



**Minutes**  
**Committee #2**  
**Labor Negotiations, Personnel, Policy & Administration**  
**April 14, 2016**

**Committee #2 met on Thursday, April 14, 2016 at 8:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.**

Committee Members present: CW King, Chuck Hull, and John Monarski

Mayor/Other Council Members present: Mayor Hoffman, Rob Kiefer, Paul Nadreau

Others present: Finance Manager/Treasurer Lynne Bauer, Police Chief Wendy Stelter, Lt. Matt Kelm, City Clerk Bridget Givens, Public Works Director/City Engineer/Public Utilities Manager Rick Rubenzer, Street & Utility Maintenance Manager Rick Ruf, Firefighter Greg Bowe.

Call to Order: 8:00 AM

**1. Discuss Drug & Alcohol-Free Workplace Policy. Possible recommendations to the Council.**

A draft Drug & Alcohol-Free Workplace Procedure to supplement the Employee Handbook policy was reviewed. To date, only employees with a CDL have been randomly tested. This policy would allow testing of all city employees. Issues to be determined include what is an acceptable level of breath alcohol concentration, collection and testing procedures. State guidelines have a zero tolerance for those operating equipment with a CDL. Further discussion will take place at the next meeting.

**No action taken.**

**2. Discuss request to fill Fire Department Part-time Office Assistant due to a retirement and review updated job description. Possible recommendations to the Council.**

The Committee reviewed the updated job description for the Part-time (26.25 hours per week) Fire Department Office Assistant. This position is currently on the Administrative Pay Grid due to previous confidential duties for the Mayor and City Administrator which were eliminated in 2011 when the position was reduced to 70%. This position will be in the clerical group with a starting wage of \$16.35 per hour.

**Motion by Hull/Monarski** to recommend the Council approve the updated job description for the Part-Time Fire Department Office Assistant and authorize the position to be filled with a starting wage of \$16.35 per hour. **All present voted aye. Motion carried.**

**3. Motion by Hull/Monarski to go into closed session under Sec. 19.85 (1) (c), Wis. Stats. for "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or**



**exercises responsibility” to: a) Discuss benefits/compensation for Police Lieutenant; and to include Committee and Council Members, Mayor Hoffman, Finance Manager/Treasurer Bauer, Police Chief Stelter and Lt. Kelm; may return to open session.**

**Roll Call Vote: Hull – Aye; Monarski – Aye; King – Aye. Motion carried.**

The Committee discussed compensation for the Police Lieutenant.

**Motion by Hull/Monarski to return to open session. All present voted aye. Motion carried.**

Committee Chair King reported that a unanimous motion in closed session placed Lieutenant Bebeau at Grade 15 Step E effective May 13, 2016 with progression to 15F on January 1, 2019.

**4. Adjournment**

**Motion by Monarski/Hull to adjourn at 8:34 AM. All present voted aye. Motion carried.**

**Minutes submitted by,  
CW King, Chair**



## **DRUG & ALCOHOL-FREE WORKPLACE**

**POLICY:** No employee shall report to work or be under the influence of alcohol, illegal drugs or other drugs which affect the employee's judgment, coordination, decision-making or safety during working hours. This policy includes any paid or unpaid lunch periods as well as training sessions and the working hours of conferences. The sale, possession, transfer or purchase of illegal drugs while in the course and scope of employment is also prohibited.

**Purpose:** The purpose of this policy is to: a) establish and maintain a safe and healthy work environment, b) reduce absenteeism and tardiness, and c) improve job performance.

**Sale/Purchase/Distribution:** No employee shall sell, purchase or distribute alcohol or other drugs during work hours or while attending employer-sponsored events, conferences and training sessions. The employer may expressly authorize exceptions to this policy, including authorizing permission to use alcohol at a designated social event.

**Drug & Alcohol Testing:** The City may conduct drug & alcohol testing based on reasonable suspicion that the employee is under the influence of alcohol or illegal drugs and may conduct testing for employees in testing-designated positions (such as CDL). Any such testing will be done in accordance with established procedures.

**Duty to Report:** Every employee has a duty to notify his/her supervisor immediately of any drug use that might impair job performance including the ability to safely operate machinery or equipment. "Drug use" includes use of prescription drugs that may have a negative impact, even a temporary impact, on the employee's job performance.

**Violations of Policy:** Violations or allegations of violations of this policy will be evaluated on a case-by-case basis and may result in disciplinary action, up to and including discharge from employment.



## **DRUG AND ALCOHOL-FREE WORKPLACE PROCEDURE (DRAFT 4/14/2016)**

*(SUPPLEMENTAL TO EMPLOYEE HANDBOOK DRUG & ALOCOHOL-FREE WORKPLACE POLICY)*

In compliance with the Drug-Free Workplace Act of 1988, City of Chippewa Falls has a longstanding commitment to provide a safe, quality-oriented and productive work environment consistent with the standards of the community in which the company operates. Alcohol and drug abuse poses a threat to the health and safety of the City of Chippewa Falls employees and to the security of the City of Chippewa Falls equipment and facilities. For these reasons, the City of Chippewa Falls is committed to the elimination of drug and alcohol use and abuse in the workplace.

### **Scope**

This policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace.

This policy applies to all employees and all applicants for employment of the City of Chippewa Falls. The City is responsible for policy administration.

### **Substance Abuse Awareness**

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the Finance & Administration Department, which has been trained to make referrals and to assist employees with drug or alcohol problems.

### **Employee Assistance**

The City of Chippewa Falls will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other City of Chippewa Falls policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline, up to and including discharge, will be unavoidable.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose to City of Chippewa Falls underlying medical conditions unless directed to do so.

## Work Rules

1. Whenever employees are working, are operating any City of Chippewa Falls vehicle, are present on City of Chippewa Falls premises or are conducting company-related work offsite, they are prohibited from:
  - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
  - b. Being under the influence of alcohol or an illegal drug as defined in this policy.
  - c. Possessing or consuming alcohol.
2. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing company business or while in a company facility, is prohibited.
3. City of Chippewa Falls will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

## Required Testing

### ***Pre-employment***

Certain applicants may be required to take a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

### ***Reasonable suspicion***

Employees are subject to testing based on (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. The Finance and Administration Department should be consulted before sending an employee for testing. All levels of supervision making this decision must use the Observation Checklist (Appendix A) to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs or alcohol. If the results of the Observation Checklist indicate further action is justified, the department head or supervisor should confront the employee with the documentation and with a union representative present (for all unionized employees) or with another member of management (for all nonunionized employees). *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. Two members of supervision/management and a union rep (if appropriate) must escort the employee; the supervisor/manager will make arrangements for the employee to be transported home.*

### ***Post-accident***

Employees are subject to testing when they cause or contribute to accidents that seriously damage a City of Chippewa Falls vehicle, machinery, equipment or property or result in an injury to themselves

or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including a City of Chippewa Falls forklift, pickup truck and aerial/man-lifts) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

### **Follow-up**

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending on the circumstances and the employee's work history/record, City of Chippewa Falls may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by City of Chippewa Falls for a minimum of one year but not more than two years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be subject to immediate discharge from employment.

### **Collection and Testing Procedures**

Employees subject to alcohol testing should be driven to the City's designated facility (currently St. Joseph's Hospital) and directed to provide breath specimens. In certain circumstances, it may be acceptable to use the Chippewa Falls Police Department for testing. Breath specimens should be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen should be tested approximately 20 minutes later. The results of the second test should be determinative. Alcohol tests may, however, be a breath, blood or saliva test, at the City's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the company as work rule violations.

Applicants and employees subject to drug testing should be driven to the City's designated medical facility (currently St. Joseph's Hospital) and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens should be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone and propoxyphane use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory should screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

The laboratory should transmit all positive drug test results to a medical review officer (MRO) retained by the City of Chippewa Falls, who should offer persons with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or

employee's own expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event should a positive test result be communicated to City of Chippewa Falls until such time that the MRO has confirmed the test to be positive.

### **Consequences**

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. *If the employee refuses to be tested, yet the City believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision, a union representative (if requested), and Finance and Administration. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

### **Inspections**

The City of Chippewa Falls reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband; affected employees may have union representation (if appropriate) involved in this process. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

### **Crimes Involving Drugs**

The City of Chippewa Falls prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. City of Chippewa Falls

employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel should be notified, as appropriate, when criminal activity is suspected.

The City of Chippewa Falls does not desire to intrude into the private lives of its employees, but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, City of Chippewa Falls reserves the right to take appropriate disciplinary action for drug use, sale or distribution while off company premises. All employees who are convicted of, plead guilty to or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to HR within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with the City of Chippewa Falls.

## **Definitions**

"Company premises" includes all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by City of Chippewa Falls or on any site on which the company is conducting business.

"Illegal drug" means a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)

"Refuse to cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

"Under the influence of alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

"Under the influence of drugs" means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

## **Reasonable Suspicion and Post-Accident Testing Protocol**

1. The employee will be advised that City of Chippewa Falls believes that there is reasonable suspicion to believe that he or she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to any one of the City's designated testing facilities (e.g., health services, prompt care or the emergency department). Two members of management or a

designated attendant will accompany the employee along with a union representative, if requested by the employee. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

3. Prior to leaving for the testing facility, supervision/management will contact the testing facility to inform it that a staff member from City of Chippewa Falls will be arriving and will need a drug or alcohol test completed.
4. The employee may be provided water to drink prior to leaving the company premises.
5. The employee should be given reasonable time—not to exceed 15 minutes—to secure photo ID in the company of a City of Chippewa Falls representative.
6. The employee to be tested must present a photo ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings the photo ID with him or her when leaving City of Chippewa Falls premises.
7. The employee to be tested must sign a consent form provided by the testing facility. Refusal to sign is addressed under the "Consequences" section of this document.
8. A City of Chippewa Falls representative must sign as a witness to the collection procedure, along with the tested employee.
9. After returning to the company or when leaving the testing facility, the supervisor/manager must make arrangements to transport the person home (unless testing results are immediate). Under no circumstances will the tested employee be allowed to drive himself or herself home.

## **Enforcement**

The Finance and Administration Department is responsible for policy interpretation, administration and enforcement.

## **Drug and Alcohol Policy Certificate of Receipt**

I hereby certify that I have received a copy of this latest version of the City of Chippewa Falls Drug and Alcohol-Free Policy, dated April 19, 2016.

---

Name

---

Date

## CHIPPEWA FALLS FIRE AND EMERGENCY SERVICES DEPARTMENT POSITION DESCRIPTION

**Position:** Office Assistant (Part-time)  
**Reports to:** Fire Chief  
**Hours:** 26.25 hours per week, Monday – Friday  
**Revised:** April 2016  
**Job Grade:** Clerical

### **POSITION SUMMARY:**

This position serves as the Office Assistant for the fire department. Included within the scope of this position are responsibilities related to the fire department operations, fire prevention, public fire education and ambulance billing duties.

### **ESSENTIAL DUTIES/RESPONSIBILITIES:**

- Promotes and encourages positive communication within the department and the community
- Greets and assists the general public in a professional manor
- Performs routine office duties including (but not limited to): typing, filing, answering phone, receiving and distributing mail and responding to routine correspondences
- Reviews all EMS ambulance run reports for accuracy and for missing information or signature forms and distributes to the department's billing company for processing
- Answers questions from EMS billing company, Medicare, Medical Assistance, private insurance companies, attorneys and patients
- Receives requests for copies of ambulance and fire reports and with proper authorization distributes the records
- Types and maintains all records, reports and correspondences relative to fire department operations; including memorandums, reports, pre-fire plans, materials safety data sheets, personnel records, fleet maintenance records, breathing apparatus records, training records, public education presentations, and standard operating procedures (SOP's)
- Enters computer statistical data concerning the fire department emergency responses using the National Fire Incident Reporting System (NFIRS)
- Keeps accounting records as they relate to funds expended within the budget
- Assigns purchase orders and processes invoices and statements
- Coordinates training for the department staff
- Orders department supplies
- Assists in maintaining the department's personnel records
- Prepares payroll for submission
- Performs any other duties as required or requested by the Fire Chief

## **KNOWLEDGE, SKILLS & ABILITIES:**

- Discretion in maintaining confidentiality (specifically HIPAA rules)
- Considerable knowledge and experience in the use of a variety of computer software programs; such as Microsoft Office, Excel, e-mail and internet browsers
- Ability to understand and effectively carry out oral and written instructions with minimal direction and supervision
- Knowledge to use the fire department's radio and paging system
- Ability to communicate effectively with all fire department staff and the public
- Ability to assess and handle stressful situations in a calm manner by exercising good judgment, decisiveness and tact
- Capability to operate office equipment such as computer and keyboard, photocopier, computer printer, calculator, telephone and fax machine
- Must have the ability to support and assist as needed in all areas of the business office responsibilities

## **EDUCATION AND/OR EXPERIENCE REQUIREMENTS:**

- High school diploma or equivalent
- Minimum of one year of post high school education preferred in areas such as: Business Management, or Information Technology, or Office Assistant, or equivalent job related experience
- Demonstrated positive attitude and a team player in prior or current work environment
- Minimum of two years of working within a business office preferred

## **LICENSES, CERTIFICATIONS, OTHER REQUIREMENTS, ETC.:**

- Be at least 18 years of age
- Possess a valid driver's license