Electronic Mail and/or Voice Mail Criteria

Access to electronic mail or voice mail is given to employees, elected officials, or authorized third parties when necessary to conduct City business. These groups may use electronic mail and/or voice mail for occasional personal communications on a limited basis. It is understood that another individual may send personal e-mail or leave personal voice mail to a City employee or elected official, making it difficult to entirely prohibit personal use. However, the use of e-mail and voice mail for any personal gain is expressly prohibited.

Internet Access: World Wide Web Criteria

Access to the World Wide Web will be given to those employees and authorized third parties whose duties require them to perform research, access product or financial information, conduct hardware/software troubleshooting and design, acquire “re-useable” software code, or other approved business activity.

Note: Requires approval of the department head and must be reviewed on an annual basis.

World Wide Web Requirements

Downloaded information from the Internet must be virus checked by the user before further dissemination within the City.

Only City of Mequon work-related sites should be accessed. Internet sites deemed inappropriate may be blocked.

Embedded, executable content that may pose a security risk to the City’s computer systems may be blocked.

Records of Internet activity may be audited as appropriate and without prior notice.

Electronic Mail Requirements

Messages or documents created or used should be professional and City of Mequon work-related.

The City will inspect and disclose the contents of electronic mail when such action is necessary.

Unacceptable Content

The publishing, transmission, or receipt (to the extent possible) of materials containing unacceptable content is prohibited. Examples of unacceptable content include, but are not limited to:

Junk mail, advertising, or content prohibited by federal or state laws, etc.

Non-work related software or material of any kind, character or nature whatsoever.

Violation of any City policies or procedures, including harassment.

Obscene or pornographic material.

Intellectual Property

All copyright, trademark, or other intellectual property laws must be followed.

Violations and Disciplinary Action

Disciplinary action up to and including termination may result from any violation of any of the policy items identified above.

Compliance With Related Policies

All who have access to these facilities are expected to abide by the City's related policies and ordinances as stated in the:

Personnel Code

Employee handbook

Ethics Code

Open Records Ordinance

Any applicable Federal and State laws and administrative regulations.

Contact

Any questions regarding the above policy should be directed to your supervisor.

EMERGENCY CONTACT INFORMATION POLICY

Purpose

All employees must provide emergency contact information for persons to be contacted in the event of a personal emergency. Emergency contact information is confidential and will not be made available to non-essential staff. Emergency contact information may not be used for any purposes other than its original intention.

Procedure

All employees are required to supply emergency contact information when hired. It is each employee's personal decision as to whom he or she chooses to have as the emergency contact. In an effort to keep information current should an emergency arise, employees are required to maintain current emergency contact information at the Human Resources Department.

EMPLOYEE ACCESS TO PERSONNEL FILE POLICY

Purpose

Employee personnel records are maintained in the Human Resources and Police Departments. Individual personnel files are maintained for current and former regular (full and part-time), temporary, and seasonal employees.

Types of Information

Individual Employee Files: Employment records are kept in individual employee files, Human Resources Department files (such as the Immigration Reform and Control Act, I-9s), and human resources information system (HRIS) computer data files. Individual employee files are kept in the Human Resources and Police Departments in secure storage. Internal access to employee files is limited to Human Resources staff and to authorized supervisors and managers on a “need to know” basis in accordance with local, state, or federal law.

Each individual employee file contains such documents as: basic identifying information, such as employee name, address, and job title; a completed employment application as well as other hiring-related documents; wage information, including notices of pay changes; information on fringe benefits coverage, and copies of beneficiary designation forms; letters/memos/certificates of commendation; performance appraisals; disciplinary, promotion, demotion, and transfer actions; reference and credit rating actions; training records; and other job-related information deemed essential by management.

Medical Files: A medical file is maintained in a separate folder in the Human Resources and Police Departments for each current and former employee and includes such documents as pre-employment medical examinations, physician slips and certificates, drug test results, documents relating to Family and Medical Leave Act (FMLA) or the Americans with Disabilities Act (ADA), and other medical information deemed essential by management. Medical information obtained as a result of a work-related illness/injury is maintained in separate workers compensation file.

Confidential Files: A “confidential” file is retained to hold any highly sensitive information.

Data Privacy

Data about an employee belongs to the employee. Keepers of the information are custodians who may use it only for legitimate purposes. Employees have the right to know exactly what data about them is being kept and how it is used.

The City may release personnel records to governmental agencies when such information is needed or requested in the course of that agency’s investigators functions (for example, law enforcement agencies, the Equal Employment Opportunity Commission, or information requested as part of the discovery process in a judicial proceeding).

Employee Access to Personnel File

Current employees wishing to examine their own employee file may do so by completing and submitting to Human Resources or the Police Department a Request for Access to Employee Personnel File. The Human Resources and/or Police Departments will then arrange for a mutually convenient meeting time within three (3) working days of the request.

Employee inspections of personnel files will conform to the following (unless authorized otherwise by the Assistant City Administrator):

All inspections must be conducted in the Human Resources office or Police Department.

All inspections must be done with a member of the Human Resources Department and/or Police Captain present.

Nothing may be inserted, removed, changed, or copied without specific authorization from the Human Resources Department and/or Police Captain.

Certain kinds of records may not be made available to the employee, at the discretion of the Assistant City Administrator and/or Police Captain and in conformance with applicable state law.

While inspecting his/her files, the employee is free to take notes and/or request one set of copies of the information in his/her file.

During this inspection, any information that is inaccurate or not up to date may be changed at this time with the Assistant City Administrator's and/or Police Captain's authorization. Examples of this type of information change include but are not limited to, change of address, name change, or change of dependents. The employee may be asked to complete a Personal Data Change Request.

In accordance with Wisconsin State Statute section 103.13 (4), an employee who disagrees with any information contained in the personnel file can submit a written statement explaining the employee's position and that statement shall be attached to the disputed portion of the personnel record.

Removal of any written reprimand will be done in accordance with language included in the applicable collective bargaining agreement.

All current employees of the City of Mequon are limited to two (2) annual inspections of their individual personnel file. During grievance processes, the employee will have unlimited access to his/her files.

The Assistant City Administrator is to keep a copy of the Request for Personnel File Access form in the file for future reference. The form must contain the date of inspection and the signatures of both the employee and the Assistant City Administrator or his/her designee.

EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is a confidential, voluntary program for City of Mequon employees and their dependents. The EAP provides easy access to a behavioral health professional who can offer family support and direction with personal concerns. Employees can call 1-800-437-0096 seven days a week, 24 hours a day or access information online at www.APSHelplink.com. The EAP is available at no cost to employees.

Professional EAP counselors can help with:

- Relationship or family conflicts
- Grief or loss
- Life transitions
- Crisis situations
- Legal or financial concerns
- Dealing with chronic or terminal illness
- Alcohol or other substance abuse
- Stress, depression or anxiety

Advantages of using EAP services:

- Easy to access services with one toll-free call
- Brief problem solving, short-term counseling with an EAP counselor or, when needed, a referral to the most appropriate services to meet your needs
- No co-pay/deductible – service is free to you and your dependents
- No claim forms to file

FAMILY AND MEDICAL LEAVE POLICY

Purpose

This policy is only a summary and the City of Mequon will review all requests for leave in conjunction with the federal and state laws of the Family and Medical Leave Act (FMLA) and the collective bargaining agreements.

Procedures

Eligible employees will be allowed up to twelve (12) workweeks of unpaid leave as a result of a birth, adoption, or foster care placement of a child with an eligible employee or when a serious health condition is suffered by the employee or the employee's parent, child, or spouse. All or a portion of this period will be paid if the employee has accrued sufficient time such as vacation, personal, compensatory, or sick time for the unpaid time. If an employee suffers a work-related injury that qualifies as a serious health condition, the federal leave provided under this Policy will be considered as taken along with the leave required under the workers' compensation laws. The taking of leave under this Policy will not be used against an employee in any employment decision including performance review or discipline.

Eligibility for Leave: It is the policy of the City to provide employees with State FMLA if they have worked for the City for at least twelve (12) months and have completed 1,000 hours of employment within the twelve (12) month period prior to the time leave begins. If they have completed 1,250 hours of employment within the twelve (12) month period, then they also qualify for the federal FMLA. State and Federal FMLA run concurrently if the leave is based on the same reason. If you do not qualify for the FMLA, please refer to the section of your union contract (or Personnel Code for non-represented employees) which discusses leaves of absence with or without pay.

Amount of Leave Available: Employees are entitled to a total of twelve (12) workweeks of unpaid leave under the federal FMLA.

Leaves that Qualify as FMLA

Birth or Placement for Adoption or Foster Care of a Son or Daughter

An employee may take unpaid leave for the birth or placement of a child for adoption or foster care. Leaves may be taken in full day increments or at a minimum of 1-hour increments. The State provides the initial 6 weeks of leave and the Federal law provides an additional 6 weeks for a total of 12 weeks. Under the state law, the parent may elect to use sick, vacation, personal, compensatory, or unpaid time. During the subsequent six weeks of leave under the Federal law, the parent will be required to use any accrued sick, vacation, compensatory, or personal time. Under Federal law the only time a mother can use sick time during the second six-week period of time is if she is still deemed to be "disabled" by her personal physician.

Serious Health Condition of Employee

An employee may take unpaid leave in the event he/she experiences a "serious health condition". 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 continuing schedule of treatment by a health care provider. This leave may be taken all at once or in small

increments when medically necessary (15 minute minimum). If leave is taken in small increments, the employee may be temporarily transferred to another job at the City to better accommodate the employee's treatment or care. Employees have the option to use sick, vacation, personal, compensatory, or unpaid time during the initial two weeks of leave. If your leave extends beyond two weeks, you will be required to use paid time.

If leave is required due to a work-related injury that qualifies as a serious health condition, the employee's Federal FMLA entitlement will run concurrently with Worker's Compensation.

Serious Health Condition of a Spouse, Parent, Son, or Daughter

Unpaid leave may be taken to care for a son, daughter, spouse, or immediate parent with a "serious health condition". Please refer to the definition of serious health condition listed above. The employee must provide the City with a Certification Of Health Care Provider form, which states that the employee is needed to care for the person. Certification forms are available in the Human Resources Department or from your supervisor and they must be returned to your supervisor within 15 days of your request for leave. The medical leave may be taken all at once or in small increments when medically necessary (15 minute minimum). If leave is taken in small increments you may be transferred to another job at the City to better accommodate the schedule of treatment or care. You may elect to use sick, vacation, personal, compensatory, or unpaid time for the first two weeks of the leave. You may be required to use sick, vacation, compensatory, or personal time for the last ten weeks of the leave.

Notifying the City of Your Need for Family and Medical Leave

In the event an employee would like family or medical leave, the City must be notified at least thirty (30) days before the date on which leave is to be taken. In an emergency situation, notice must be given to the City of the need for leave as soon as possible, but no later than 48 hours after the occurrence of the reason for leave. The failure to timely notify the City of the need for leave may result in the delaying of leave until a proper notice is received.

The forms to request FMLA are available from the Human Resources Department or your supervisor. The employee needs to complete the Family And Medical Leave Application and immediately return it to the supervisor. The acting physician needs to complete the Certification Of Health Care Provider form. Once you have requested the leave, you have 15 days to turn in the physician's form to the Human Resources office. Failure to do so disqualifies your leave as FMLA. While you are on leave it is your responsibility to keep your supervisor informed as to how to complete your timesheet.

Healthcare Coverage Range, Insurance, and Benefits While on Leave

Employees may elect to continue health, dental, life insurance, and Long Term Disability coverage while on a family or medical leave, but must pay any employee cost of coverage during the leave.

Additional Certifications

The City may request that an employee provide a second Certification Of Health Care Provider form from a healthcare provider chosen and paid for by the City. If the original certification and the second certification conflict, a third healthcare provider will be agreed upon and a

certification obtained. The opinion of the third healthcare provider will be binding. The City may request that an employee re-certify as to the continuation of the serious health condition at various points in time. The City may also request documentation that establishes the family relationship between the employee and the person with the serious health condition for whom the Employee needs to provide care.

Returning to Your Position at the End of the Leave

At the end of an employee's family or medical leave, he/she will be returned to his/her former position or, if the position is filled, to equivalent employment with the City. If an employee wants to return to work before his/her leave is to end, the employee must give their supervisor two days notice and contact Human Resources. If the reason for leave was due to the serious health condition of the employee, your physician must provide you with a return to work release before you return to work. This should be given to Human Resources before return to work. If this form is not received, the employee's return to work will be delayed until it is received.

Failure to Meet Policy Requirements

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

If you have any questions regarding the interpretation of this policy, please contact your supervisor or the Human Resources Department.

GIFT POLICY

Employees shall not solicit or accept for personal benefit directly or indirectly any gift, loan, or item of monetary value from any person or company that is seeking to conduct or currently conducting business with the City. Further information can be found in the City's Ethics Code, Chapter 30 of the Mequon Code of Ordinances, which governs employees of the City, as well as public officials.

GRIEVANCE PROCEDURE

Purpose

This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination.

Definitions

- “Days” as used in this policy is defined as any day that City Hall is open.
- “Employee Termination” as used in this policy section, shall not include the following:
 1. Layoffs;
 2. Workforce reduction activities;
 3. Job transfers or demotions;
 4. Voluntary termination including, without limitation, quitting or resignation;
 5. Job abandonment;
 6. End of employment due to disability, lack of qualification or licensure or other inability to perform job duties;
 7. End of employment and/or completion of assignment of temporary, contract or part time employees;
 8. Retirement;
 9. Death; or
 10. 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, which typically involves any one of four (4) actions: verbal reprimand, written reprimand, suspension with or without pay, and termination of employment.

"Employee discipline," as used in this policy, shall not include the following:

1. Plans of correction or performance improvement;
2. Performance evaluations or reviews;
3. Documentation of employee acts and/or omissions in an employment file;

4. Administrative suspension with pay pending investigation of alleged misconduct or nonperformance;
5. Non-disciplinary wage, benefit or salary adjustments;
6. Other non-material employment actions;
7. Counseling meetings or discussions or other pre-disciplinary action; or
8. Demotion for reasons other than discipline, transfer or change in assignment.

The term "workplace safety" as used in this section means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety.

Time Limits

Unless mutually agreed to in writing by the Employee and the City 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 as the Employee's sole remedy if a response is not provided within the designated timeframes, advance a grievance to the next step of the process. The Assistant City Administrator (or designee) may advance a grievance to the next step at the request of either the employee or the employee's supervisor.

Procedure

- A. Informal Grievance Resolution: The employee must discuss any grievance related to discipline or workplace safety with the employee's immediate supervisor prior to filing a formal written grievance in order to informally resolve the issue. This discussion must occur within five (5) days of when the employee knew or should have known of the events leading to the grievance. Grievances related to termination may proceed straight to the Formal Grievance Procedure.
- B. Formal Grievance Submission: The employee must file a written grievance with the Assistant City Administrator (or designee) within ten (10) days of the termination, discipline or actual or reasonable knowledge of the alleged workplace safety issue. The written grievance must contain:
 1. Name of Grievant;
 2. A statement of the pertinent facts surrounding the nature of the grievance;
 3. The date the alleged incident occurred;

4. The work rule or policy allegedly violated including any safety rule alleged to have been violated, if applicable;
 5. The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion; and
 6. The specific requested remedy.
- C. Administrative Response: The Assistant City Administrator (or designee) will meet with the grievant within ten (10) days of receipt of the written grievance. The Administration will provide a written response within ten (10) days of the meeting. The Administration's written response to the grievance must contain:
1. A statement of the date the meeting between the Administration and grievant was held;
 2. A decision as to whether the grievance is sustained or denied; and
 3. In the event the grievance is denied, a statement outlining the timeline to appeal the denial.
- D. Impartial Hearing: The grievant may file an appeal to the Impartial Hearing Officer by giving written notice to the Assistant City Administrator (or designee) within five (5) days of the issuance of the Administrative Response. Depending on the issues involved, the hearing officer will determine whether a hearing is necessary unless a hearing is required under the procedures established by the City in a different applicable policy. The Administration will work with the Impartial Hearing Officer and grievant to schedule a mutually agreeable hearing date should one be needed. If it is determined that no hearing is necessary, the matter will be decided based on the submission of written documents.

The Administration shall select the Impartial Hearing Officer (IHO). The IHO shall not be an employee of the City. The IHO may be an employee of another municipality, a lawyer, a professional mediator/arbitrator, or other qualified individual. The cost of the IHO will be the responsibility of the City.

Standard of Review: The IHO will adhere to specific guidelines set forth by the City 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 Administration was arbitrary or capricious. A decision will not have been arbitrary or capricious if it was made in the best interest of the City. If the decision was not arbitrary or capricious then the IHO is required to find on behalf of the Administration.

Impartial Hearing Officer Response: The Impartial Hearing Officer shall file a written response within thirty (30) days of the hearing date or the date of submission of written documents.

The Impartial Hearing Officer's written response to the grievance must contain:

1. A statement of the pertinent facts surrounding the nature of the grievance.
 2. A decision as to whether the grievance is sustained or denied, with the rationale for the decision.
 3. A statement outlining the timeline to appeal the decision to the City Council.
 4. The IHO must sustain or deny the decision of the Administration. The IHO has no authority to modify the Administration's decision and may not grant in whole or in part the specific request of the grievant.
- E. Review by the Common Council: The non-prevailing party may file a written request for review of the IHO's decision by the Common Council within ten (10) days of receipt of the Impartial Hearing Officer Response.

The Common Council shall not take additional testimony or evidence; it may only decide whether the IHO reached an arbitrary or capricious decision using the standard set forth above based on the information presented to the IHO. The Common Council 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 Common Council's written decision regarding the grievance must contain:

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

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

F. General Requirements:

1. Grievance meetings/hearings held during the employee's off-duty hours will not be compensated.
2. If at any step in the process the City reverses the decision or action that gives rise to the grievance, or the City and the Employee reach some other agreement, the grievance process shall be deemed resolved and the grievance process concluded.

HARASSMENT POLICY

Purpose

The City of Mequon is committed to providing a workplace that is free of harassment. In keeping with this commitment, the City will not tolerate harassment of Mequon employees by anyone including any supervisor, co-worker, vendor, or guest.

Harassment Defined

Harassment consists of unwelcome conduct that is based on a person's status which is protected by federal, state, or local law. Harassment may include:

- Verbal harassment including derogatory comments, jokes, or slurs.
- Physical harassment including unwanted contact, assault, impeding or blocking movement, or any interference with activity appropriate in the workplace.
- Visual harassment including derogatory posters, cartoons, or drawings that have the purpose or effect of creating an intimidating, hostile, or offensive work environment or which interferes with the employee's work performance.
- Sexual harassment may include, but is not limited to, unwelcome sexual advancements, unwelcome physical contact of a sexual nature or unwelcome physical or verbal conduct of a sexual nature, the submission to which is either explicitly or implicitly a term or condition of the individual's employment. Sexual harassment may also be found where the conduct creates an intimidating, hostile, or offensive work environment which interferes with an employee's work performance.

All employees are responsible for helping to assure that we avoid harassment. If you feel you have experienced or witnessed harassment, you are to immediately notify your immediate supervisor or the Assistant City Administrator. The City forbids retaliation against anyone who has reported harassment.

Resolution

Our policy is to investigate all such complaints thoroughly and promptly. To the fullest extent practicable, the City will keep complaints and terms of their resolution confidential. If an investigation confirms that harassment has occurred, the City will take corrective action including discipline up to and including immediate termination of employment as may be appropriate to end harassment and prevent the misconduct from reoccurring.

MEDIA RELATIONS POLICY

The City Administrator and/or his/her designee shall be the primary spokesperson for the City. Employees are to have no contact with the media, stating official City policy unless instructed to do so by the City Administrator and/or his/her designee. Further information can be found in the City's Communications Policy, Section D., Media Relations Guidelines for Staff.

MODIFIED DUTY/RETURN-TO-WORK POLICY

Purpose

The City strives to promote a successful recovery from any work-related injury and has set up guidelines when an employee returns to work with restrictions. The opportunity for modified duty is reserved for those employees with temporary restrictions. Any corresponding reduction in job performance expectations is also only temporary.

The City will accommodate, as much as reasonably possible, an employee's work restrictions for any work-related injury. The decision as to whether there is modified duty work available that is consistent with the employee's restrictions will be made on a case-by-case basis. The City does not have any permanent modified duty positions. It is the employee's responsibility to be aware of their medical restrictions at all times and to communicate them to their supervisor. Employees should not attempt tasks that exceed their restrictions. If an employee has questions about the task(s) at hand and his/her restrictions, they should talk to his/her supervisor immediately. Employees must also comply during non-work hours to ensure that restrictions are maintained.

Modified duty assignments will not exceed six (6) weeks. The City will review a modified duty assignment on a periodic basis to determine whether to extend the light duty assignment beyond the initial time period and for how long. Any such decision by the City will again be on a case-by-case basis.

The City counts time an employee with a work-related injury spends at a medical appointment during their regularly scheduled hours as time worked and, therefore, compensable. If an employee schedules a medical appointment outside of their regularly scheduled hours for a work-related injury, the time spent obtaining medical care is not considered compensable. However an employee, who is required to schedule a medical appointment outside of their regularly scheduled work hours for a work-related injury because the medical care provider does not have office/clinic hours that coincide with the employee's regular hours of work and not due to the convenience or preference of the employee, will be paid for the time spent obtaining the necessary care. Such time shall not result in the payment of overtime to the employee. Employees must work with and get approval from their supervisors for compensable medical appointments.

Actual restrictions guide the City toward job selection. Modified duty assignments can include, but are not limited, to the following:

Public Works Employees

- Perform sign layout and production
- Take inventory of various supplies (culverts, bands, safety personal protective equipment, hardware stock, first aid kits in vehicles, etc.)
- Clean/wax trucks or equipment

- Clean shop areas
- Perform office functions
- Paint rooms
- Clean windows
- Perform janitorial services

Police Officers

- Implement sections of the School Liaison Program
- Investigate crimes by interviewing witnesses and/or victims
- Testify at court
- Complete reports and miscellaneous data entry
- Direct visitors and take complaint information from walk-ins
- Review crime prevention plans for businesses
- Perform “Community Talks” at nursing homes, schools, churches, etc.
- Review manuals and maintain certifications
- Train other officers and review procedures

Dispatchers

- Operate computer for Dispatch calls

Fire & Ambulance Employees

- Perform office functions
- Complete computerized reports and miscellaneous data entry

Civilian Employees

- Perform data entry, dictation, filing, and/or answer telephones – must be able to use both hands if doing data entry
- Shred outdated materials

When an employee returns to full duty, they must provide a doctor's note with a full release to return to normal job duties.

NEPOTISM POLICY

Purpose

For the protection of the City's assets and development and maintenance of an equitable working environment, the City limits the hiring, promotion, and transfer rights of persons who have an immediate family member employed by the City. For purposes of this policy, immediate family members include anyone in a direct relationship by blood or marriage up to and including first cousin. Included are spouse, parent, child, sibling, grandparent, grandchild, and first cousin of the employee or the employee's spouse or any person residing in the employee's household.

Procedure

No immediate family member of a current employee will be hired, transferred, or promoted where such personnel action would result in:

- A direct or indirect reporting relationship between family members.
- Immediate family members would be working in the same department or unit and one would be responsible for auditing, controlling, or reviewing the work of the other(s).
- Any situation where the employment of two family members would result in the possibility for fraud.

NOTIFICATION OF GROUP INSURANCE CONTINUATION POLICY

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) requires that employers offer certain categories of individuals the opportunity to continue in the employer's group health and dental insurance plans in cases where an employee's employment or family circumstances change.

Effective for group health and dental, the law allows employees and their families to continue being covered under the City's health and dental insurance plan if the employee quits his/her job, is laid off, or experiences a reduction in work hours. Coverage may continue for eighteen (18) to thirty-six (36) months depending on the category of eligibility.

<u>Who is Covered</u>	<u>Situation</u>	<u>Duration</u>
Employee	Termination other than for "gross misconduct"; reduction in hours	18 months
Family Members	Death of Employee	36 months
Spouse	Divorced or legal separation from employee	36 months
Dependent Child	For a child who ceases to be a dependent under terms of the health or dental plan	36 months
Spouse	Employee reaches age 65 and makes Medicare primary health insurer	36 months

By law, the continuation coverage must be the same as the benefits provided other employees who have chosen the same insurance plan. Also, there is no need to take a physical exam to qualify for continuation coverage. However, to continue coverage, the employee (or spouse or children) will have to pay 100% of the cost.

You will be able to choose this coverage through our Human Resources Department at the time an event occurs that would otherwise terminate your coverage under the group plan. In case of Medicare eligibility, we will automatically provide information on your continuation coverage rights and how to apply. In the event of divorce or cessation of dependent eligibility, you must notify us of the change so that we can provide you the necessary information and election forms.

Although the law dealing with continuation may not affect you at the present time, you may want to file a copy of this policy with your important insurance papers, so that you can refer to it if your circumstances change. If you have any questions about COBRA law and how it affects you, please call Human Resources for more information.

OPEN DOOR POLICY

Purpose

Communication is a joint responsibility shared by the City and you. If you have any questions about the information contained here in or about any other aspect of your job, we welcome your questions. Your opinions, suggestions, and questions are important to us. Feel free to talk to your supervisor about issues at work which concern you. We will attempt to provide you with honest, straightforward responses to your questions and comments.

Procedure

Generally, if you are having problems with an individual, we encourage you to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, go to your immediate supervisor next. In some cases, you and your supervisor may decide to refer the problem to the next higher level of management. We encourage you to talk to us to prevent a small conflict from growing into a larger one.

PARTICIPATION IN POLITICAL ACTIVITIES POLICY

Employees are prohibited from bringing their political affiliations to bear on their official duties. Political activities of employees that are prohibited during working hours include, but are not limited to:

- Campaigning, fund raising, or other partisan political activities on City premises while in the performance of duties and responsibilities as an employee of the City.
- Use of official work time or unauthorized use of City resources for political activity.
- Promising any employment, work, compensation, or other benefits as consideration, favor, or reward for political activity.
- Performing political activities at the direction of a Supervisor, Department Head, or other City official.
- Using status or position as a City employee in an endorsement or solicitation of votes in an election.
- Wearing or displaying any button, badge, sticker, or other campaign material relevant to any political issue or candidate during working hours.

City employees engaged in political activities while off duty should clearly act as private individuals and not convey the impression that they are acting in their official capacity as City employees.

SEAT BELT USAGE POLICY

Purpose

The City is committed to the safety of its employees. As required by state law, employees must wear a seat belt while operating a city vehicle.

Procedure

No person may operate a city vehicle unless the person is properly restrained in a safety belt, as a matter of City policy and as provided in Section 347.48(2m), Wisconsin Statutes.

Employees who violate this seat belt policy may be subject to disciplinary action, up to, and including immediate discharge.

SMOKE-FREE WORKPLACE POLICY

Purpose

The City is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As required by state law, and also motivated by our desire to provide a healthy work environment for our employees, the following smoking policy has been adopted and shall apply to all employees of the City.

Smoking in City buildings is prohibited, as a matter of City policy and as provided in Section 101.123, Wisconsin Statutes. Additionally, smoking in all vehicles owned or leased by the City is prohibited.

Smoking is defined as "...carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment." See Section 101.123 (1)(h), Wisconsin Statutes.

Procedures

We believe that the spirit of thoughtfulness and cooperation which is characteristic of City employees is adequate to resolve any disputes which might arise under this policy. Where disputes cannot be so resolved, the rights of the non-smoker shall be given precedence.

Employees who violate this smoking policy may be subject to disciplinary action, up to, and including immediate discharge.

TELEPHONE USAGE POLICY

Purpose

The City's phone lines must be kept open for meeting citizen needs and the business needs of the City. Personal calls, either made or received on City lines or cellular phones, should be kept to a minimum. Most personal calls can be made during regular break times.

Procedure

Supervisors will check monthly cellular phone bills for their direct reports that are issued a City cellular phone. Employees who make personal long-distance calls from City phones or City cellular phones must reimburse the City.

TRAINING/TRAVEL POLICY

When employees and elected officials of the City are required to travel on official business, the City shall pay reasonable amounts for transportation, meals, lodging, and miscellaneous approved expenses. An employee or official is expected to show good judgment and an appreciation for economy when incurring travel expenses.

Approval: Department Heads must authorize all out-of-town travel. The City Administrator or his/her designee must approve all travel requests for training, conferences, meetings, or other official functions, which require out of state travel. The Department Head shall determine the most cost-effective mode of travel and authorize local area training.

Transportation: Employees required to travel by air shall travel economy class whenever available. Due to the high-risk exposure and absence of insurance coverage, it is prohibited to use any private aircraft for official City business. An employee must obtain permission from his/her Department Head or the City Administrator to use City vehicles. Gasoline must be obtained at the City's pumps prior to departure. When an employee is authorized by the Department Head or the City Administrator to use a personal vehicle for official travel outside of the City, the employee shall be compensated at the current mileage rate as established by the U.S. Internal Revenue Service unless governed by a collective bargaining agreement. The IRS rate will be published by the Finance Director at the beginning of each calendar year.

Lodging: Employee's lodging expenses shall be covered while traveling on City business. Employees are expected to make lodging reservations in advance whenever possible and to take other actions to ensure that lodging is secured at the most reasonable rate possible.

Meals: Employees traveling on City business shall be reimbursed for meals paid for by the employee. The City will not pay for alcoholic beverages. Claims for meals shall represent actual, reasonable, and necessary expenses. Tips are limited to fifteen percent (15%). Where conference registration or training tuition fees include one (1) or more meals, only those meals not covered by such fees shall be reimbursed by the City. Where a conference offers meals in conjunction with the conference program, but does not include those meals in the registration fee, the City shall pay for those meals selected by the employee.

Miscellaneous: Miscellaneous expenses, such as parking fees, taxi fares, fax transmissions, and other bona fide miscellaneous expenses, shall be reimbursed upon presentation of receipts or other suitable documentation. Tips for meals, baggage handling, etc., will be reimbursed up to a maximum of fifteen percent (15%) of the bill. The cost of business-related long distance telephone calls will be reimbursed.

Advances and Prepaid Fees: The City will pay registration, lodging, and transportation (air, train, bus, rental car) to the vendor, provided a supervisor approved Travel and Training Expense Report with back-up documentation is presented to the Finance Department within fifteen (15) days of the travel date. An advance for seventy five percent (75%) of the estimated out of pocket travel expenses may be made to an employee no earlier than two (2) weeks in advance of the first travel day.

Responsibilities: A Travel and Training Expense Report must be submitted to the authorizing supervisor prior to travel. It is the responsibility of the employee incurring the expense to fill out the form before traveling and obtain the necessary approvals within their department. The employee is also responsible for completion of a Travel and Training Expense Report when they return, obtain the necessary approvals, and file it with the Finance Department. A fully itemized Travel and Training Expense Report, including original receipts, along with any unexpended portion of the advance, must be submitted to the Finance Department within ten (10) business days of the close of the authorized travel period for which expenses have been advanced.

Documentation: Claims for reimbursement must be accompanied by an original vendor receipt or bank charge slip showing the amount paid and items/services received. Reimbursement will not be paid for expenses for spouses, guests, or other persons not authorized to receive reimbursement under this policy or state regulations. One person may claim reimbursement for several employees or officials dining together, as long as all the names are listed on the reimbursement claim.

USE OF CITY PROPERTY POLICY

Purpose

The intent of this policy is to ensure that all property maintained by the City is kept in the best possible working condition and to ensure proper utilization. Property shall be defined as any piece of equipment, furnishing, vehicle, building or supply leased, owned, donated, or otherwise in the custodial care of the City or any person acting as its agent.

General Conditions

It is the responsibility of each employee to maintain his/her work environment in an orderly fashion and follow all agency guidelines to ensure its proper use and maintenance.

Should any employee have knowledge of any misuse, he/she must notify his/her supervisor immediately.

Any employee found to neglect or misuse property will be sanctioned under the disciplinary policies.

No employee shall use City property for personal use unless specific permission has been granted by his/her supervisor.

City Sponsored Vehicles

Any employee for whom driving is an essential job duty must be authorized and approved to drive each type of vehicle.

Any employee operating a city vehicle must have a valid driver's license.

It is the direct responsibility of the driver to ensure the vehicle is in full operational condition before each use.

Any vehicle found to be unsafe will be removed from the operational fleet until corrective actions are taken.

The only positions that are authorized to take home a city vehicle for emergency (24/7) use are the Police Chief, Fire Chief, Patrol Commander, Building Superintendent, Sewer Superintendent, and Operations Superintendent. Also the Public Works employees that are scheduled for standby emergency response have the option of taking home a city vehicle during that 24/7 time on duty. These persons are not allowed to utilize the vehicles for personal use. The only exception to this is the Police Chief, Fire Chief, and Patrol Commander can use the vehicle for limited personal use when on-call and within the range of the Mequon Police radio frequency.

City Sponsored Cell Phones

If deemed necessary by the Department Head, an employee may be required to carry a City sponsored cell phone.

Use of the City sponsored cell phone shall be limited to City related business. Personal use of the City sponsored cell phone should be kept to a minimum. Employee use of the phone is not confidential, the City Administrator his/her designee or the Department Head has the right to view cell phone activity.

Use of any cell phone is prohibited while driving a City sponsored vehicle unless the phone is being used for emergency purposes. Texting while driving is prohibited.

WORKPLACE VIOLENCE POLICY

Purpose

Society as a whole, has experienced an explosion of violent behaviors as persons increasingly resort to violence as a means to “solve” their problems. Instances of drug abuse, domestic disputes, along with a lessened regard and concern for each other as human beings, have invaded the workplace. The reality and perceptions of the workplace as less than safe have immeasurable negative impact upon all City employees and their ability to provide effective services to our community.

It is necessary, therefore, that the City and all of its employees commit to a zero tolerance for workplace violence in all forms and reaffirm the right of all to a safe and humane working environment. In addition to the debilitating effects of workplace violence and threats, many legal responsibilities exist under provisions of the Occupational Safety and Health Act, Wisconsin Safe Place Statute, Drug Free Workplace Act, Title VII USC, and the Wisconsin Equal Employment Act.

There is no excuse for and there will be no tolerance of violence or threats by employees at any level. This extends to harassment, intimidation, real or perceived threats, or bullying. There is no justification for actions that are abusive or intolerant. All must treat others with dignity and respect. Unacceptable behavior will not be tolerated and those employees engaging in such behaviors will face discipline, up to and including discharge.

The City will provide support mechanisms for and enforce our commitment to a workplace where dignity, respect, and fairness result in a more harmonious and productive workplace. In order to prevent workplace violence, and out of concern for the health and safety of City employees and our customers, the following policy and guidelines have been developed to apply to all City departments.

Applicability

This policy applies to every person performing work for the City and third parties who visit City facilities and workplaces.

Definitions

Assault: A threat to use force with apparent ability to do so which, if not prevented, creates reasonable fear of imminent peril.

Battery: Bodily harm causing physical pain or injury to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

Domestic Abuse: Any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common: (1) Intentional infliction of physical pain, physical injury or illness, (2) intentional impairment of physical condition, (3) sexual assault, or (4) a physical act that may cause the other person reasonably to fear imminent engagement in any of the conduct included in this definition.

Employee: Any person performing work for the City of Mequon, either paid or as an authorized volunteer.

Harassment: To place another person in danger or to provoke through persistent acts unlawful coercion, intimidation, taunting, tormenting, or otherwise intruding upon another person's lawful pursuits.

Harassment on the basis of sex is a violation of Section 703 of Title VII of the 1964 Civil Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when:

Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment.

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Perpetrator: An employee or third party inflicting acts or threats of violence or harassment on him/herself, an employee, or by an employee against a third party during the course of his/her City employment.

Temporary Restraining Order (TRO): A restraining order is a court order against someone that has abused or harassed another person. There are two kinds of TROs. A Domestic Abuse TRO is against someone who has lived with a person and hurt or threatened to hurt him/her. It orders the abuser not to have any contact at all with him/her AND to leave the house if they are still living together. A Harassment TRO is against someone that has repeatedly committed acts to harass another person. It orders that person not to harass the individual. There does not have to be violence or threats, but there might be.

The TRO is temporary and is only in effect until a court hearing. The court will decide whether or not to make the TRO into a final injunction, which can last up to two years.

Threat: A declaration of intention or determination to inflict punishment, loss, or pain on another, or to injure another by the commission of some unlawful act.

Third Party: Any visitor to a City workplace, including a former employee, or any customer of City services.

Violent Act: An act by an employee or third party that may range from verbal or physical threats or intimidation to assault and battery.

Workplace: All property (including parking lots) owned by the City and any non-City property where City employees are performing work in an official capacity for the City.

General

An employee who is the victim of a violent act in the workplace as described in Definitions will report the situation immediately to his/her supervisor and/or law enforcement personnel in accordance with the procedures established by this policy and the employee's department.

An employee witnessing a violent act as described in Definitions directed against another should observe the situation, attempt to get information such as the name of the perpetrator, but only if it can be done without endangering the employee or others, and will report such incidents to his/her supervisor or law enforcement personnel in accordance with the procedures established by this policy and the employee's department without delay.

When applicable, the City and its employees shall cooperate fully with Police and other law enforcement officials in the investigation and prosecution of violent acts.

The City will pursue a TRO and injunctions against any person who disrupts the efficiency of the workplace through the harassment of an employee or other unacceptable behavior prohibited by this policy against an employee.

Employees who have obtained a TRO or injunction against an individual for non-work-related conduct will inform their supervisor. The supervisor will consider the information given by the employee as confidential and will not inform co-workers of the injunction or TRO unless advised to do so by either the Police Department or the Department Head/designee. In all cases the supervisor will request such advice.

No employee or third party, except for law enforcement personnel, is permitted to bring weapons or firearms into the workplace. This prohibition extends to carrying weapons or firearms in City vehicles.

Implementation Measures To Respond To Workplace Violence

The head of each City department shall be responsible for establishing internal procedures for the reporting and resolution of incidents of workplace violence in accordance with this policy.

Managing a Potentially Violent Situation

A distraught, harassing, or abusively angry person:

Employees are expected to assist the general public and fellow employees in a courteous manner.

If, for example, a person becomes angry, the employee should courteously attempt to calm the person down. If that does not work, the employee should get his/her supervisor involved or call for assistance from another supervisor.

To ensure timely response to any incident that may occur at any City worksite, supervisors and employees should follow these emergency response procedures:

- Press Panic Button if available.
- Call 911 if it appears that there is substantial risk of the situation becoming violent.

A person threatening bodily harm – If the employee feels that he/she or another person is threatened, that is, in danger of imminent bodily harm:

The employee should attempt to leave the scene, if it can be done safely.

If the supervisor is unaware of the situation, the employee should notify the supervisor as soon as it can be done safely.

The Department Head or designee shall be contacted as soon as possible by the supervisor of the employee who feels threatened.

When the Department Head or the designee responds, either one may determine it prudent to call the Police or take other actions related to the incident (if the Police have not been notified earlier.)

Counseling will be available to any person involved in the incident by the Employee Assistance Program.

Reporting Incidents

The supervisor shall complete an incident report and forward the report to his or her department head or designee within 24 hours of a violent act.

For an act involving the threat of bodily injury, the supervisor is responsible for making sure the Department head or designee is contacted, as soon as it can be done safely, to make them aware of the situation.

Any City employee having knowledge of a violent act involving another City employee (as victim or perpetrator) in the workplace must report it. Disciplinary action may result if the employee having knowledge of a suspected violent act, fails to report the episode. The employee may report the incident to the employee's supervisor, or, if the employee prefers, to the Assistant City Administrator.

The person complaining may ask for anonymity during all or part of an investigation. However, anonymity will be maintained at the discretion of those investigating and resolving the complaint. There is no right to or guarantee of anonymity.

Investigation and Resolution

To the extent practicable, investigations and resolutions shall be conducted in a confidential manner with appropriate notice to employee representatives.

In cases where the perpetrator is not a City employee, or in any other case the City deems advisable, the Department Head may request the investigation to be conducted by law enforcement personnel.

The Department Head may alter the procedures of the investigation as needed.