CITY OF MENASHA

Personnel Policy Handbook

Effective October 20, 1992
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Revised June 3, 1996 to be effective June 3, 1996
Revised to be effective December 2, 1997
Revised to be effective March 16, 1998
Revised to be effective February 21, 2000

~~INTRODUCTION~~

~~These guidelines recognize the value of City employees. They are offered to help employees understand what is expected of them in an effort to create a work place that makes it possible for employees to maximize their potential and achieve professional growth. The purposes of these guidelines are to reduce misunderstandings, to promote uniformity of policy and procedure throughout the City, and to provide employees with a clear outline of employee benefits and responsibilities.~~

FORWARD

This handbook reflects the policies and procedures of the City of Menasha, Wisconsin. It is the intent of the Common Council to provide for fairness and equity in the treatment of employees. It is expected that supervisors and department heads will become familiar with the contents of this handbook so that they will be able to answer employee questions as they arise and apply the appropriate policies and procedures, as the occasion arises. Managers are also responsible for ensuring that the employees that work in their department are informed of these policies and procedures, understand them and abide by them.

CITY OF MENASHA POLICY	TITLE: **AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
Reviewed by Attorney's Office	Personnel Committee Approval Date:	Council Approval Date:

I. PURPOSE

This policy outlines the provisions of the Americans with Disabilities Act (ADA) of 1990 and the rights and obligations of employees and the City under federal and state law.

II. POLICY

In accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, the ADA Amendments of 2008 and the Wisconsin Fair Employment Act, the City of Menasha prohibits discrimination against qualified individuals with disabilities in all employment practices, including: job application procedures, hiring, firing, advancement, compensation, training and other terms and conditions, and privileges of employment. The City of Menasha is committed to providing reasonable accommodations for eligible employees, citizens and/or applicants with documented disabilities.

It is also the policy of the City of Menasha to ensure that all citizens have an equal opportunity to participate in and receive the benefits of the services, programs, or activities of the City. This will be done in the most integrated setting appropriate to the needs of the qualified individual with a disability. Only where it is absolutely necessary will the City provide services, programs, or activities separately to persons with disabilities. No qualified individual with a disability shall, on the basis of said disability, be screened out of a service, program or activity. Nor, shall any individual be excluded from participation in or denied the benefits of said services, programs or activities, because of their disability.

III. DISCUSSION

The Americans with Disabilities Act (1990) prohibits discrimination on the basis of disability in employment, public services and transportation, public accommodations, and telecommunication services.

The ADA is divided into five titles:

A. Title I of the ADA ensures that individuals with disabilities be judged solely on their ability to perform essential job functions with or without a reasonable

accommodation. Title I prohibits discrimination in all aspects of employment, including: advertising, recruiting, job application process, hiring, training, advancement, compensation, leaves, fringe benefits, layoffs, firing, access to workplace facilities and any other terms, conditions, or privileges of employment.

B. Title II prohibits excluding qualified individuals with disabilities from participating in or being denied benefits of public service.

C. Title III prohibits disability discrimination against customers, clients, or visitors.

D. Title IV addresses adequate telecommunication services for disabled individuals.

E. Title V contains a number of miscellaneous provisions. It assures that the ADA does not limit or invalidate other Federal or State laws.

Under the ADA the City is required to ensure all programs and activities are accessible, but is not required to make each and every facility accessible, so long as all programs are accessible (or a facility transition plan is in place). The City is required to reasonably modify City-wide policies, practices or procedures to avoid discrimination. However, modifications may not be required where a particular modification would fundamentally alter the nature of the service, program or activity.

IV. DEFINITIONS

A. Disability (42 U.S.C. sec. 12101) – A physical or mental impairment that substantially limits one or more of the major life activities of a qualified individual (and includes times when the impairment is episodic or in remission); a person who has a record of such impairment; or a person who is regarded or perceived to have an impairment; or has a known association or relationship with an individual with a disability. Those individuals covered under this policy solely due to being "regarded as having a disability" are not entitled to a reasonable accommodation.

B. Disability (§111.32, Wis. Stats.) – A physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; has a record of such an impairment; or is perceived as having such an impairment.

B. Major life activities – Caring for one's self, performing manual tasks, walking, sitting, standing, seeing, hearing, eating, breathing, speaking, sleeping, reproducing, working, learning, thinking, concentrating and interacting with others, as well as major bodily functions (ie. endocrine, neurological, reproductive).

C. Substantially limits – unable to perform a major life activity that the average person can perform or being significantly restricted as to the condition, manner, or duration under which a major life activity can be undertaken.

D. Reasonable accommodation – any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities, and access to public facilities,

services and meetings.

E. Direct threat – a significant risk of substantial harm to the health or safety of others that cannot be eliminated or reduced by reasonable accommodations.

F. Essential functions – the fundamental job duties of the position that must be performed for the position to exist.

G. Undue hardship – an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation. The determination of undue hardship is always made on a case-by-case basis.

H. Qualified individual with a disability – an individual with a disability is qualified if (1) she/he satisfies the requisite skill, experience, education and other job related requirements of the position; and (2) she/he can perform the essential functions of the position, with or without reasonable accommodation

V. PROCEDURES

A. Requests for reasonable accommodation

1. A request for reasonable accommodation is a statement that an individual needs an adjustment or change at work, in the application process, in a benefit or privilege of employment for a reason related to a medical condition, or access to buildings, services, etc. The reasonable accommodation process begins as soon as the request for accommodation is made.

   A request does not have to use any special words, such as "reasonable accommodation" or "disability." An individual with a disability may request a reasonable accommodation whenever she/he chooses, even if she/he has not previously disclosed the existence of a disability.

B. Hiring/Promotions

1. Applicants/employees will be asked questions regarding their ability to perform job-related functions. Interview questions will not be phrased in terms of a disability.

2. The City of Menasha will make reasonable accommodations on a case-by-case basis. The Human Resources Director will determine what constitutes a reasonable accommodation. The following guidelines have been established:

   a. An applicant/employee who needs an accommodation in the employment/promotion selection process shall request

the accommodation from the Human Resources Department. The job application will include these instructions so that an applicant/employee is aware of the necessary steps.

b. An existing employee with a disability may request an accommodation from his/her supervisor or the Human Resources Department.

c. Individuals from the general public may request an accommodation based on a qualifying disability.

3. All job descriptions have the essential functions of the job clearly listed and a job analysis is completed for each position.

4. The City of Menasha will conduct a medical examination only after a job offer has been made. The information received during medical examinations will remain confidential. However, a supervisor may be told of a candidate's necessary restrictions and/or accommodations.

C. Public Services to Persons with Disabilities

1. The City of Menasha offers accessible public transportation as defined under the ADA 49 CFR Parts 37 and 38. All Valley Transit buses purchased after 1990 are equipped with required ADA accessibility features as specified in 49 CFR Part 38, Subpart B. Such accessibility features include, but are not limited to, wheelchair lifts, low floor bus designs with ramps for wheelchair accessibility, and accessible bus stop request signals. Also, for people with disabilities unable to use an accessible bus, there is a certification process available where a person may be determined to be eligible for complementary paratransit, as defined under 49 CFR Part 37.

D. Complaint Procedure

1. Employees, customers, citizens or visitors may file an informal complaint using the process outlined in the City of Menasha's Anti-Harassment Policy regarding discrimination based upon a disability. The policy may be obtained from the City Human Resources Department.

2. Employees, customers, citizens, or visitors may also file a formal complaint with the Equal Employment Opportunity Commission (EEOC).

U.S. Equal Employment Opportunity Commission
1801 L Street, N.W.
Washington, D.C. 20507

E. Responsibilities

1. The Human Resources Department shall be responsible for:

   a. providing guidance, training, and assistance to department heads, supervisors and employees on dealing with reasonable accommodations within their areas of responsibility;

   b. investigating, resolving, and making findings and recommendations on complaints of discrimination based upon a disability;

   c. determining reasonable accommodations of an individual upon the recommendation of the contracted Occupational Health Care Provider;

   d. reviewing the job analysis of positions to determine the physical abilities required to perform the essential job functions;

   e. coordinating reasonable accommodations for test administration and interview processes.

2. Department Heads and Supervisors within the City of Menasha shall be responsible for :

   a. conducting job-related interviews with the assistance of a Human Resources representative;

   b. providing input to Human Resources regarding the essential functions of a job and how a reasonable accommodation may be implemented;

   c. educating staff members on the practices and procedures laid out in this policy.

   d. cooperating with and understanding the practices in this policy.

CITY OF MENASHA POLICY	TITLE: **Anti-Harassment**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
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ARTICLE XXI – ~~SEXUAL~~ ANTI-HARASSMENT

I. PURPOSE

All employees are responsible for assuring that the work place is free from ~~sexual~~ harassment. The purpose of this policy is to maintain a healthy work environment in which all individuals are treated with respect and dignity and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination. Federal and State law provides for the protection of classes of persons based on race, color, sex, religion, age, disability, national origin and sexual orientation.

II. POLICY

It is the policy of the City of Menasha that all employees have the right to work in an environment free from all forms of harassment or hostile work environment. The City will not tolerate, condone, or allow harassment by employees, whether sworn (regular or reserve), civilian, volunteer or other non-employees, who conduct business with the City. Menasha considers harassment and discrimination or other forms to be serious employee misconduct. Therefore, the City shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination with repeated violations, even if "minor", resulting in greater levels of discipline as appropriate. This policy applies to all employees, elected officials or appointed members of councils, boards, commissions, or committees, as well as all co-op students, outside vendors, contractors, volunteers, or any other person who has business with the City of Menasha.

III. DISCUSSION

Harassment is defined as: Unwelcome conduct, whether verbal, physical or visual, that is based on a person's protected status as defined by law.

Sexual-harassment is a form of unlawful discrimination that undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment does not refer to IV

occasional compliments or other generally acceptable social behavior. It refers instead to behavior, which is unwelcome, personally offensive, undermining, or weakening to employee morale. Sexual harassment, therefore, interferes with ~~the~~ work effectiveness ~~of its victims and their co-workers~~.

IV. DEFINITIONS

1. Prohibited sexual harassment or discrimination includes, but is not limited to conduct, implicit or explicitly implied which constitutes:

   (a) Unwelcome physical contact or gestures.

   (b) Unwelcome sexually explicit language or gestures, including sexually degrading words used to describe an individual or sexually graphic or suggestive comments to or about an individual.

   (c) Uninvited or unwanted sexual advances or requests for sexual favors.

   (d) Making submission to, or rejections of, such conduct a factor in the employment decisions affecting the employee.

   (e) Permitting such conduct to interfere with an employee's work performance, or to create a hostile, intimidating, or offensive work environment.

   (f) An offensive overall environment including the use of vulgar language, the presence of employee's sexually-explicit photographs or other materials, and the telling of sexual stories.

   (g) Ridiculing, mocking, deriding or belittling any other person.

   (h) Any offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the City.

   (i) Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

      1. submission to such conduct is made either explicitly or implicitly a term or condition of employment; or,
      2. submission or acquiescence to such conduct by an employee is used as the basis for employment decisions affecting the employee; or,
      3. such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

V. PROCEDURES

~~Sexual harassment~~ Harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment by an employee, supervisor, manager, or any other person will not be tolerated. All supervisors, administrators and employees, as part of their job requirements, are responsible for preventing and eliminating harassment in their respective work areas. Each supervisor shall be responsible for taking all reasonable measures with the goal of preventing acts of harassment. This responsibility includes the following.

(a) Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;

(b) Counseling all employees on the types of behavior prohibited; and the City's procedures for reporting and resolving complaints of harassment;

(c) Stopping any observation that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;

(d) Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation, or any direct observation. If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish a complainant. Transfer or reassignment of any of the parties involved should be voluntary, if possible and, if non-voluntary, should be temporary pending the outcome of the investigation.

(e) Failing to carry out these responsibilities will be considered in any evaluation or promotional decisions and may be grounds for discipline.

Each supervisor has the responsibility to assist any employee of the City who comes to that supervisor with a complaint of harassment in documenting and filing a complaint with the Personnel Department.

Each employee of the City is responsible for assisting in the prevention of harassment through the following acts:

1) Refraining from participation in, or encouragement of, actions that could be perceived as harassment;

2) Reporting acts of harassment to a supervisor; and,

3) Encouraging any employee who confides that he or she is being harassed or discriminated against to report these acts to a supervisor.

Failure of any employee to carry out the above responsibilities will be considered in any performance evaluation or promotional decision and maybe grounds for discipline.

2. Each employee, if such employee feels comfortable doing so, who believes that he or she has been the subject of sexual harassment or discrimination should promptly take the following steps:

   (a) Firmly state to the person who is doing the harassing how you feel about his or her actions and request that the person ceases such behavior immediately.

   (b) If the harassment continues or if you believe some employment consequences may result from your request that the action stop, report the matter as soon as possible to the Department Head, Personnel Director, Public Health Director, or the Mayor.

   (c) Document all incidents of harassment in order to provide the fullest basis for the investigation.

   (d) The supervisor to whom the incident is reported shall meet with the employee and document the incident(s) complained of, the persons performing or participating in the harassment, any witnesses to the incident(s), and any relevant date(s).

   Any employee who believes that it is not practical to file a complaint directly with the City or any of the appropriate City officials may file a complaint with either:

   1) State Equal Rights Agency
      819 North 6th Street
      Milwaukee, WI 53203
      (414) 227-4384

   2) EEOC (Equal Employment Opportunity Commission)
      310 W. Wisconsin Avenue, Suite 800
      Milwaukee, WI 53203
      (414) 297-1111

   If the employee exercises either of these options, a copy of the complaint must be filed with the City Attorney within 24 hours of filing of the complaint.

3. The ~~internal investigation authority~~ Human Resources Director or designee shall be responsible for investigating any complaint alleging harassment~~ or discrimination~~. The ~~internal investigation authority shall consist of the Personnel Director and the~~ Public Health Director will assist in the investigation at the request of either the complainant or the Human Resources Director.

(a) The internal investigative authority shall immediately notify the Mayor or Council President and the prosecutor's office if the complaint contains evidence of criminal activity such as battery or sexual assault or attempted assault.

(b) The investigative authority shall determine whether the person is harassing other employees, and whether other employees participated in or encouraged the harassment.

(c) The internal investigative authority shall inform the parties involved of the outcome of the investigation.

(d) The Personnel Director and/or the Mayor shall maintain a file of harassment and discrimination complaints in a secure location. The Mayor shall be provided with an annual summary of these complaints.

It is the policy of the City to listen to all reasonable complaints, seek early corroboration, and quickly apply sanctions when appropriate. An investigation will be undertaken to determine the facts of the complaint. The investigation will include conferring with the parties and witnesses named by the complaining employee. Because of its sensitive nature, complaints of sexual harassment will be investigated with particular care and should remain, to the extent possible, confidential. **There will be no retaliation against anyone who complains or serves as a witness during an investigation.** ~~The complaining party's confidentiality will be maintained throughout the process to the extent practical and appropriate under the circumstances.~~

Complainants or employees accused of harassment may file a grievance/appeal in accordance with provisions of the Collective Bargaining Agreement or under the Personnel Policy Handbook.

This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency, forum, or Court of law.

4. Retaliation against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the City and by State and Federal law.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for the harassment and discrimination complaints. Monitoring to ensure that retaliation does not occur is the responsibility of the Mayor, Department Heads, supervisors and the investigative authority.

After appropriate investigation, any employee found to have sexually harassed another employee will be subject to appropriate disciplinary action, up to and including discharge.

The City recognizes that the question of whether a particular action or incident is a purely personal, social matter without a discriminatory affect requires a determination based on the facts of the incident. The City also recognizes that false accusations of ~~sexual~~ harassment can have serious adverse effects. The City expects all employees to act honestly and responsibly in complying with and enforcing this policy. It is the City's desire to continue providing a pleasant work environment free of harassment for all employees.

CITY OF MENASHA POLICY	TITLE: **Code of Conduct**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
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I. PURPOSE

The purpose of this policy is to clarify guidelines for employee conduct at work.

II. POLICY

All City of Menasha employees are expected to meet a standard of conduct appropriate to the reputation of the City. While at work employees are responsible to be aware of and abide by existing rules and regulations. It is also the responsibility of employees to perform their job duties to the best of their abilities and to the standards set forth in their job descriptions, or as otherwise established.

Employees, while on City property, while performing their duties throughout the City or representing the City elsewhere and in the conduct of their work, are expected to demonstrate proper regard for the standards of the community and to show respect for the law and for the rights of others. The behavior of employees while not at work or representing the City is for the individual to regulate. However, when illegal and/or inappropriate activity is engaged in which relate to an employee's job duties and/or which raise doubts as to the employee's ability to carry out his or her duties, the activity will be reviewed and appropriate action may be taken.

a. Expected Conduct

Employees are expected to conduct themselves in a positive manner in order to promote the best interests of the City. Employees who fail to meet expected conduct may be subject to disciplinary action. Examples of expected employee conduct include the following (this list is **NOT** intended to be all-inclusive):

1. Treating all citizens, visitors and co-workers with respect and in a courteous manner;
2. Honesty and truthfulness;
2. Refraining from conduct that is offensive;
3. Reporting to management suspicious, unethical or illegal conduct by co-workers, citizens or business associates of the City;
4. Cooperating with any City investigation;
5. Complying with all City safety and securing regulations;
6. Wearing clothing appropriate for the work being performed;
7. Performing assigned tasks efficiently and in accord with established standards;
8. Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time;
9. Giving proper advance notice whenever unable to work or report on time;
10. Following City policies and procedures.

b. Attendance

~~ARTICLE IV – ATTENDANCE~~

~~A. General Policy.~~ The City emphasizes good attendance. It is the policy of the City of Menasha to require regular, reliable and punctual attendance. Attendance is an essential requirement of every job. Frequent absence or tardiness places an extra burden on other employees. Only when all employees are dependably on the job can the City carry out its schedules providing services for residents and visitors and meeting the needs of the taxpayers. Each individual's contribution is important to the functioning of the organization.

City departments are expected to use this policy as a minimum standard. Each department head has the authority to set higher expectations than those listed in this policy.

Employees who must be absent or late on any work day shall notify their supervisor using their departmental procedure.~~as early as possible~~. If an employee is absent due to accident, illness, or disability, management may request a release for the employee's return to work, signed by a licensed physician.

Absences covered by the state and/or federal Family Medical Leave Acts will be handled in compliance with the requirements of those laws.

~~B.~~ Emergency Closing. Weather conditions which make traveling hazardous may prevent employees from getting to work or cause them to arrive late. If employees are unable to get to work or if they expect to be late, they will contact their supervisor as soon as possible. Employees are expected to make every reasonable effort to report to work.

If employees are told by management not to come to work, or if employees are told to come late or leave early due to an emergency situation, regular full-time employees shall be paid their regular pay for that day if they were scheduled to work that day. If an employee calls in before an emergency closing is declared and is given permission to take a paid leave day, that employee must use the paid leave time for that day.

Regular part-time, seasonal and casual employees shall not be paid for emergency closing.

This policy shall not apply to employees in positions responsible for providing protective services, or support to protective services or for improving driving conditions. Employees in such positions are expected, as a condition of their respective work, to adjust their arrival and departure in accordance with predicted conditions.

~~C.~~ Tardiness. Employees are expected to arrive at work on time. Emergency conditions may warrant occasional tardiness. In these circumstances, an employee who anticipates being tardy due to the emergency conditions should call in to report the tardiness to their supervisor as soon as possible.

Two or more tardiness incidents occurring within a single pay period will be considered excessive and will generally result in disciplinary action. Habitual, repetitious, or patterns of tardiness may also result in disciplinary action.

Job Abandonment. Employees who are absent from work for two (2) consecutive days without giving proper notice to the City will be considered as having abandoned the job. At that time, the City will formally note the termination and advise the employee of the action by mail to the employee's last known address.

~~D.~~ Medical and Dental Appointments. Employees should avoid scheduling medical and dental appointments during working hours~~; necessary exceptions may be arranged with Management~~.

~~E.~~ Volunteer work, charitable events, and job fairs. No employee may schedule or participate in ~~nay~~ any volunteer work, job fair, or other charitable event unless such participation is approved in advance in writing by the Department Head. In determining whether to approve such activity, the Department Head shall consider whether the event enhances the image of the City or the department and whether that participation creates a precedent, which places the City in a compromising situation.

Non-exempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, or any other reason if it will result in overtime.

~~F.~~ Employee Participation in Political Affairs

The City of Menasha respects the right of its employees and volunteers as individuals to become involved in and participate in the political process. While employees may volunteer their services for political purposes, such services must be rendered on their own time and at their own expense. Should an employee choose to speak on political issues, he/she must make it clear that the comments made are his/her own, and not of the City of Menasha. Solicitation of political support must not be done during City hours of operation or using City equipment (for example: collecting signatures for nomination during hours of operation on City premises).

~~G.~~ Other Prohibited Conduct

Any conduct that interferes with operations, discredits the City, or is offensive to citizens or co- workers will not be tolerated. The following are examples of conduct that is strictly prohibited (this list is NOT intended to be all-inclusive). Employees engaged in it will be subject to discipline, up to and including discharge. At management's discretion, any violation of City policy or any conduct considered inappropriate or unsatisfactory may subject an employee to discipline.

~~ARTICLE XIX - DISCIPLINARY PROCEDURES~~

~~Whenever and wherever people work together, certain standards of reasonable conduct need to be established in order to maintain an orderly and efficient work atmosphere.~~

~~Corrective discipline is not intended to inflict punishment. The City wants to take measures which are designed to correct whatever problem the employee has and to make the employee aware of the importance of abiding by City operating policies and procedures. In some cases, it may be necessary to dismiss an employee because of the seriousness or continuation of an offense.~~

~~The City will attempt to administer discipline on a fair and equal basis to all employees. It is not possible to list every conceivable infraction and the following guidelines are representative, not inclusive. These guidelines can be amended by the City at any time. The following illustrate the types of conduct that are unacceptable in our work place:~~

A. Incompetence or inefficiency in the performance of duties.

B. Theft or misappropriation of City or employee property or any form of dishonesty in performance of duties.

~~C. Falsifying records or information.~~

D. ~~Refusal to follow the direct order of a supervisor or management.~~Insubordination, defined as an employee's failure or refusal to recognize or submit to the authority of a supervisor, or open defiance of authority or resistance to control (i.e. refusing to obey instructions).

E. Fighting with, threatening, or intimidating the general public or other employees.

F. Use or possession of controlled substances or alcoholic beverages on City premises while on duty, or when expected to return to duty.

G. Reporting for work under the influence of controlled substances or alcoholic beverages.

H. Harassment of any employee because of race, color, religion, age, sex, national origin, handicap, ancestry, sexual orientation, marital status, or arrest or conviction record.

~~I. Being absent two consecutive work days without notice.~~

~~J. Excessive absenteeism.~~

~~K. Failure to report absence.~~

~~L. Habitual tardiness.~~

M. Leaving the job without permission.

N. Extending time on break period beyond 15 minutes.

O. Engaging in conduct or activities which may serve to lengthen the healing period for a work-related injury or illness.

P. Sleeping on the job.

~~Q. Destruction or defacing of City or other employee's property or equipment.~~ Stealing, destroying, defacing, misusing or unauthorized use of City property or another employee's or citizen's property.

~~R. Misuse or unauthorized use of City property.~~
Accepting tips or gifts in the course of work.

S. Failure to promptly report defective equipment or safety hazard.

T. Failure to report injury or accident immediately.

U. Horseplay or violation of safety rules or procedures.

V. Possessing weapons or explosives of any type on City property without City authorization. This provision does not prohibit an employee, who is licensed under §175.60, Wis. Stats., as a condition of employment, from carrying a concealed weapon or ammunition or from storing a weapon or ammunition in the licensee's own motor vehicle, regardless of whether that motor vehicle is used in the course of employment or whether the motor vehicle is driving or parked on property used by the City.

W. Substandard quality and/or quantity of work, including deliberate reduction of output.

X. Failure to complete reports promptly and accurately.

~~Y. Undesirable appearance.~~

~~Z. Unauthorized parking.~~

AA. Discourteous treatment of the general public or co-workers or the use of profanity or threatening language.

BB. Any activity which is not compatible with good public service.

~~The City's corrective action program is designed to encourage individuals to become satisfactory employees rather than punish them. Corrective action may take the form of:~~

~~an oral warning,~~
~~a written warning, and/or~~
~~termination.~~

~~Based on the severity of the incident, as determined by management, the oral warning and/or written warning may be bypassed and the employee terminated. The City reserves the right to add to, to modify or to eliminate any rule.~~

CITY OF MENASHA POLICY	TITLE: **DRUG FREE WORK PLACE**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE: Drug Free Workplace Act of 1988 (applies to direct recipients of federal grants and most federal contractors holding contracts under the Federal Acquisitions Regulations that exceed $100,000)	AUDIENCE: Employees, contractors, volunteers and interns	TOTAL PAGES:
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PURPOSE OF POLICY

This policy is intended to be consistent with and in compliance with the Drug Free Workplace Act of 1988.

POLICY

The City of Menasha certifies that it will maintain a drug-free work place. Any individual who conducts business for the City, is applying for a position or is conducting business on the City's property is covered by this drug-free workplace policy.

A. Notice to Employees. Employees of the City are hereby notified that the unlawful manufacture, distribution, dispensing, possession, being under the influence of, or use of a controlled substance by employees at the work place is prohibited.

   If an employee commits a prohibited action, as stated above, the employee will be subject to penalties ranging from a written reprimand up to and including termination.

B. Drug-Free Awareness Program.

   1. The City shall make available literature concerning the dangers of drug abuse in the work place.

   2. Employees are notified that it is the City's policy to maintain a drug-free work place.

   3. Employees are notified that the following are among the drug counseling and rehabilitation programs available in our area:

   ~~4. Chemical Dependency Program — Theda Clark Regional Medical Center, 130 2nd Street, Neenah, WI, (414) 729-2037.~~ Confidential Assistance Program (EAP), 600 S.

Main Street, Suite 303, Oshkosh, (920) 232-1400; 1500 N. Casaloma, Suite 201(Fidelity bank building), Appleton, (920) 730-7515; 1-800-236-7605.

~~5.~~ Alcohol/Drug Program — St. Elizabeth Hospital, 1506 S. Oneida Street, Appleton, WI, ~~(414) 738-2389~~ (920) 738-2000.

~~6.~~ Oasis Recovery Program — Mercy Medical Center, ~~631 Hazel~~ 500 S. Oakwood, Oshkosh, WI ~~(800) 242-5650~~ (920) 223-2000.

~~7. Anderson Behavioral Consultants, 1487 Kenwood Center, Suite 100, Menasha, WI 54952 (920) 722-1222 (City of Menasha EAP provider).~~

~~8.~~ Other programs are listed in the yellow pages under "Drug Abuse & Addiction—Information & Treatment Centers," and under "Alcoholism Information & Treatment Centers."

~~Employees are notified that penalties ranging from a written reprimand up to and including termination shall be imposed for drug abuse violations occurring in the work place.~~

C. Copies to be Distributed. Employees and contractors who are engaged in the performance of any federal grant project shall be given a copy of these requirements.

D. Notification by Employees.

1. Employees are notified that they must abide by the terms of these requirements.

2. Employees are required to notify the City of any criminal drug statute conviction for a violation occurring in the work place no later than five days after such conviction.

E. Notification by the City. The City shall notify, within ten days, any federal agency that awarded any federal grant that a notification from an employee has been received as above or that the City has otherwise received actual notice of such conviction.

F. Actions Taken by the City after Notification. Within thirty days of receiving notice as stated above, with respect to any employee who is convicted as above, the City shall:

1. Take appropriate personnel action against such an employee, up to and including termination; or

2. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program as required by 41 U.S.C. §703. ~~approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.~~

G. Good Faith Effort. The City shall make a good faith effort to maintain a drug-free work place through implementation of the above policies.

CITY OF MENASHA POLICY	TITLE: **Electronic Communications & Information Technology Policy**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
Reviewed by Attorney's Office	IT Committee Approval Date:	Council Approval Date:

A. Electronic Communications

To better serve our citizens and give our workforce the best tools to do their jobs, the City of Menasha ("City") continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including (but not limited to) computers, email, telephones, cellular telephones, voice mail, fax machines, external electronic bulletin boards, on-line services, the Internet, and the World Wide Web.

The City of Menasha encourages the use of these media and associated services because they are valuable sources of information. However, all employees, and everyone connected with te City are the sole property of the City of Menasha, and their purpose is to facilitate and support City business. The City expects all electronic communication use to demonstrate the same level of ethical and professional manner as required in face-to-face or written communications. This policy cannot lay down rules to cover every possible situation; however, the purpose of this policy is to express the City's philosophy and set forth general guidelines to ensure the proper use of the City of Menasha's electronic communications. By adopting this policy, it is City's intent to ensure the electronic communication systems are used to their maximum potential for business purpose and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the City.

The City encourages the use of electronic communication to:

- Communicate with fellow employees, citizens, elected officials, and other individuals regarding matters within an employee's assigned duties;
- Acquire information related to or designed to facilitate the performance of regular duties;
- Facilitate performance of any task or project in a manner approved by an employee's supervisor.

B. Access & Personal Use:

Each department supervisor shall determine which employee in their department shall have access to the various media and services, based on business practices and necessity. It is understood that the Police Department may need to have access to various websites that

would otherwise be prohibited by this policy. The policy shall not prohibit the legitimate use of City computers or the access to websites used in conjunction with Law Enforcement activities. It is required that authority be given to any Police Officer needing to use City computers for legitimate law enforcement activities prior to that use. Such authority shall be given by a supervisory Lieutenant, the Operations Lieutenant, Investigations Lieutenant or the Chief of Police. Such authorizations shall be documented by the Supervisor and need not be reported to the information Technology Manager.

C. Chat Rooms:

Employees may not access and/or speak on behalf of the City of Menasha in news groups or chat rooms unless authorized by the department supervisor.

D. Hardware – Software Applications:

The City has established a platform of software and hardware that meets the needs of the department and the City. Therefore, employees are not allowed to add, modify or delete any hardware and/or software without the express consent of the systems administer. This includes any software packages, games, screensavers, etc. Violations of this provision will result in loss of electronic privileges, and/or discipline, up to termination of employment.

E. Personal Use:

The City allows limited, occasional use of incidental personal use of electronic communications systems during lunch and breaks, or immediately before or after normal business hours, subject to the following conditions and restrictions.

- Personal use must not:
  Involve any prohibited activity (see Prohibited Activities);
  Interfere with the productivity of the employee or his/her co-workers;
  Consume system resources or storage capacity on an on-going basis; or
  Involve large file transfers or otherwise deplete system resources available for business purposes.

F. Confidentiality/Public Record:

Use of email and/or the Internet does not ensure confidentiality. The City of Menasha has software that can monitor and record Internet use. Electronic mail falls within the definition of a public record and, as such, can be requested as an open record. Any information that is requested or sent by any employee is stored and can be retrieved, even if the user denotes it as classified or personal in nature, or deletes the information at the site. Therefore, remember when utilizing electronic communications, there is not guaranteed right to privacy. Inappropriate, unprofessional, illegal activities, or confidential information should not be forwarded via email or the Internet. The City retains the right to enter the system, and the public has a right to request information off the system. Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be

privileged, confidential and/or exempt from disclosure under applicable law. Such privilege and confidentially shall be respected.

G. Prohibited Activities:

As a condition of providing electronic access to City employees, the City of Menasha places certain restrictions on workplace use of email and the Internet. The following uses of electronic communication are strictly prohibited:

- The creation, solicitation, and/or exchange messages or images that are offensive, harassing, disruptive, sexually oriented, defamatory, obscene or threatening. This includes offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs. Discrimination and/or harassment over computerized systems will not be tolerated and constitutes a clear violation of City policy.
- Vandalism is prohibited. This included, but is not limited to, any attempt to test, circumvent, harm or destroy the data of another user, the network, Internet, or any networks or sites connected to the City network. Attempts to breach security codes and/or passwords will also be considered a form of vandalism.
- Engaging in illegal, fraudulent, or malicious activities.
- Hacking or obtaining access to systems or accounts that an individual is not authorized to use.
- Dissemination, copying, downloading or printing of copyrighted materials (including games, articles and software) in violation of copyright laws.
- The creation and/or exchange of advertisements, solicitations, chain letter, gambling and other unsolicited email, or any activity in violation of local, state or federal law.
- Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside of the City of Menasha.
- Conducting stock market transactions or operating a stock ticker notice.
- Registration to list servers without proper authorization. Participating in or establishing without administrator's permission any types of electronic bulletin boards, conferencing features, or chat rooms.
- Willful destruction of computer hardware or software, or attempts to exceed or modify the parameters of the system is prohibited. Nothing in this policy shall prohibit the Network Administrator from intercepting and stopping email messages that have the capacity to overload the computer resources.
- Messages should not be read or sent from another user's account except under properly delegated arrangements.
- Sending, altering, reading, deleting, modifying, or copying a message belonging to another user without the permission of the originator, or attempting to hide the identity of the sender, is prohibited.
- The continued usage and/or access to contents of email and/or the Internet when an employee terminates or is laid off from employment with the City.
- NOTE: All City policies and procedures dealing with the privacy, misuse of City resources, sexual harassment, data security and confidentiality apply to all electronic communications usage. As laws and/or decisions regarding electronic

communications change, the City reserves the right to change and/or add restrictions to email and Internet use.

H. Monitoring & Security:

The use of electronic communication is a tool for business communications, and users have the responsibility to use this resource in an efficient, effective, ethical and lawful manner. All uses of electronic communications are the sole property of the City of Menasha. The City of Menasha has the right to monitor any employee's electronic communications for legitimate business reasons, including compliance with this policy and employee performance. The use of passwords is intended to keep unauthorized individuals from accessing messages stored on the system. The practice of using passwords should not lead employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality.

I. Email Record Retention:

As a general rule, email is a public record whenever a paper message with the same content would be a public recors. (See WI Stats. 19.32(2) for a definition of record.) The same rules apply with respect to record retention and disclosure as do with other City documents.

J. Components of an email record:

The email record is defined to include the message, the identities of the sender and all recipients, the date, and any nonarchived attachments to the email message. Any return receipt indicating the sender receiving the message is also considered to be part of the record.

K. Saving and Indexing Email records:

The Records Custodian of an email bears the responsibility for determining whether or not a particular email record is public record which should be saved and ensuring the record is property indexed and rewarded for retention as a public record.

L. Public Access to Electronic Communications:

If a Department receives a request for release of an email, or other public record, the Records Custodian of the record shall determine if it is appropriate for public release, in whole or in part, pursuant to law, consulting the City Attorney's office, if necessary. As with other records, access to, or electronic copies of, disclosable records shall be provided within a reasonable time.

M. Disciplinary Action:

This policy is effective to all stand-alone units as well as units connected to the network and/or Internet. Employees who violate the provisions of the policy will have all user privileges revoked for themselves, and possibly other employees, regardless of the success or failure of the attempts. Disciplinary action for violation of the City of Menasha's Electronic Information Systems Policy may be imposed up to and including discharge from

employment. The nature of the violation may also be subject to civil liability and criminal prosecution. Payment will be required for damage necessitating the repair of replacement of equipment and/or software. Any employee who discovers a violation of this policy shall notify the Help Desk, who, in turn will notify the Department Head, or Human Resources Director or both. Any employee who inadvertently violates this policy shall immediately notify the Department Head who shall notify the Help desk.

N. Purchasing, Installation, and Testing

Any computer system, software, telecommunications, or other technology paid for by, or donated to the City of Menasha, or brought into the City of Menasha for use by a third party, intended for use on any workstation, or which intends to utilize the City's network backbone as a carrier, or will interface in any manner with the City's network, must be evaluated and approved by the Information Technology (IT) Manager prior to purchase, acceptable, use, or distribution with regard to current IT standards. Of greatest concern are those acquisitions or installation plans that involve devotion of large amounts of capital, broad distribution, or non-standard operating systems or protocols. These guidelines apply to all technology purchases or installations, regardless of funding sources. The Information Technology Manager reserves the right to remove any non-approved technology installation.

Any approved technology will be installed by, or have the installation monitored by, the IT Manager. City Departments are advised they have no authority to disseminate information on the City's technology installation to any outside party or vendor without prior approval of the IT Manager, as such dissemination presents the possibility of compromising network security. If a department needs to converse with a vendor concerning the possible implementation of new technology and such discourse requires details on the City's technology setup, the department will arrange to have the IT Manager present during all contacts to provide the necessary information in such a manner as to not compromise security. The Information Technology Manager will attempt to do all testing of a new technology with regards to its effect on network or systems performance. Testing will either be performed in isolated test environments or during times of low network usage. If such testing will require downtime during normal production periods, the IT Manager will arrange suitable testing times with the affected department in advance.

O. Email Open Record Guideline

The general rule is that email is a public record whenever a paper message with the same content would be a public record. It is the message and not the medium that determines whether an item is a public record.

Each employee must decide whether or not an email that is either sent or received constitutes a public record. If and email is determined to be a public record, then it must be saved. If you have any doubt or question as to whether an email is or is not a public record, please contact the City Attorney's office.

P. Electronic Communications & Information Technology Policy User Agreement

As an employee of the City of Menasha (the "City"), I recognize and understand that the City's electronic information systems are provided for conducting the City's business. However, City policy does permit some limited, occasional, or incidental use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the City. I agree not to add, modify, or delete any hardware and/or software application without the authorization of the Information Technology Manager. I agree not to use the electronic information systems in a way that is disruptive, offensive, or harmful to others or to the city of Menasha. I agree not to use passwords, access a file, or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor. I am aware that the City reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the City's electronic information systems at any time. I am aware that the City may exercise these rights with or without employees notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy, or restrict the City's right to access electronic communication or information systems. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment.
I acknowledge that I have read and that I understand the City of Menasha's policies regarding email, electronic communications, and acceptable software.

Printed name of employee_____

Signature of employee_____

Date_____
To be placed in employee's personnel file.

CITY OF MENASHA POLICY	TITLE: **EMPLOYEE ASSISTANCE PROGRAM**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
Reviewed by Attorney's Office	Personnel Committee Approval Date:	Council Approval Date:

A. The Employee Assistance Program (EAP) provides highly CONFIDENTIAL professional assistance to employees and their families to resolve personal problems that may be interfering with job performance or personal well-being. Besides being confidential, the program is voluntary. It is designed to encourage employees to seek help on their own, however, the City may recommend EAP assistance.

B. The INITIAL ASSESSMENT is provided at no cost to the employee or their family through the consulting agency that has been selected by the City of Menasha. The cost of any additional therapy is governed by coverage provided by the City's group health insurance plan. Our current EAP provider is ~~Anderson Behavioral Consultants, Suite 200, 103 W. College Avenue, Appleton, WI 54911. Telephone 414-733-1111.~~ Confidential Assistance Program: 1-800-236-7605; Appleton office: Fidelity Bank Building, 1500 N. Casaloma, Suite 201, telephone 920-730-7515; Oshkosh office, 2935 Universal Court, telephone 920-232-1400.

C. The City believes its employees are its most valuable resource. The City recognizes that many personal problems that affect an employee or his or her family, including alcoholism, drug dependence, psychological disorders and others, can affect an employee's job performance. In most cases the employee can overcome personal problems independently, and adverse effects on job performance are negligible. For some employees, however, additional help may be necessary. Resolution of these situations may not be reached appropriately and efficiently unless the employee honestly faces his or her problems and an enlightened management supports the employee's efforts to reach a solution.

D. The City recognizes that balancing a job and other responsibilities frequently poses challenges that often require assistance. We are willing to work with our employees who are experiencing difficulties in an open, constructive atmosphere. The Human Resources Department and the EAP provide training for management personnel in early recognition of behavior or medical problems that adversely affect an employee's job performance and safety. The EAP does not, however, alter or replace any existing rights or responsibilities of the employee or the City, nor is it an alternative or substitute for disciplinary action.

E. The Employee Assistance Program (EAP) is intended to help the City retain valued employees by: providing assessment, referral, follow-up and monitoring for employees who are experiencing personal problems; assisting management personnel at all levels in determining whether a referral would be appropriate when an employee's performance declines or the employee has not responded to corrective discipline; assisting in the implementation and monitoring of the City's Alcohol/Drug Rehabilitation Program; assisting management in fitness-for-duty situations.

CITY OF MENASHA POLICY	TITLE: **Environmental Procurement Policies**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
Reviewed by Attorney's Office	Personnel Committee Approval Date:	Council Approval Date:

I. PURPOSE

The purpose of this policy is to support the purchase of recyclable, recycles, and/or environmentally preferred products in order to promote sustainability, generate less waste, and minimize environmental impacts related to the work and services provided by the City of Menasha. The City recognizes that municipal employees can make a difference in favor of environmental quality. The City of Menasha strongly recommends the purchase of environmentally preferable products whenever they perform satisfactorily and are available at a reasonably competitive price.

In so doing, the City shall:

- Encourage waste prevention, recycling, market development and use of recycled/recyclable materials through lease agreements, contractual relationships and purchasing practices with vendors, contractors, businesses and other governmental agencies.
- Adopt waste prevention, recycling and use of recycled supplies/materials as an City priority.
- Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed.
- Serve as a model for the region to influence waste prevention, recycling and procurement efforts.

II. POLICIES

- A. All City of Menasha employees will specify recycled and environmentally preferable products whenever practical.
- B. The City of Menasha shall solicit the use of recycled and other environmentally preferred products in its procurement documents as appropriate.
- C. The City of Menasha's departments shall practice waste prevention whenever practical.

III. DEFINITION

"Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

"Waste Prevention" means any action undertaken by an individual or organization to eliminate or reduce the amount or toxicity of materials before they enter the municipal solid waste stream. This action is intended to conserve resources, promote efficiency, and reduce pollution.

"Environmentally Preferable Products" means products that have a lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation and/or disposal of the product.

"Recycled Products" are products manufactured with waste material that has been recovered or diverted from the waste stream. Recycled material may be derived from post-consumer waste (material that has served its intended end-use and been discarded by a final consumer), industrial scrap, manufacturing waste and/or other waste that otherwise would not have been utilized.

"Practical" means sufficient in performance and reasonably available at a competitive cost within necessary timeframes.

IV. DISCUSSION

A. Procurement Practices

In cooperation with their customers, all City of Menasha departments shall at a minimum evaluate the following environmentally preferable product categories and purchase them whenever practical:

1. Printing and Writing Papers, including all imprinted letterhead paper, envelopes, copy paper and business cards. When practical, these shall contain a minimum of 30% post-consumer recycled content.

2. Paper Products, including janitorial supplies, shop towels, hand towels, facial tissue, toilet paper, seat covers, corrugated boxes, file boxes, hanging file folders and other products comprised largely of paper.

3. Remanufactured laser printer toner cartridges and remanufactured or refillable ink-jet cartridges.

4. Re-refined antifreeze, including on-site antifreeze recycling.

5. Re-refined lubricating and hydraulic oils.

6. Recycled plastic outdoor-wood substitutes, including plastic lumber, benches, fencing, signs and posts.

7. Recycled content construction, building and maintenance products, including plastic lumber, carpet, tiles and insulation.

8. Re-crushed cement concrete aggregate and asphalt.

9. Cement and asphalt concrete containing tire rubber, glass cullet, recycled fiber, plastic, fly ash or other alternative products.

10. Re-treaded tires and products made from recycled tire rubber including rubberized asphalt, playground surfaces and fatigue mats.

11. Compost, mulch, and other organics including recycled biosolid products.

12. Re-manufactured paint.

13. Other products that further the goals of this policy.

B. Waste Prevention Practices

City of Menasha personnel are encouraged to reduce their consumption of resources by incorporating the following practices into their daily activities. Consideration should be given to durability and repairability of products prior to purchase.

1. Conduct routine maintenance on products/equipment to increase their useful life.

2. Use duplex features on laser printers and copiers. Specify duplex on print jobs.

3. Create and use electronic letterhead for use by all City departments.

4. Send and store information electronically whenever possible. This includes e-mail, website, and electronic fax.

5. Review record retention policies and implement document imaging systems.

6. Other waste prevention practices that further the goals of this policy.

V. RESPONSIBILITIES OF ALL DEPARTMENTS

Each City department shall be responsible for the implementation of this policy and shall:

A. Practice waste prevention whenever possible.

B. Continue to utilize recycling programs and expand them where possible.

C. Procure recycled products whenever practical.

D. Develop, evaluate and maintain information about environmentally preferable and/or recycled products containing the maximum practical amount of recycled materials. Cross-feed information to other departments when potential use of a product exists.

E. Develop specifications used in public bidding aimed at eliminating barriers to recycled-content products, such as outdated or overly-stringent product specifications and specifications not related to product performance.

F. Ensure that procurement documents issued by City departments require environmental preferred alternatives whenever practical.

VI. RESPONSIBILITES OF GENERAL SERVICES

General Services shall:

A. Maintain and use information, furnished by its customers, about environmentally preferable and recycled products containing the maximum practical amount of recycled materials and encourage City departments to purchase such products whenever possible.

B. Provide departments with vendor furnished information about recycled products and environmental procurement opportunities.

C. Inform vendors of the City's Environmental Purchasing Policy.

D. Structure applicable contracts to offer and/or feature recycled-content products whenever possible, (e.g., office supplies, lubricating oils and janitorial supplies).

E. Encourage development of specifications used in public bidding aimed at eliminating barriers to recycled-content products, such as outdated or overly-stringent product specifications and specifications not related to product performance. All requests for proposals shall encourage vendors to offer recycled products whenever practical.

VII. EXEMPTION

Nothing in this policy shall be construed as requiring the purchase of products that do not perform adequately and/or are not reasonably available at a reasonable cost.

CITY OF MENASHA POLICY	TITLE: **Social Network Policy**	
ISSUE DATE: (Day after Council)	LAST UPDATE:	SECTION:
POLICY SOURCE:	AUDIENCE:	TOTAL PAGES:
Reviewed by Attorney's Office	IT Committee Approval Date:	Council Approval Date:

I. PURPOSE

A social networking presence has become a hallmark of vibrant and transparent communications. Social networking improves interactivity between city government and the public and it reaches populations that do not consume traditional media as frequently as others do. Therefore, it is important that the City of Menasha enhance its communications strategy using social networking.

These guidelines are established to:

- Define the role that social networking will play in the city's communication strategy and ensure consistency among departments in its use.
- Minimize security risks and impacts on IT infrastructure.
- Identify staff roles in implementation of social networking strategy.
- Ensure compliance with open records laws.

II. GUIDELINES

A. IMPLEMENTATION

Each department should have a clear communications strategy and should take the time to determine how social media fits into this strategy. Department heads should evaluate whether use of social media is appropriate. When a department decides to use social media to enhance its mission it should request approval through the Mayor's office. The Mayor's office will evaluate and approve requests for the creation of social networking sites at the department level.

Responsibilities of the IT Department will include:

- Maintain a list of social media domains, active account logins and passwords.
- Change passwords if employee is removed as administrator of the account.
- Requests for usage of social networking sites should include the following checklist:
- Target audience
- Types of information department is attempting to communicate
- Goals including total number of friends, comments per month, posts per month
- Proposed responsible staff member
- Training required

B. GOALS, MONITORING, AND UPDATING

Social networking sites are a resource to provide enhanced communications between the City of Menasha and citizens. Therefore, it is important that all sites are updated with relevant and useful information on a timely basis. Each department using social networking sites shall have specific goals regarding number of friends, monthly comments, and monthly posts. These goals shall be filed along with the original request for usage of social networking sites.

- All sites shall be updated with new posts at least twice per month.
- All sites shall be monitored on a daily basis.
- E-mail notification of site comments will be sent to the site administrator.

A monthly report of site statistics will be presented for the IT Steering Committee for review. Sites not reaching their goals have the potential to be removed.

C. ACCEPTABLE USE

All use of social networking sites by the city of Menasha shall be consistent with applicable state, federal, and local laws, regulations, and policies including all IT security policies, records retention policies, and open records laws.

Separate Personal and Professional Accounts:

Employees should be mindful of blurring their personal and professional lives when administering social media sites.

Personal Use:

Employees are allowed to have personal social networking sites which should be clearly separate from their professional duties with the City of Menasha. City staff should follow the IT usage policy regarding use of City IT resources for personal use.

Professional Use:

Employees assigned to represent the city of Menasha shall establish a City social networking identity. All City related communication through social media outlets should remain professional in nature. Employees shall not use their professional social network identity for political campaigning, to conduct private commercial transactions, or to engage in private business activities. Third party applications need approval by IT prior to implementation. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action.

Be Clear As To Identity:

When posting or creating social media accounts that require individual identification, employees should use their actual name. When a name is not required, use department name.

Terms of Service:

Employees assigned to represent the City of Menasha should be aware of the Terms of Service (TOS) of the particular form of media. Each form of social media has its own unique TOS that regulate how users interact using that particular form of media. Any employee using a form of social media on behalf of a the City of Menasha should consult the most current TOS in order to avoid violations. If the TOS contradict City policy then the City attorney should be made aware and a decision should be made about whether use of such media is appropriate.

Content of Posts and Comments:
Employees using social media to communicate on behalf of the City of Menasha should be mindful that any statements made are on behalf of City government; therefore, employees should use discretion before posting or commenting; communications should include no form of profanity, obscenity, or copyright violations. Likewise, confidential or non-public information should not be shared.

The City reserves the right to delete submissions by the public that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, or religious group. Further, the City also reserves the right to delete the following types of comments:

- Contain spam, advertising or include links to other sites.
- Clearly off topic, and/or disruptive.
- Advocate illegal activity.
- Promote unrelated outside services, products, or political organizations.
- Infringe on copyrights or trademarks.

Posts and Comments Are Public Records:
Like e-mail, City communication via social networking Web sites is a public record. This means that both the posts of the employee administrator and any feedback by other employees or non-employees, including citizens, will become part of the public record. Because others might not be aware of the public records law, agencies should include the following statement (or some version of it) somewhere on the social networking site:

As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Consequently any communication via this site (whether by a city staff member or the general public) may be subject to monitoring and disclosure to third parties upon request.

D. SECURITY
From a security standpoint, agencies should be mindful of how to best prevent fraud or unauthorized access to either the social media site or the City's IT infrastructure. Employees should be educated about specific social media threats before they are assigned to represent the City of Menasha on social media sites

- Individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized.
- Privacy controls shall be set to defined levels to effectively protect against inadvertent disclosure of information and infection of City IT resources by unauthorized programs.

E. RECORDS MANAGEMENT AND PRESERVATON

- Communication through agency-related social media is considered a public record and will be managed as such.
- All comments or posts made to state agency account walls or pages are public, not private.
- Private messages received by account administrators should be treated as constituent e-mails and therefore, as public records.

CONCLUSION

Social media is an effective and efficient way for agencies to communicate with and participate in the larger community. It will continue to shape and support the way the City of Menasha communicates and collaborates with constituents. Each department using social networking sites as part of their communications strategy should adopt these tools and provide their employees support and guidance to use them productively and intelligently.

CITY OF MENASHA
STATEMENT OF POLICY AND DESCRIPTION
PROCEDURES FOR ALCOHOL AND CONTROLLED SUBSTANCE TESTING COMPLIANCE WITH 49 CFR

I. POLICY

A. STATEMENT OF POLICY

The City of Menasha, as a public employer, recognizes that the use and/or abuse of alcohol or controlled substances by employees of the City of Menasha, who are drivers of commercial motor vehicles, presents a serious threat to the safety and health of the employees and to the general public. It is the policy of the City of Menasha that its drivers should be free of drugs and alcohol. In order to further the City's goal of maintaining a drug-free and alcohol-free employment environment, and to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, the City of Menasha has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to the City's employees and to the public and to discourage substance and alcohol abuse.

B. PURPOSE

The Department of Transportation (DOT), the Federal Highway Administration (FHWA), and the Federal Aviation Administration (FAA) have issued Federal regulations (49 CFR Parts 40 and 382) implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and controlled substance testing of drivers who are required to have a Commercial Driver's License (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety sensitive positions. The purpose of this Policy, then, is that of establishing an alcohol and controlled substances testing program in conformance with Federal Law.

C. COVERAGE

For purposes of this Policy, the City of Menasha, FHWA and the DOT strictly prohibit the use of alcohol and/or controlled substances by its employees who are performing, ready to

perform, or ceasing to perform the following safety-sensitive job functions:

1. Operation of a commercial motor vehicle;

2. Directly supervising employees who perform safety-sensitive job functions or supervisors required to have a CDL.

D. EMPLOYEES SUBJECT TO DOT

A. All drivers who operate Commercial Motor Vehicles (CMV) are subject to testing under the Department of Transportation's (DOT) drug and alcohol testing regulations. This includes any driver who may be subject to the commercial driver's license requirements of Part 383.

B. Commercial motor vehicle means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle—

1. Has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); OR

2. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); OR

3. Is designed to transport 16 or more passengers, including the driver; OR

4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

D. PROHIBITED CONDUCT

Federal Regulations prohibit employees from engaging in the following conduct immediately before, during, or immediately after performing safety sensitive duties:

~~1. Using or possessing alcohol while on duty.~~

~~(Note: Federal Regulations include medications containing alcohol in the substances banned from use or possession in the work place. Therefore, employees considering the use or possession of prescription or non-prescription medications containing alcohol should consult with their personal physician in order to obtain a substitute medication that does not contain alcohol or to consume such medications containing alcohol on a prescribed schedule that will render the~~

~~employee alcohol-free during working hours. In the event that the employee's physician cannot prescribe a medication substitute or schedule that will render the employee alcohol-free during working hours, the employee shall provide his immediate management supervisor with signed documentation from his personal physician indicating such so that a temporary accommodation for the employee can be attempted.)~~

~~2. Using alcohol within eight (8) hours following an accident, if the employee was required to be tested, unless an earlier test results in a reading of less than 0.02~~

~~3. Reporting for duty or remaining on duty while having an alcohol concentration of 0.04 or greater;~~

~~4. Consuming any amount of alcohol within four (4) hours before reporting for duty;~~

~~5. Using controlled substances while on duty, unless the use is pursuant to the instructions of a physician who has advised the driver and the City in writing that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;~~

~~6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances; or,~~

~~7. Refusing to submit to any alcohol or drug testing required by law.~~

~~instructions of a physician who has advised the driver and the City in writing that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;~~

~~6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances; or,~~

~~7. Refusing to submit to any alcohol or drug testing required by law~~

1. Engaging in the on-the job use of illegal or unauthorized drugs including those defined as prohibited substances in this policy;

2. Engaging in the on-the-job unlawful manufacture, distribution, dispensing, possession or use of prohibited substances. Law enforcement shall be notified whenever illegal drugs are found or determined to be present in the workplace;

3. Having a drug test result that is considered positive when the driver is found to have a quantifiable presence of a prohibited substance in the body at or above the minimum thresholds consistent with those defined in 49 CFR Part 40;

4. Tampering, substituting or adulterating urine specimens;

5. Unauthorized use or possession of alcohol while on the job or conducting City business;

6. Having a breath alcohol test result of .020 or greater when reporting for work or working, or within 24 hours of being tested with a result of at least .020 but less than 0.04;

7. Having a positive breath alcohol test result of .040 or greater;

8. Consuming alcohol within four (4) hours of reporting to work, or during the hours you are on call;

9. Consuming alcohol while on duty, while working, or just before or just after performing any functions;

10. Consuming alcohol within eight (8) hours following an accident or until the post accident test has been administered, whichever occurs first;

11. Refusing to submit to an alcohol or drug test described as follows:

a. Failing to appear for any test within a reasonable time after being directed to do so. This includes the failure of a driver (including an owner-operator) to appear for a test when called by a C/TPA;

b. Failing to remain at the testing site once the process has started (in the case of a pre-employment drug test, the applicant is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment);

c. In the case of a directly observed or monitored collection in a drug test, the driver fails to permit the observation or monitoring of the driver's provision of a specimen;

d. Failing to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

e. Failing to provide a sufficient amount of breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

f. Failing or declining to take a second test the employer or collector has directed the driver to take;

g. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER

h. Failing to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process);

i. Having a verified adulterated or substituted test result reported by the MRO.

In addition, the City of Menasha Policy prohibits employees from engaging in the following conduct:

1. Engaging in the off- the-job use of illegal or unauthorized drugs including those defined as a prohibited substances in this policy;

2. Engaging in the off -the-job unlawful manufacture, distribution, dispensing, possession or use of prohibited substances. Law enforcement shall be notified whenever illegal drugs are found or determined to be present in the workplace;

3.~~1.~~Dispensing, distributing or receiving alcohol and/or controlled substances while on duty;

4.~~2.~~Possession of or consumption of controlled substances while on duty or while on City property or within City equipment, unless such possession and/or consumption is pursuant to the instructions of a physician who has advised the driver and the City in writing that the substances does not adversely affect the driver's ability to safely operate

a commercial motor vehicle;

5.~~3.~~Having an alcohol concentration of 0.02 but less than 0.04 immediately before, during, or immediately after performing safety sensitive work;

6. ~~4.~~Reporting for duty or remaining on duty while under the influence of alcohol or a controlled substance;

7.~~5.~~Providing false information in connection with a test, or falsifying test results through tampering, contamination, adulteration or substitution.

E. REQUIRED PARTICIPATION

A. Participation in anti-drug and alcohol program is a requirement of all drivers and therefore, a condition of employment.

B. Drivers will have deemed to implied their consent to cooperate in the City's effort to maintain a workplace free from the effects of alcohol, illegal drugs and controlled substances through the use and enforcement of this and related City policies and procedures

C. [City policy: This policy does not alter the at-will employment relationship between the City and its employees. It is not meant to create a contract or expectation of future employment and is merely one condition of continued employment.]

F. REQUIRED HOURS OF COMPLIANCE

A. Drivers are required to be in compliance of the alcohol rule:

1. While on duty
2. Four (4) hours prior to on duty time
3. Up to eight (8) hours following an accident or until the driver undergoes a post-accident test, whichever occurs first

A driver shall not report for duty or remain on duty when the driver uses any controlled substance, except when the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a CMV.

G. PROGRAM CONTACTS

1. Designated Employer Representative

Questions pertaining to these policies or procedures should be directed to the Designated Employer Representative ("DER") who is responsible for managing this program in compliance of federal regulations, state laws, and the provisions of this policy.

Name _____

Address _____

City/State/Zip _____

Phone _____ Fax _____

2. Medical Review Officer

A Medical Review Officer (MRO) is a licensed physician with knowledge and clinical experience in substance abuse disorders; they are required to complete qualification training courses and fulfill obligations for continuing education courses. They serve as independent, impartial gatekeepers to the accuracy and integrity of the DOT drug testing program. All laboratory results are sent to an MRO for verification before a Company is informed of the result. As a safeguard to quality and accuracy, the MRO reviews each test for accuracy.

Provided by: Affinity Occupational Health
Menasha: 1186 Appleton Road (920) 727-8700
Oshkosh: 1885 Koeller Street (920) 223-7237

3. Substance Abuse Professionals

Substance Abuse Professionals (SAPs) play a critical role by professionally evaluating employees who have violated drug & alcohol testing rules/policies. SAPs recommend appropriate education, treatment, follow-up tests, and aftercare. They are the gate-keepers to the re-entry program by determining when an employee can be returned to duty. While SAPs do make recommendations to the employer about an employee's readiness to perform his/her duties, SAPs are neither an advocate for the employee or the employer, and they make return-to-duty recommendations according to their professional and ethical standards as well as applicable regulations. Even if a SAP believes that an employee is ready to return to work, the City retains its management rights with regard to hiring and reinstatement decisions.

Provided by: Affinity Health Systems, Toll Free (800) 894-9327
Three Locations: 1550 Midway Place, Menasha
2700 W. Ninth Avenue, Oshkosh
451 E. Brooklyn Street, Chilton

Employees can also use the Substance Abuse and Mental Health Services Administration (SAMHSA) website (located at http://dasis3.samhsa.gov) to locate a certified SAP in their area. The selected SAP must be acceptable to the employer.

II. TESTING RULES AND PROCEDURES

A. TEST REQUIREMENT, COSTS AND COMPENSATION

All employees of the City of Menasha who are employed in a safety-sensitive position and/or are required to hold a Commercial Drivers' License as a condition of their employment are subject to testing for alcohol and/or controlled substances. Refusal to take a required test will result in removal of that employee from the employee's assignment(s), which, in turn, may result in discipline up to and including discharge.

The City of Menasha shall pay all costs associated with the administration of alcohol and

controlled substance testing, except those costs for a "split specimen" test required by an employee or a return to duty re-test. The employee shall pay for these tests. If the result of a split specimen test is negative, the City shall reimburse the employee for said test.

All time spent undergoing required alcohol or controlled substance testing~~, including reasonable travel time~~ shall be paid in accordance with ~~applicable provisions of the collective bargaining agreement or~~ the administrative pay policy that normally applies to the City. An alcohol re-test, however, that is performed at the request of the employee must be done on an employee's own time, prior to the start of his/her regular shift.

B. TYPES OF TESTS

Testing must be conducted in the following situations:

1. Pre-employment Testing.

Any individual not currently employed by the City of Menasha who is applying for a safety-sensitive position shall be required to undergo testing for alcohol and controlled substances indicating a verified negative test result ~~drug and alcohol testing~~ after a conditional offer of employment has been made.

Prior to the first time an existing employee performs safety-sensitive functions for the City of Menasha (i.e., new position, job transfer, promotion, new duties, etc., which involves moving from a position which does not require a CDL to a position that does require a CDL), the employee shall be required to undergo testing for alcohol and controlled substances indicating a verified negative test result for that employee. ~~A positive test will result in disqualification for further consideration for employment in that safety sensitive position until the employee or prospective employee presents evidence of successful completion of a Substance Abuse Treatment Program.~~

2. Reasonable Suspicion Testing.

Reasonable suspicion means suspicion based on a specific, contemporaneous,

articulable observation by a trained supervisor or other trained City of Menasha representative concerning the appearance, behavior, speech or body odors of an employee, including indications of the chronic and/or withdrawal effects of controlled substances. Reasonable suspicion ~~drug~~ controlled substances or alcohol testing will only occur under these rules if the ~~supervisor's~~ observations are made during, just before, or just after the time the employee is performing ~~work in a~~ safety-sensitive ~~position~~ functions.

a. In a situation where an employee is either acting in an impaired manner or the supervisor has reasonable suspicion to believe the employee is using or is under the influence of alcohol or ~~drugs~~ controlled substances, the supervisor may order the employee to undergo a ~~drug~~ controlled substances or alcohol test. ~~The supervisor may, but need not, seek a corroborating opinion from another supervisor prior to immediately removing the employee from the job and sending the employee for drug or alcohol testing.~~

b. Once the employee has been removed from the job, the supervisor is to contact the Personnel Department. If contact cannot be made at that time, the supervisor is to proceed through the next step of this procedure and make contact with the Personnel Department as soon thereafter as possible.

c. The supervisor is to then take the employee to the collection site for ~~drug~~ controlled substances and/or alcohol testing immediately, but no later than either (8) hours for an alcohol test or twenty-four (24) hours for a controlled substance test, after having determined that there is reasonable suspicion to believe that the employee is using or is under the influence of alcohol or ~~drugs~~ a controlled substance. If the alcohol test is conducted more than two

(2) hours, but less than eight (8) hours, after the supervisor makes such reasonable suspicion determination, the supervisor will complete a report explaining the reason for the delay in conducting the ~~drug or~~ alcohol test. The supervisor is to wait at the clinic with the employee until the breath test has been completed or the urine sample has been taken. If the alcohol test is not conducted with eight (8) hours after the supervisor makes such reasonable suspicion determination, or if the drug test is not conducted within twenty-four (24) hours after such determination, the supervisor will complete a report explaining the reasons why the test was not conducted timely.

d. Once the alcohol testing has been completed and a positive confirmation test result has been received (0.04 percent or above), the employee will be returned to his reporting station. It will then be the employee's responsibility to make appropriate transportation arrangements in order to insure that the employee is not operating a personal motor vehicle while under the influence of alcohol or a controlled substance.

e. If a blood alcohol or urine drug test has been administered, the City of Menasha will contact the employee once the test results are known and a decision has been made as to the employee's status.

f. The results of the drug testing will be sent directly to the Medical Review Officer (MRO) for review and forwarding to the authorized Personnel Department Professional. The results of the alcohol testing will be sent directly to the authorized Personnel Department Professional. When the results are obtained, the employee's supervisor and department head will consult with the authorized Personnel Department Professional to determine the appropriate course of action to be taken. This is a

confidential process. Test results will be held strictly confidential and will not be discussed or shared with anyone who does not have a need to know.

g. ~~Once the test has been completed and the employee has been sent home, the~~ The supervisor must submit a signed written report to the authorized Personnel Department Professional ~~outlining~~ describing, in detail, the event and the behavior observed that led the supervisor to believe the employee was under the influence of alcohol and/or ~~drugs~~ a controlled substance. This report must be done within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier. ~~a reasonable time after testing.~~

3. Random Testing.

Random alcohol and ~~drug~~ controlled substance testing will be conducted just before, during, or just after an employee's performance of safety-sensitive duties. The employee will be randomly selected for testing from a "pool" of employees subject to testing. The testing dates and times are unannounced and will occur with unpredictable frequency throughout the year.

Unless changed by Federal Regulation, the minimum annual percentage rate for random alcohol testing shall be ~~25~~ 10 percent and the minimum annual percentage rate for random drug testing shall be 50 percent of the average number of employees in safety-sensitive positions.

The selection of employees for random testing shall be made by Network Health System, Inc., d/b/a Affinity Occupational Health (hereafter referred to as Affinity Occupational Health)~~Occupational Health Systems~~ using a scientifically valid method. Under this selection process, each employee will have an equal chance of being tested each time selections are made. As a result, some employees may be tested more than once each year, while other employees may

not be tested at all.

4. Post Accident Testing.

As soon as practicable following an accident involving a commercial motor vehicle operating on a public road, the City of Menasha shall test an employee driver for alcohol and controlled substances in the following situations:

a. Testing for alcohol will occur if:

i. The accident involved the loss of human life; or,

~~b.~~ ii. The employee receives a citation within 8 hours of the occurrence, under state or local law for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

b. Testing for a controlled substance will occur if:

i. The accident involved the loss of human life; or,

ii. The employees receives a citation within 32 hours of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The alcohol breath test must be administered as soon as possible, but no

later than eight (8) hours following the accident, and the ~~drug~~ controlled substance test must be administered within thirty-two (32) hours of the accident. If the alcohol test is not administered with two (2) hours of the accident, the supervisor will complete a report explaining the reasons for the delay in conducting the test. If the alcohol test is not administered within eight (8) hours of the accident or if the ~~drug~~ controlled substance test is not administered within thirty-two (32) hours of the accident, the supervisor will complete a report explaining why the test was not conducted.

An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the City of Menasha to have refused to submit to testing. A covered employee who leaves the scene of the accident may continue to be considered as "readily available" for testing if:

~~a. The employee notifies his supervisor or, if unavailable, another supervisor of his or her location;~~

~~b~~a. The employee left the scene to obtain necessary medical care (for himself, herself, or others); or,

~~c~~b. The employee left the scene for the period necessary to obtain assistance in responding to the accident.

5. Return-to-Duty/Follow-up Testing.

If the City of Menasha offers an employee an opportunity to return to a safety-sensitive job function ~~The City of Menasha will ensure that before an employee returns to duty requiring the performance of a safety-sensitive job function~~ after engaging in conduct prohibited by Federal Regulations ~~in Part IV above, if required by law,~~ the driver shall complete the SAP evaluation, referral, and education/treatment process set forth federal regulations as well as undergo a return-to-duty follow-up test with a result indicating an alcohol concentration of less

than 0.02 or verified negative result for controlled substance use. In any event, if required by law, an employee will not be allowed to return to duty without first having been evaluated by a City of Menasha Substance Abuse Professional (SAP) in order to determine the employee's fitness-for-duty.

In the event an employee is permitted to return to the performance of safety-sensitive functions, the City of Menasha will carry out the SAP's follow-up testing requirements. ~~Following a determination that an employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the City of Menasha will ensure that the employee is subject to unannounced follow-up alcohol and/or controlled substances testing in consultation with a SAP. Consequently, the employee will be given at least six (6) unannounced tests during the 12 month period after returning to duty with the possibility of follow-up testing for up to 60 months after the employee returns to duty.~~

C. TESTING PROCEDURES

The City of Menasha has entered into an alcohol and drug testing agreement with Affinity Occupational Health. Testing may be done on both urine and breath (blood alcohol may also be required by law or at the request of an employee). All drug and alcohol testing will be conducted in conformance with the procedures and rules established by the Federal Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations. Affinity Occupational Health, or its designee, will handle taking the sample (in standard collection kits). Affinity Occupational Health, or its designee, will be responsible for seeing that the samples are sent to a certified laboratory, and will assist in the interpretation of the results. The City of Menasha may contract with a replacement testing service as long as such replacement service meets Federal standards.

Locations of test sites are:

- Affinity Occupational Health (7:30 a.m. – ~~5:00~~ 4:30 p.m.);~~1523 S. Madison Street; Appleton, WI 54915~~ 1186 Appleton Road, Menasha,Wisconsin
- ~~Mercy Oakwood Occupational Health~~ Affinity Occupational Health(7:30 a.m. to ~~5:00~~4:30 ~~4:30~~ p.m.); ~~2700 West 9th Avenue~~1855 S. Koehler Street, Oshkosh, Wisconsin

After hours or emergency:

- St. Elizabeth Hospital Emergency Room, 1506 S. Oneida Street, Appleton, Wisconsin
- Mercy Medical Center ~~(after business hours only).~~. Emergency Room ~~exit~~ (register with the receptionist at the desk); ~~631 Hazel Street~~500 S. Oakwood; Oshkosh, Wisconsin

Employees selected for testing will be notified as to which test site to report to.

D. DRUG & ALCOHOL TESTING METHODOLOGIES

A. Breath Alcohol

1. Screening Test: A screening test is conducted utilizing a DOT approved Evidentiary Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT) in which the driver provides a breath sample. In some instances, a screening test may be conducted utilizing an alcohol screening device (ASD) operated by a qualified Screening Test Technician (STT) to obtain a saliva or breath sample.

a) A screening test result of less than .02 is considered negative. No further action is required.

b) If the screening test provides a result of 0.02 or greater, a confirmation test will be conducted.

2. Confirmation Test: A confirmation test is conducted utilizing a DOT approved Evidentiary Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). The results of a confirmation test take precedence over the screening test results.

c) A confirmation test result of less than .020 is considered negative.

d) A confirmation test result of 0.040 or greater is considered positive and the driver must immediately be removed from performing safety-sensitive functions and complete the requirements of Subpart O of 49 CFR Part 40 prior to resuming or assuming safety-sensitive functions.

e) A confirmation test result of .020 to. 039 is also considered positive, however, the employee is immediately removed from performing safety-sensitive functions for a mandatory 24-hour period. There is no requirement under the DOT regulations for the employee to be referred for the SAP process.

B. Drug & Validity Testing

The testing processes and protocols are consistent with those mandated by 49 CFR Part 40.

1. The collection process is conducted by a qualified collector utilizing a split specimen process in which the specimens are sent to an approved laboratory certified by the U.S. Department of Health and Human Services.
2. The laboratory will use techniques and equipment to conduct initial and confirmation drug testing to detect the presence of the following drugs or classes of drugs: Marijuana metabolites, Cocaine metabolites, Amphetamines, Opiate metabolites, and Phencyclidine (PCP).

a) Specimen A – Initial Test: If the result is at or above the cutoff concentration, a confirmation test will be conducted using gas chromatography/mass spectrometry

(GC/MS) technology. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40, as amended.

The laboratory will also conduct specimen validity testing to determine if the specimen is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

b) Specimen B – Confirmation Test. When no legitimate medical reason is established for a positive, adulterated, substituted, or invalid test result the driver has 72 hours in which to request the MRO to have his/her Specimen B bottle be sent to another certified lab for analysis of the same substance or condition that was found in Specimen A.

C. Medical Review Officer

1. When the MRO receives a confirmed positive, adulterated, substituted, or invalid test result from the laboratory, reasonable efforts will be made to contact the driver on a confidential basis to determine whether the employee wants to discuss the test result to determine if there is a legitimate medical reason for the result.

   a) If a legitimate medical reason is established, the MRO will report the result to the DER as negative.

   b) If an employee refuses to discuss the results with the MRO and/or does not provide the MRO with acceptable medical documentation to explain non-negative results, then the MRO will report a positive test result to the DER.

   c) When the result is reported as adulterated or substituted test and a legitimate reason is established, the MRO will cancel the test. When no legitimate medical reason is established, the MRO will report the result to the DER as a refusal to test.

2. The MRO may verify a test result as a positive or refusal to test, as applicable, when:

   a) The driver expressly declines the opportunity to discuss the test with the MRO or reasonable efforts to contact the driver are unsuccessful.

   b) The driver has not contacted the MRO within 72 hours of being notified to do so by the DER.

   c) All reasonable efforts to contact the driver by both the MRO and DER have been unsuccessful within the 10-day period the MRO receives the results from the laboratory.

3. Confirmation Test. When no legitimate medical reason is established for a positive, adulterated, substituted, or invalid test result the driver has 72 hours in which to request the MRO to have his/her Specimen B bottle be sent to another certified lab for analysis of the same substance or condition that was found in Specimen A.

~~**ALCOHOL TESTING**~~

~~Employees will be required to submit to breath testing using an approved Evidential Breath Testing (EBT) device. A certified Breath Alcohol Technician (BAT) will administer an initial screening test. If the employee tests positive for alcohol, then the BAT will conduct a~~

~~confirmation test. The City of Menasha will take action based only upon the positive results of a confirmation test of 0.02 or greater. All procedures and steps used in conducting both the initial and confirmation tests will be performed in conformance with the Federal Law and Federal Regulations.~~

~~1. **Preparation for Breath Alcohol Testing.**~~

~~The following procedures summarize the Federal Highway Administration regulations for implementing drug and alcohol testing. These procedures are subject to change in the event the Federal Highway Administration or other government agency changes the regulations on drug and alcohol testing of employees in safety-sensitive positions.~~

~~a. When the employee enters the collection site, the BAT will require him/her to provide positive identification (i.e., photo I.D. or employer identification).~~

~~b. The BAT will explain the test procedure.~~

~~c. Employees will be required to complete and sign various forms used to document the testing process. Refusal to sign the test forms will be regarded as a refusal to take the test.~~

~~d. Employees will be instructed to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained.~~

~~e. If an employee tests positive during the screening test, the employee shall not eat, drink, or put any object or substance in his or her mouth and, to the extent possible, not belch during the 20-minute waiting period before the confirmation test is conducted.~~

~~f. Refusal by an employee to complete and sign the test form, to provide breath, to provide an adequate amount of breath, or other failure to cooperate with the testing process in a way that prevents the completion of the test will subject the employee to discipline, up to and including termination.~~

~~In the event of conflicting results between the initial test and the confirmation test, the confirmation test results will determine the outcome of the test.~~

~~2. **Blood Alcohol Testing.**~~

~~Blood alcohol testing is authorized only in the following circumstances:~~

~~a. When this Policy or Federal Rules requires a post-accident or reasonable suspicion test, and an EBT is not readily available for either a screening or confirmation test, or if there is an EBT available only for a screening test.~~

~~b. When an employee attempts and fails to provide an adequate amount of breath, blood alcohol testing may be used for both screening and confirmation test purposes.~~

~~Upon the conclusive finding of a positive (0.04 or greater) blood alcohol test result, the employee has 72 hours in which to request a test of the split specimen. (For explanation of "split specimen," refer to the TESTING FOR CONTROLLED SUBSTANCES section below.) An employee, who fails to notify the Medical Review Officer (MRO) within 72 hours of receiving the results of the positive test of the employee's desire to have the split specimen tested, shall be deemed to have waived the employee's right to seek testing of the split specimen. An employee requesting the testing of a split specimen will be responsible for the cost of any such test. If the result of said test is negative, the City shall reimburse the employee for said test.~~

~~Pending receipt of the result of the analysis of the split specimen, the employee shall not perform safety-sensitive functions, unless the employee has met conditions set forth in this Policy for a return to safety-sensitive functions following a test result of 0.04 or greater.~~

~~All blood alcohol testing will be conducted in conformance with the procedures established by the Federal Regulations.~~

~~3. **Results of Positive Test.**~~

~~If a confirmation alcohol test measures 0.04 or greater, the City of Menasha is required to:~~

~~a. Remove the employee from the safety-sensitive position;~~

~~b. Before returning the employee to employment, take the following steps:~~

~~i. Refer the employee to a Substance Abuse Professional (SAP) for assessment and a determination of whether participation in a treatment program is necessary;~~

~~ii. Obtain a verification from a substance abuse professional that the employee has complied with any required rehabilitation or treatment program; and,~~

~~iii. Re-test to verify the employee's alcohol concentration is below 0.02;~~

~~c. The employee will subsequently be given at least (6) unannounced tests during the next year with the possibility of follow-up testing for up to 60 months.~~

~~If the confirmation test level is between 0.02 and 0.04, the employee will be removed from the safety-sensitive position for 24 hours.~~

~~In the event that an employee is required to comply with breath testing as a result of a law enforcement investigation, the employee must submit to the examination. The test will be considered enforceable for purposes of this Policy if the testing officer is a qualified BAT and the EBT that was used for the test has been certified by the State of Wisconsin or a local law enforcement agency.~~

~~E. TESTING FOR CONTROLLED SUBSTANCES~~

~~The City of Menasha has established its anti-drug program through its Drug Free Workplace Policy which strictly prohibits the unlawful manufacture, distribution, dispensing, possession or unauthorized use of a controlled substance in the workplace. Furthermore, any abnormal conduct that may create a reasonable suspicion that an employee is under the influence of a controlled substance is addressed in the "Reasonable Suspicion Testing" section described previously in this Policy.~~

~~For purposes of this Policy and the Federal Regulations, the City of Menasha will utilize a 5-panel drug screen consisting of the following drugs:~~

~~1. Tetrahydrocannabinol (marijuana drug)~~

~~2. Cocaine~~

~~3. Amphetamines~~

~~4. Opiates (including heroin)~~

~~5. Phencyclidine (PCP)~~

~~The drug screen panel is subject to modification as required by Federal Regulation(s).~~

~~Drug testing is conducted by analyzing an employee's urine specimen (through a certified testing lab). This procedure will include use of a split specimen testing procedure. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles will be sent to a certified lab. Only the "primary" specimen is opened and used for the urinalysis. The split specimen bottle will remain sealed and stored at the lab. If the analysis of the primary specimen confirms the presence of illegal, controlled substance, the employee has 72 hours to request the split specimen be re-tested at the same lab or be sent to another certified laboratory for analysis. An employee who fails to notify the Medical Review Officer (MRO) within 72 hours of receiving the results of the positive test of the employee's desire to have the spit specimen tested shall be deemed to have waived the employee's right to seek testing of the split specimen.~~

~~In some cases the employee may be unable to provide a urine specimen. After a reasonable waiting period (not more than two hours) the collection site person may terminate the testing procedure.~~

~~1. Preparation for Drug Testing.~~

~~The following procedures summarize the process established by the DOT for implementing drug testing under the Federal law. These procedures are subject to change in the event the DOT or other government agency changes the regulations on drug and alcohol testing of employees in safety-sensitive positions.~~

~~a. When the employee enters the collection site, the employee will be required to provide identification (i.e., photo I.D. or employer identification).~~

~~b. The employee will be instructed to provide at least 45 ml of urine under the split sample method of collection. This will be done in a specifically designated "donor" bathroom.~~

~~c. The urine sample shall be divided into a primary specimen (30 ml) and a split specimen (15 ml).~~

~~d. If the test result of the primary specimen is positive, the employee may request, within 72 hours of receiving the positive test result, that the Medical Review Officer (MRO) direct that the split specimen be tested in the same or a different DHHS-certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen.~~

~~e. An employee will be removed from the safety-sensitive position pending the result of the test of the split specimen.~~

~~f. If the result of the test of the split specimen fails to confirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the Medical Review Officer (MRO) shall cancel the test.~~

~~g. Employees will be required to complete and sign various forms used to document the testing and chain of custody process. Refusal to sign the test form(s) will be regarded as a refusal to take the test.~~

~~h. Refusal by an employee to complete and sign the test and chain of custody forms, to provide urine, to provide an adequate amount of urine (to be decided on a case-by-case basis), or other failure to cooperate with the testing process in a way that prevents the completion of the test, will be considered grounds for disciplinary action, up to and including termination.~~

~~In the event of conflicting results between the initial test and the confirmation test, the confirmation test results will determine the outcome of the test.~~

~~**2. Results of Positive Test.**~~

~~As with an alcohol misuse violation, the City of Menasha is required to act upon a positive drug test result in the following manner:~~

~~a. Remove the employee from the safety-sensitive position. This removal will only take place after the employee has been allowed to meet or speak with a Medical Review Officer (MRO) to determine that the positive drug test did not result from the authorized use of a controlled substance;~~

~~b. Refer the employee to a Substance Abuse Professional for assessment and subsequent compliance with recommended rehabilitation after a determination of a drug problem has been made;~~

~~c. The employee must be evaluated by a substance abuse professional or Medical Review Officer (MRO) and determined to be fit to return to work prior to their release of the employee; and,~~

~~d. The employee must have a negative result on a return-to-duty drug test. Follow-up testing to monitor the employee's continued abstinence from drug use will be required if the employee is determined to be in need of rehabilitation.~~

F. PRESCRIPTION AND NON-PRESCRIPTION DRUGS

Before performing work-related duties, employees must notify their supervisor if they are taking any legal prescribed medication, therapeutic drug, or any non-prescription drug which contains any measurable amount of alcohol or which carries a warning label that indicates the employee's metal functioning, motor skills, or judgment may be adversely affected by the use of this medication. In such case, the employee's physician shall indicate and recommend accommodation for the employee. Employees do not need to disclose the purpose for which the medication has been prescribed.

It is the responsibility of the employee to inform his/her physician of the type of safety-sensitive function that he is likely to perform in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's

duties or operation of City equipment. The employee shall present his physician with a form, provided by the City of Menasha, that the employee's physician is to complete, and where accommodation is warranted, the City of Menasha will attempt to provide accommodation. Upon reporting for work on the first day in which the employee is taking the medication, he/she is to present the completed physician's form to his/her immediate management supervisor.

As set forth in part D-1 of this Policy, an employee considering the use or possession of prescription or non-prescription medications containing alcohol should consult with his/her personal physician in order to obtain a substitute medication that does not contain alcohol or to consume such medications containing alcohol on a prescribed schedule that will render the employee alcohol-free during working hours. In the event that the employee's physician cannot prescribe a medication substitute or schedule that will render the employee alcohol-free during working hours, the employee shall provide his or her immediate management supervisor with signed documentation from his or her personal physician indicating such so that an accommodation for the employee can be attempted.

G. CONFIDENTIALITY OF RECORDS

The City of Menasha respects the confidentiality and privacy rights of all of its employees. Accordingly, the results of any test administered under this Policy and the identity of any employee participating in any related assessment or treatment program will not be revealed by the City of Menasha except as provided for by law. The City of Menasha will release an employee's records as directed by the express written consent of the employee authorizing release to an identified person. In addition, the City of Menasha will ensure that any lab or agency used to conduct testing under this Policy will maintain the confidentiality of employee rest records. In the course of official business, however, the lab or testing agency will disclose information related to a positive drug or alcohol test of an individual to the authorized Personnel Department Professional. The authorized Personnel Department Professional may, in turn, disclose this information to the employee, and limited necessary information to his department head and his immediate management supervisor

as well as to the arbitrator or judge in a lawsuit, grievance, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as provided for by law, including court orders or subpoenas.

The Medical Review Officer (MRO) will not reveal individual test results to anyone except the employee and the authorized Personnel Department Professional, unless the MRO has been presented with a written authorization from the tested employee. The MRO may reveal to the authorized Personnel Department Professional relevant information as to whether the employee is qualified to perform safety-sensitive functions or whether the employee has tested positive for alcohol or a controlled substance. The authorized Personnel Department Professional may disclose limited necessary information to the employee's department head and immediate management supervisor as well as to the arbitrator or judge in a lawsuit, grievance or other proceeding on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as provided for by law~~, including court orders or subpoenas; or upon the tested employee's written authorization and consent~~.

All records related to drug and alcohol tests of individual employees will be maintained in individual files separate from the employee's personnel file. These records will be stored in a locked cabinet and access will only be allowed to those employees who have a legitimate need to file or review the records of a particular employee as part of their authorized work assignments.

H. DISCIPLINE

Consistent with this policy, the ~~employer~~ City of Menasha may take disciplinary action based on noncompliance with this policy by an employee and specifically for actions as follows:

1. If a Medical Review Officer (MRO) reports that a urine test is positive, the employee shall be subject to discharge. Discharge ~~shall~~ may be held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.
2. If a BAT reports that a breath test is equal to or exceeds 0.04, that employee shall

be subject to discharge. Discharge ~~shall~~ may be held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.

3. If a BAT reports a breath test between 0.02 and 0.04, the employee shall be sent home without pay for the remainder of the day and shall be suspended without pay ~~for the following~~ until the start of the employee's next regularly scheduled work day~~.~~, but not less than 24 hours following administration of the test.

4. Any employee who refuses to submit ~~to a urine drug and/or breath alcohol~~ an alcohol or drug test shall be subject to discharge.

II. CONVICTIONS

Within five (5) calendar days, an employee is required to notify the City of any criminal drug conviction for a violation occurring in the workplace. The City will take appropriate action it deems necessary.

III. SEARCHES

Entering the City's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he/she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases and lunchboxes, desks, computers and work stations and vehicles and equipment.

~~I. QUESTIONS/FURTHER INFORMATION~~

~~Any employee having questions or requesting further information with respect to the scope of this policy and its contents, may contact the City Attorney or Personnel Director.~~

Adopted: 12/95

IV. EFFECTS, SIGNS & SYMPTOMS

A. Impact on Health, Work, & Personal Life

Information in this policy is intended to help employees understand what consequences alcohol and drug use has on his/her health, work and personal life. The impact of an individual's substance use and/or abuse extends beyond them. Impaired employees endanger themselves, fellow workers, and the general traveling public. Employees with alcohol are less productive and more likely to injure themselves or other persons in an accident. Alcohol abusing employees increase the costs related to lost productivity, absenteeism, loss of trained personnel, theft, and treatment and deterrence programs. Medical costs are higher and are passed on to the employer in the form of higher insurance rates.

B. Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. If substance abuse is contributing to an employee's poor performance, ignoring or avoiding it will not help the situation. An employee's use or misuse of alcohol or drugs may be the root of the performance problem; however, substance abuse on the part of someone close to the employee also could be the source. Inevitably, the abuse of alcohol or other drugs leads to costly and potentially dangerous consequences unless action is taken to confront the issue.

Employees are encouraged to:

- Be concerned about working in a safe environment;
- Support fellow workers in seeking help;
- Report dangerous behavior to their supervisor.

Supervisor's have a responsibility to:

- Observe employee performance and counsel employees regarding their performance;
- Document negative changes and problems in performance and investigate reports of dangerous practices;
- Counsel employees as to expected performance improvement and clearly state consequences of policy violations;
- Refer employees to Substance Abuse professionals.

C. **Where to Find Help**

If you or someone you know has a problem with alcohol or other drugs, contact these resources for free, confidential help.

	Website	Phone
• Substance Abuse Treatment Locator	www.findtreatment.samhsa.gov	1.800.662.HELP
• Al-Anon/Alateen	www.al-anon.alateen.org	1.888.4AL.ANON
• Alcoholics Anonymous (AA)	www.aa.org	
• American Council on Alcoholism	www.aca-usa.org	1.800.527.5344
• Cocaine Anonymous	www.ca.org	1.800.347.8998
• Nar-Anon	www.nar-anon.org	1.800.477.6291
• National Council on Alcoholism	www.ncadd.org	

1.800.622.2255
and Drug Dependence Hopeline

- National Institute on Alcohol Abuse and Alcoholism — www.niaaa.nih.gov
- Workplace Helpline 1.800.WORKPLACE — workplace.samhsa.gov

D. Behavioral & Physical Effects

The chart below presents some of the possible effects of alcohol and other drug use. It presents them by phases of use—early, middle, late middle, and late phases—and it emphasizes the visible signs in general behavior and job performance for each phase. The struggle for answers about alcohol and drug problems can be difficult. Without expert assessment and diagnosis, it can entail an exhausting search without easy resolution. But confidential diagnosis and assistance can be helpful at any point along the continuum, and it is better to seek and get such help sooner rather than later.

EARLY	MIDDLE	LATE MIDDLE	LATE
-Use to relieve tension -Tolerance increases -Don't feel like yourself -Have memory blackouts -Lie about use **Visible signs** *General behavior:* -Overreact to real or imagined criticism -Complain of not feeling well -Lie about use -Family and coworkers complain about you *Job performance:* -Miss deadlines -Arrive late -Leave job early -Often absent from work -Make mistakes because of inattention or poor judgment -Experience decreased efficiency	-Sneak drinks or drugs -Feel guilty about using the substance -Experience tremors when not using -Experience general loss of interest **Visible signs** *General behavior:* -Family, coworkers, supervisors, friends not able to depend on your word -Begin to avoid associates -Borrow money from coworkers -Exaggerate work accomplishments -Need to go to hospital more than average -Have repeated minor injuries on and off the job -Feel unreasonable resentment *Job performance:* -Take frequent days off for vague ailments -Work deteriorates -Experience irregular work pace -Find it difficult to concentrate	-Avoid discussion of problems -Fail in efforts at control -Experience a lack of appetite -Prefer to use alone **Visible signs** *General behavior:* -With some substances, such as alcohol, can become grandiose, aggressive, or belligerent -Relationship issues interfere with work -Have an apparent loss of ethical values -Experience loss of money -Hospitalization increases -Have trouble with the law *Job performance:* -Perform below expected level -Take frequent time off, sometimes for several days -Fail to return from lunch	-Believe that other activities interfere with drinking or other substance use **Visible signs** *General behavior:* -Use on the job -Become totally undependable. -Have repeated hospitalizations. -Show visible physical deterioration -Financial problems worsen -Have serious family problems or divorce *Job performance:* -Have prolonged and unpredictable absences -Work is very uneven -Become generally incompetent

http://www.workplace.samhsa.gov/WPWorkit/pdf/effects_of_alcohol_and%20other_drugs_on_job_fs.pdf