

It is expected that a Quorum of the Administration Committee, Board of Public Works, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA  
PERSONNEL COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 19, 2012  
7:15 PM  
Or immediately following Board of Public Works  
AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [Personnel Committee, 3/5/12](#)
- D. ACTION ITEMS
  - 1. [Employee Safety Manual \(Revised\)](#)
  - 2. [Personnel Policy Handbook \(Revised\)](#)
  - 3. [Police Department Organizational Structure Change](#)
  - 4. [Police Union Contract \(Local 603\) and Educational Incentive Program](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA  
PERSONNEL COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 5, 2012  
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Englebert at 8:16 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Langdon, Krueger, Zelinski, Englebert, Benner, Klein, Taylor, Sevenich, Mayor Merkers

ALSO PRESENT: CA/HRD Captain, PC Styka, FC Auxier, CDD Keil, C/T Stoffel, PHD Nett, PP Homan, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. [Personnel Committee, 12/5/11](#)
2. [Special Personnel Committee, 12/7/11](#)

Moved by Ald. Krueger, seconded by Ald. Zelinski to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. [Employee Safety Manual \(Revised\)](#)

PHD Nett reviewed the Employee Safety Manual and explained the changes.

General discussion ensued on the policy and changes.

Chairman Englebert suggested this item remain on the agenda for further discussion at the next meeting.

2. [Personnel Policy Handbook \(Revised\)](#)

CA/HRD Captain explained that staff and the Mayor have been working on updating the City's Personnel Policy Handbook last reviewed in 2000. The policies will be presented to the Committee in parts with the first parts for review containing the most substantive policies that the City is required to have either by law or by grant or other governmental funding.

General discussion ensued on the policy and changes.

Chairman Englebert suggested this item remain on the agenda to give members more time to review and discussion at the next meeting.

E. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Benner to adjourn at 8:50 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk

## **FLEET SAFETY POLICY**

### **I. PURPOSE:**

The purpose of the fleet safety policy is to prevent vehicle accidents and promote safe driving practices while maintaining City of Menasha vehicles and heavy equipment in proper operating condition. This fleet safety policy also serves as the uniform best practice standard governing the privilege of operating City of Menasha vehicles and/or heavy equipment within the scope of employment.

This fleet safety policy applies to all City of Menasha full-time, part time, seasonal and volunteer employees. In addition to the provisions of this policy, all employees are required to comply with applicable Federal and Wisconsin DOT motor vehicle and local traffic laws, and the established City of Menasha driving safety work rules, best practices and procedures.

### **II. RESPONSIBILITIES:**

#### **Department Heads**

Department Heads have the responsibility to implement the adopted fleet safety policy and overall fleet safety program by:

- A. Directing all supervisors and employees to endorse and comply with the adopted policy and program components.
- B. Identifying and setting fleet safety goals and priorities.
- C. Providing appropriate safety and financial resources.
- D. Providing support and interest in the fleet safety program.

#### **Supervisors**

Supervisors have the responsibility to:

- A. Provide training to employees so that they are fully qualified to drive and maintain all fleet vehicles and heavy equipment.
- B. Ensure the safe operation of fleet vehicles in compliance with the overall fleet safety program requirements.
- C. Enforce the established fleet safety policy's driving work rules, procedures, policies and best practices.
- D. Thoroughly investigate all vehicle accidents
- E. Demonstrate support and interest in the fleet safety program.
- F. Conduct both annual and random license checks.

#### **EMPLOYEES**

Employees have the responsibility to:

- A. Comply with the directives of this fleet safety policy and overall fleet safety program.
- B. Apply their education and training to the safe operation of assigned vehicles and heavy equipment.

- C. Immediately report any change in the status of their driver's license to their immediate supervisor.
- D. Conduct required pre-trip inspections and preventative maintenance on assigned vehicles and heavy equipment.
- E. Thoroughly complete all fleet-related inspection and maintenance forms.
- F. Report unsafe conditions and /or mechanical defects.
- G. Report all accidents immediately and thoroughly complete the accident report.

**FLEET MAINTENANCE MANAGER**

Fleet Maintenance Manager has the responsibility to:

- A. Develop, schedule and ensure implementation of the City of Menasha's preventative maintenance program on all vehicles and heavy equipment.
- B. Prepare specifications for purchased or leased vehicles and heavy equipment that ensure maximum safety features.
- C. Assist in the development of fleet safety rules, best practices, procedures and policies.
- D. Supervise the activities of the maintenance staff to ensure quality maintenance.
- E. Assist in providing training on preventative maintenance, inspection techniques, and best practices.

**ACCIDENT REVIEW COMMITTEE**

(The accident review committee consist of a representative from management, labor, and the vice chair of the personnel committee).

Accident Review Committee has the responsibility to:

- A. Conduct an accident review to establish accident preventability or non-preventability.
- B. Recommend and support post accident opportunities for improvement.

**USE OF PERSONAL VEHICLES ON CITY OF MENASHA BUSINESS**

The operation of personal vehicles on City of Menasha business is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha.

An employee must comply with the following stipulations in order to operate their personal vehicle on City of Menasha business:

- A. Prior approval of the employee's department head.
- B. PROOF OF INSURANCE: Minimum acceptable liability insurance limits are \$100,000 per occurrence and \$300,000 per incident. Additionally, uninsured motorists protection in the amount of \$25,000 and property damage coverage of \$25,000 is required. Acceptable proof of insurance, determined by the City of Menasha must be provided to the Department Head prior to using a personal vehicle on City of Menasha business.
- C. Motorcycles and/or mopeds are not acceptable and cannot be used to conduct City of Menasha business and are not eligible for mileage reimbursement. All personal vehicles must be suitable for the use for which employees receive mileage reimbursement.

- D. If an employee's regular vehicle is out of service or otherwise unavailable, it is the employee's responsibility to provide an alternate vehicle if the City of Menasha does not have a vehicle available for assignment.
- E. Employees required to provide their own vehicle will be reimbursed on a per mile basis at a rate that is determined by the City of Menasha. All maintenance, operating, insurance and other vehicle expenses are the responsibility of the employee. It is also the employee's responsibility to maintain their personal vehicle in such a manner as to ensure safe operation. The employee's insurance shall be considered primary.
- F. It is the employee's responsibility to inform their insurer of the circumstances under which the vehicle is operated in the City of Menasha.
- G. Employees are required to submit a mileage reimbursement form on a monthly basis. This City of Menasha form must be completely filled out following the adopted procedures. These mileage reimbursement forms are subject to audit. The provisions of this fleet safety policy shall apply whether or not an employee seeks reimbursement for the use of a non-city.
- H. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.
- I. Failure to comply with the City of Menasha fleet safety policy, a loss of driving privileges, or fraudulent reporting of vehicle use could result in disciplinary action and/or loss of the privilege to operate a vehicle on City of Menasha business. A loss of driving privilege will be reviewed on a case-by-case basis.
- J. The City of Menasha will review the driving records of all employees that are required to drive in the course of their employment on a periodic basis.

#### **USE OF CITY OF MENASHA VEHICLES – FLEET SAFETY DRIVING RULES AND BEST PRACTICES**

The operation of City of Menasha owned or leased vehicles and/or heavy equipment is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha. An employee must comply with the following fleet safety driving rules and best practices in order to continue to operate vehicles and heavy equipment:

- A. Maintain an approved and valid WI DOT-MV driver's license with the applicable classifications and endorsements at all times. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.

- B. Maintain a satisfactory driving record both on and off the job. The City of Menasha will be reviewing driver records on both a random and routine basis.
- C. Employees are required to obey all Federal DOT, Wisconsin DOT-MV, local and City of Menasha traffic regulations.
- D. Seat belts and shoulder harnesses SHALL BE WORN while operating or riding in City of Menasha owned commercial and fleet vehicles, personal vehicles while on duty, and when operating heavy equipment that has been equipped with a manufacturer's installed seat belt and a rollover protection (ROP) feature. Inoperative or missing seat belts and/or harnesses shall immediately be reported to the supervisor. The vehicle or equipment shall not be operated until the repairs have been made.
- E. Employees who operate fleet automobiles, light trucks, and medium trucks SHALL conduct a quick visual pre-trip inspection of the tires, brakes, headlights, taillights, directional lights, 4-way flashers, wipers, heater, and defroster on the vehicle prior to operating.
- F. Employees who operate commercial vehicles SHALL conduct the required "PRE-TRIP INSPECTION" prior to operating on public roadways as required by federal DOT regulations.
- G. Engines SHALL BE stopped and ignition keys removed when parking or leaving City of Menasha vehicles and/or heavy equipment.
- H. Individuals not employed by the City of Menasha are NOT PERMITTED as passengers in fleet vehicles unless authorized by a supervisor or Department Head.
- I. While fueling fleet vehicles and/or heavy equipment:
  - 1. Smoking is PROHIBITED within 25' while fueling.
  - 2. Engines SHALL BE turned OFF during the fueling operation. Leaving the vehicle unattended while fueling is PROHIBITED.
  - 3. Using an object to "lock the nozzle" on a fuel pump nozzle while fueling is PROHIBITED.
  - 4. Fuel leaks and/or spills (gasoline, diesel fuel, and hydraulic oil) over one gallon SHALL BE reported immediately to the person responsible for safety so that an internal spill report can be completed.
- J. Non-emergency vehicles are PROHIBITED from parking in fire lanes or in front of fire hydrants while on jobsites.
- K. Traffic cones are to be used as a warning and control measure for crews and vehicular traffic. Traffic cones SHALL BE placed at the vehicle and trailer corners when parked on public roadways, in public parking lots, busy job sites and narrow residential streets to create a safe work zone area.
- L. Report any fleet vehicle and heavy equipment mechanical problems immediately. NEVER drive a fleet vehicle and /or operate heavy equipment that does not appear safe.

- M. Protective guards, deflectors and shields SHALL BE in place before starting and operating any heavy equipment.
- N. Heavy equipment SHALL BE properly maintained and inspected prior to each use.
- O. Employees SHALL BE properly trained on specialty and heavy equipment prior to its use.
- P. Always use metal vehicle jack stands when you are working under a raised vehicle. Use safety blocks to secure the body of a vehicle in a raised position. Never exceed the rated capacity of jack stands.
- Q. The **“3-Point Contact”** concepts SHALL BE used when mounting and dismounting commercial vehicles, large specialty equipment, and heavy equipment. Jumping off vehicles and heavy equipment is PROHIBITED.
- R. Employees ARE NOT ALLOWED to tamper, over-ride or disconnect any manufacturer installed safety features and devices.
- S. All heavy or specialty equipment SHALL BE turned OFF under the following field conditions:
  - 1. Changing attachments.
  - 2. Manually loading or unloading equipment.
  - 3. Adjusting attachments.
  - 4. In proximity to the general public.
- T. Vehicle interiors are to be kept clean and free of rubbish.
- U. Excess material and debris SHALL BE CLEANED OFF after trailers and trucks are loaded prior to moving (i.e. trailer wheel fenders, bumpers, side panels, truck bed ledges, etc).
- V. Riders and/or passengers ARE NOT ALLOWED on heavy equipment while it is moving.
- W. Vehicle and equipment steps, platforms, and deck plates SHALL BE kept clear of grease, oil, ice and mud.
- X. Loading and unloading trailers:
  - 1. Loading and unloading of heavy or specialty equipment on trailers SHALL BE done on a level surface area.
  - 2. The **“4-Point Tie Down”** practice and application of the emergency brake SHALL BE done when transporting large riding landscape and construction-type equipment on trailers. The combined strength of all cargo tie-downs (straps, chain, ropes, tensioning devices) must be strong enough to lift half the weight of the piece of cargo tied down.
  - 3. Cargo on trailers SHALL NOT exceed the lead capacity of the trailer.
  - 4. Equipment attachments SHALL BE lowered and secured on trailers while transporting.

NOTE: "FLEET SAFETY DRIVING RULES AND BEST PRACTICES" are listed separately for use as an independent supplement or handout (See Appendix A).

### PRE-EMPLOYMENT DRIVING STANDARDS

The following driving standards will be applied uniformly applied by the City of Menasha prior to an offer of employment. These driving standards are subject to change at any time at the discretion of the City of Menasha. A copy of the applicant's driving record will be obtained from the WI DOT-MV.

The following driving standards will apply in order to meet the minimum requirements for employment with the City of Menasha for a position that requires the operation of a motor vehicle:

1. Applicants must possess and produce a valid Wisconsin Driver's License which meets the required classification (i.e. Class A, B, C or D) before an offer of employment can be made. In the case of an out-of-state applicant, the offer can be made contingent upon obtaining the appropriate Wisconsin Driver's License prior to starting employment.
2. Applicants, for certain positions that require a CDL, shall possess a valid Wisconsin DOT-MV CDL with the appropriate classifications, and with a no air brake restriction before starting employment. Other required endorsements must be obtained prior to the end of the probationary period.
3. Applicant's driving record will be reviewed using the following review criteria. Failure to meet these review criteria may result in the applicant's rejection.
  - A. Possess the required Wisconsin DOT-MV Driver's License for the position.
  - B. Must have no more than **two** moving violations in the last 18 months, and no more than **three** moving violations in the last 36 months.
  - C. No more than **one** chargeable accident within the last 18 months or more than **two** chargeable accidents within the past 36 months.
  - D. No more than six (6) points within the past 12 months.
  - E. No drunk driving or reckless driving convictions within the past five years.

### DRIVER ORIENTATION AND TRAINING

Orientation and training is provided to new employees to assure these new employees have the knowledge and skills necessary to perform the job in the manner expected, as well as to review the City of Menasha policies and practices with each new employee. The orientation and the type and amount of training that is needed will vary directly with the complexity of the job assignments, and the knowledge and experience level of the new employee. Immediate supervisors are responsible for orienting and training both new and current employees regarding the proper use, maintenance and operation of City of Menasha vehicles and heavy equipment. These are the general areas that are to be covered during the orientation process:

#### VEHICLE SAFETY RULES, POLICIES, PROCEDURES AND PRACTICES

Employee will be instructed before using the vehicles and/or heavy equipment for the first time on the following:

- A. Approved uses of City of Menasha vehicles.
- B. Vehicle accident procedures.
- C. Maintenance repair reporting process, procedures and mandatory forms.
- D. Vehicle and/or heavy equipment field breakdown procedures.
- E. Proper storage and parking procedures.
- F. Fueling practices and mandatory forms.
- G. Substance Abuse Policy.
- H. Fleet safety driving rules and best practices.

#### VEHICLE OPERATION (OFF ROAD)

Employee will be instructed on the proper use of the vehicle and/or heavy equipment off road on the following:

- A. Proper use of the vehicle and/or heavy equipment's controls, features and attachments.
- B. Procedures for operating the vehicle or heavy equipment on the roadway.
- C. Required inspection techniques and preventative maintenance practices.
- D. Completing the mandatory inspection and maintenance forms.
- E. Proper use of safety features and equipment.
- F. Cargo loading, unloading, and tie-down practices.
- G. Backing procedures and use of spotters.

#### VEHICLE ROAD TEST (ON THE ROAD)

- A. Following the orientation, the supervisor, shall conduct a road test for the purpose of verifying the employee's skill and ability to operate the vehicle and/or heavy equipment in a safe and competent manner. And the road test shall include a review of the employee's ability to operate the vehicle and/or heavy equipment controls and attachments. All road tests should be conducted on routes that include a variety of job-related driving and operating conditions.

In addition, the City of Menasha will provide on-going in-service training programs which address the knowledge and skills necessary for all employees to perform in a satisfactory and safe manner, and will attempt to bridge the gap between the employees' existing level of knowledge and that required for the job.

#### **ACCIDENT REPORTING PROCEDURE**

Employees involved in an accident with a City of Menasha owned or leased fleet vehicle shall follow these steps:

- A. Stop immediately.
- B. Take precautions to prevent further accidents.
- C. Render reasonable assistance to injured persons.
- D. Call for the assistance of the Police and advise the Police Department that it involves a City of Menasha vehicle or equipment.

- E. Provide all information requested by the Police.
- F. Exchange names, addresses, telephone numbers, vehicle license plate numbers, insurance information, and driver's license information with the other party involved in the accident.
- G. Report the accident to a supervisor as soon as possible.
- H. Wait for the City of Menasha representative to arrive at the accident scene. If required, the City of Menasha representative will take the employee for drug and alcohol testing.
- I. Employee who was driving the vehicle or piece of heavy equipment shall complete and submit the City of Menasha accident report form within 24 hours for their supervisor's review.

NOTE: Employees **SHOULD NOT** discuss the accident with anyone other than a representative from the City of Menasha, or the Police Department. Employees **SHOULD NOT** apologize, admit guilt, or indicate that the City of Menasha will take responsibility or will pay any accident-related bills. If a citizen wishes to file a claim against the City of Menasha they should be referred to the City Attorney.

### **ACCIDENT REVIEW PROCEDURE**

All accidents involving City of Menasha vehicles and/or heavy equipment shall be promptly reviewed. A determination whether a fleet accident shall be made and classified as preventable or non-preventable. The review process shall be as follows:

- A. The determination shall be made by the accident review committee using the following guidelines:
  - 1. An accident shall be judged preventable if the driver "failed to exercise every reasonable precaution" to avert the accident.
  - 2. A thorough investigation and review of the accident report, employee's driving record, driver statements, witness statements, and any supplemental information (i.e. drawings, etc.) shall be determining factors.
  - 3. Admission of "fault" by either driver, "blame placing" by another, mechanical failure, cost of repairs and damages, or other such factors are not definitive considerations in determining whether an accident is preventable.
- B. The employee shall be given written notification of the determination.
  - 1. The notification shall include the employee's accident history for the previous two years.
  - 2. A copy of the notification shall be sent to the employee, their department head and the city personnel department.
- C. The employee shall have an appeal process concerning the determination as to whether or not an accident should be classified as preventable. (Refer to the city's Discipline /Grievance Policy and Procedure)

NOTE: Possible disciplinary action may be warranted based on the employee's past driving record, current work record, and the severity of the accident. However, any potential disciplinary action must be in accordance with applicable City of Menasha established personnel policies.

## **VEHICLE AND HEAVY EQUIPMENT MAINTENANCE AND CARE**

It is the responsibility of each department or division head to ensure that all City of Menasha owned or leased vehicles and heavy equipment assigned to their respective departments are in proper working condition at all times. The Department head shall ensure that a written orientation and training program is developed for vehicles and heavy equipment in their respective department. Routine checklists shall be developed and utilized for the vehicles and heavy equipment.

All supervisory personnel are accountable for the City of Menasha assigned vehicles and heavy equipment. This accountability includes instruction of employees in the proper operation and preventative maintenance procedures and ensuring that routine vehicle inspections are performed on the pre-use basis and that inspection forms are completed and submitted in accordance with the established procedure.

Employees, who are assigned a vehicle and/or piece of heavy equipment, are responsible for the daily inspection of the vehicle and/or heavy equipment and completing the required forms. If an employee is unfamiliar with the operation or maintenance of a vehicle or piece of heavy equipment, it is their responsibility to request information and instructions on the proper procedures from their immediate supervisor.

## **VEHICLE EMERGENCY BREAKDOWN PROCEDURE**

Employees are responsible for following the breakdown procedures whenever a vehicle becomes disabled in a public roadway:

- A. Get completely off the traveled roadway. Avoid curves, hills or where the view may be obstructed.
- B. Shut down the vehicle.
- C. Set the parking brake to prevent movement.
- D. Turn on the 4-way flashers. If reflective triangles are available, set them near the vehicle and at approximately 100' to warn approaching traffic.
- E. Call for assistance.
- F. Stay in and with the vehicle.

## **FLEET SAFETY EQUIPMENT AND SUPPLIES**

### **VEHICLE PURCHASING**

The City of Menasha will consider and make every effort to upgrade safety features when developing specifications for the purchase of automobiles, vans, light trucks, medium trucks, heavy trucks, specialty vehicles and heavy equipment. The following items will be considered where available, practical and functional to enhance safety and protection:

#### All Vehicles

1. Additional or upgraded right-side mirror.
2. Additional fog/road lights.
3. Wiring for hands-off 2-way radio or cellular phone use.
4. Daytime running lights.
5. Anti-lock brakes, where possible.

6. Ergonomic seats (adjustable, lumbar support).
7. Dual airbags, where possible.

#### Trucks and Commercial Trailers

1. Liberal use of reflective tape for improved visibility.
2. Work lights for hookup or cargo loading in the dark.
3. Upgraded steps and grab rails on cabs, rear panels and trailers.
4. Rear-view vision systems.
5. Convex mirrors mounted at front and rear of vehicle.
6. Bulkheads to protect employees from shifting cargo.
7. Side racks and equipment boxes.
8. Hydraulic tailgate lifts.
9. Walk-up ramps.
10. Hazard lights (strobe, rotational) or light bars.
11. Back-up alarm devices.

### **EMERGENCY EQUIPMENT AND SUPPLIES**

Supervisors and employees are required to maintain and ensure that all commercial vehicles are carrying the following emergency equipment: 1) Reflective triangles, if operating outside the limits of Menasha 2) Basic first aid kit, 3) Small multi-purpose dry fire extinguisher, and the 4) Vehicle "Glove-box" accident reporting kit (Proof of Insurance, vehicle and trailer registration cards, accident report form, witness cards and disposable camera (optional)).

In addition, all vehicle and trailer combination units must carry a minimum of 5 – traffic cones for use in establishing a minimum tapered work zone when loading and unloading trailers, or abandoning a trailer on public roadways or in parking lots.

## APPENDIX A

### USE OF CITY OF MENASHA VEHICLES – FLEET SAFETY DRIVING RULES AND BEST PRACTICES

The operation of City of Menasha owned or leased vehicles and/or heavy equipment is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha. An employee must comply with the following fleet safety driving rules and best practices in order to continue to operate vehicles and heavy equipment:

- A. Maintain an approved and valid WI DOT-MV driver's license with the applicable classifications and endorsements at all times. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.
- B. Maintain a satisfactory driving record both on and off the job. The City of Menasha will be reviewing driver records on both a random and routine basis.
- C. Employees are required to obey all Federal DOT, Wisconsin DOT-MV, local and City of Menasha traffic regulations.
- D. Seat belts and shoulder harnesses SHALL BE WORN while operating or riding in City of Menasha owned commercial and fleet vehicles, personal vehicles while on duty, and when operating heavy equipment that has been equipped with a manufacturer's installed seat belt and a rollover protection (ROP) feature. Inoperative or missing seat belts and/or harnesses shall immediately be reported to the supervisor. The vehicle or equipment shall not be operated until the repairs have been made.
- E. Employees who operate fleet automobiles, light trucks, and medium trucks SHALL conduct a quick visual pre-trip inspection of the tires, brakes, headlights, taillights, directional lights, 4-way flashers, wipers, heater, and defroster on the vehicle prior to operating.
- F. Employees who operate commercial vehicles SHALL conduct the required "PRE-TRIP INSPECTION" prior to operating on public roadways as required by federal DOT regulations.
- G. Engines SHALL BE stopped and ignition keys removed when parking or leaving City of Menasha vehicles and/or heavy equipment.
- H. Individuals not employed by the City of Menasha are NOT PERMITTED as passengers in fleet vehicles unless authorized by a supervisor or Department Head.
- I. While fueling fleet vehicles and/or heavy equipment:
  1. Smoking is PROHIBITED within 25' while fueling.
  2. Engines SHALL BE turned OFF during the fueling operation. Leaving the vehicle unattended while fueling is PROHIBITED.
  3. Using an object to "lock the nozzle" on a fuel pump nozzle while fueling is PROHIBITED.

- 4. Fuel leaks and/or spills (gasoline, diesel fuel, and hydraulic oil) over one gallon SHALL BE reported immediately to the person responsible for safety so that an internal spill report can be completed.
- J. Non-emergency vehicles are PROHIBITED from parking in fire lanes or in front of fire hydrants while on jobsites.
- K. Traffic cones are to be used as a warning and control measure for crews and vehicular traffic. Traffic cones SHALL BE placed at the vehicle and trailer corners when parked on public roadways, in public parking lots, busy job sites and narrow residential streets to create a safe work zone area.
- L. Report any fleet vehicle and heavy equipment mechanical problems immediately. NEVER drive a fleet vehicle and /or operate heavy equipment that does not appear safe.
- M. Protective guards, deflectors and shields SHALL BE in place before starting and operating any heavy equipment.
- Y. Heavy equipment SHALL BE properly maintained and inspected prior to each use.
- Z. Employees SHALL BE properly trained on specialty and heavy equipment prior to its use.
- AA. Always use metal vehicle jack stands when you are working under a raised vehicle. Use safety blocks to secure the body of a vehicle in a raised position. Never exceed the rated capacity of jack stands.
- BB. The **“3-Point Contact”** concepts SHALL BE used when mounting and dismounting commercial vehicles, large specialty equipment, and heavy equipment. Jumping off vehicles and heavy equipment is PROHIBITED.
- CC. Employees ARE NOT ALLOWED to tamper, over-ride or disconnect any manufacturer installed safety features and devices.
- DD. All heavy or specialty equipment SHALL BE turned OFF under the following field conditions:
  - 1. Changing attachments.
  - 2. Manually loading or unloading equipment.
  - 3. Adjusting attachments.
  - 4. In proximity to the general public.
- EE. Vehicle interiors are to be kept clean and free of rubbish.
- FF. Excess material and debris SHALL BE CLEANED OFF after trailers and trucks are loaded prior to moving (i.e. trailer wheel fenders, bumpers, side panels, truck bed ledges, etc).
- GG. Riders and/or passengers ARE NOT ALLOWED on heavy equipment while it is moving.
- HH. Vehicle and equipment steps, platforms, and deck plates SHALL BE kept clear of grease,

oil, ice and mud.

II. Loading and unloading trailers:

1. Loading and unloading of heavy or specialty equipment on trailers SHALL BE done on a level surface area.
2. The **"4-Point Tie Down"** practice and application of the emergency brake SHALL BE done when transporting large riding landscape and construction-type equipment on trailers. The combined strength of all cargo tie-downs (straps, chain, ropes, tensioning devices) must be strong enough to lift half the weight of the piece of cargo tied down.
5. Cargo on trailers SHALL NOT exceed the load capacity of the trailer.
6. Equipment attachments SHALL BE lowered and secured on trailers while transporting.

## TO ALL EMPLOYEES

The City of Menasha is committed to providing a safe and hazard free work place for all employees. At the same time, it is expected that employees shall, as a condition of continued employment, abide by these established standards.

These rules are intended to specify the general standards by which employees shall perform their jobs. However, these rules are not exhaustive and individual department rules may apply. Violation of safety rules or standards will result in disciplinary action. Recommendations or suggestions regarding the addition or modification of these safety rules should be made to your supervisor.

Management reserves the right in its discretion to supplement, alter, modify, amend or rescind rules as necessary. It is not intended that these rules will modify, amend, or in any way contravene the provisions of any of our labor agreements, or work rules. Any grievance arising out of the discharge, disciplinary action and/or interpretation of these rules are subject to the grievance procedure and/or Civil Service Rules and Regulations.

These rules were developed and apply to employees at all levels of employment. The intent was to develop rules that were in compliance with applicable local, state and federal workplace safety regulations which help ensure the safest possible work place. Success of this safety program depends upon the continued cooperation of employees and administration.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

AN AFFIRMATIVE ACTION EMPLOYER

## **SAFETY COMMITTEES**

Departmental safety committees shall be organized and maintained within the City of Menasha. Each committee shall be made up of a combination of management and line personnel. The City Attorney shall be considered part of each committee and informed of all meetings and provided minutes. Meetings shall be maintained formal with set agendas and maintained minutes. Committees shall meet monthly unless approved to meet at a different frequency not to exceed every other month.

The primary function of each committee will be as follows:

- A. Discussion of safety and health issues unique to the department(s) which comprise the particular committee
- B. Reported injuries will be reviewed to determine how the issue could have been avoided.
- C. Evaluation of department(s) safety and health programs.
- D. Dissemination of occupational safety and health information to employees
- E. Identify training needs
- F. Organize training sessions conducted in-house by Safety Coordinator, CVMIC or 3<sup>rd</sup> Party.
- G. Other safety, health and/or loss prevention duties as needed.

### **City of Menasha Safety Committees:**

- A. Department of Public Works and Parks (DPW, Parks, Engineering)
- B. City Hall (Health, City Hall, Library, Senior Center)
- C. Police Department



**SECTION 4****VEHICLE OPERATION AND REPAIR**

General Responsibility	4.01
Seat Belt / Shoulder Harness Use	4.02
Emergency Vehicle Operation	4.03
Use of Medications	4.04
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## GENERAL SAFETY RULES

### 1.01 EMPLOYEE RESPONSIBILITY

Each employee is responsible for performing their job with every possible regard for their own safety and for the rights and safety of others and for compliance with all applicable Federal, State and Local safety standards that apply to the performance of their job. All employees, regardless of position, are, as a condition of employment, required to obey all safety rules and general safe work practices that are set forth by these rules and other practices as directed. These general rules are intended to be in conjunction with specific department rules. These rules shall be strictly enforced.

### 1.02 MANAGEMENT RESPONSIBILITY

The Health Department shall have the responsibility for the City of Menasha Safety Program. The Public Health Director shall be responsible for preparing and administering the Safety Committee Budget. The Public Health Director has the authority to request input from the safety committee members as he/she deems necessary. It is the responsibility of the Public Health Director to appoint a City Safety Coordinator.

The Safety Coordinator shall be responsible for:

- A. Coordinate safety program discussions with all City Departments.
- B. Coordinate and manage discussions, pricing and scheduling issues related to the presentation of safety training.
- C. Coordinate and manage the development of the recommended policies, procedures and standard operating guidelines for the safety program.
- D. Facilitate the safety poster review and utilization plan.
- E. Coordinate the long range training plan for the safety program.
- F. Maintain all safety training records in an electronic format available to all Department Heads at all times.
- G. Coordinate and manage safety committee meetings.

Each Department Head and Supervisor is responsible for the safety of work under their direction. This shall include, but not be limited to, the following:

- A. Providing employees with a safe working environment.
- B. Ensuring compliance and enforcing all applicable Federal, State and Local safety standards within their department in a consistent and fair manner.
- C. Ensuring that employees receive proper instructions for the safe performance of their jobs. This includes safety orientation for new and transferred employees.
- D. Ensuring that employees perform their job with regard for their own safety, the safety of co-workers and the safety of the public.

**1.03 HORSEPLAY**

Horseplay, of any kind is prohibited.

**1.04 SMOKING**

No person shall smoke in any City-owned building or vehicle unless in a designated area (per City Ordinance 0-2-93).

**1.05 POWER TOOLS AND EQUIPMENT**

All power tools and equipment shall be shut off when unattended or not in use.

**1.06 REPORTING DAMAGE OR PROBLEMS WITH TOOLS AND EQUIPMENT**

Report to your supervisor immediately if tools, vehicles, equipment or machinery you are required to operate is not working properly. Employees shall be held accountable for damage to tools, equipment, vehicles, etc. that result from misuse, negligent operation, intentional damage, abuse, failing to report problems, etc.

**1.07 WEARING APPAREL AND JEWELRY**

Standards for wearing apparel and jewelry shall be consistent with City policies and the requirements of the job. (Refer to sections 3.02 and 3.14).

**1.08 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

The drinking of alcoholic beverages of any kind during working hours is prohibited. No employee shall report for work under the influence of alcohol or controlled substances as defined by Chapter 161 of the Wisconsin State Statutes. If an individual's ability to perform his/her job has been impaired, he/she may be disciplined or sent home without pay. Undercover Police Department operations will follow specific Police Department Policy related to this issue.

**1.09 REPORTING ACCIDENTS/INJURIES**

All accidents involving City equipment and all personal injuries, however small, shall be reported immediately to your supervisor who shall notify the Personnel Department. In addition, within 24 hours (next business day for weekends, and holidays) the appropriate Accident and Injury Report Form must be completed and forwarded to the Personnel Department. This reporting requirement is done to meet Federal, State recording requirements, and for the employees protection. Accidents not reported within a specific period of time may not be compensable under the Worker's Compensation Act. Contact your supervisor if you are unsure of how to complete the required report or need a form. Your supervisor will complete the form if you are medically unable.

**1.10 WORKING IN THE STREET**

When working in the street, always wear ANSI compliant high visibility clothing (Comm 32.39(1)); use the warning lights mounted on vehicles or equipment. Police shall follow their policy related to wearing high visibility clothing while in the right of way. Barricades which are used at night must have an operable flashing or steady burn light which is turned on.

**1.11 VEHICLE AND EQUIPMENT OPERATION**

All individuals who operate vehicles or equipment on a public roadway shall possess a valid Wisconsin Operator's license and an endorsement or certification that may be required for certain types of vehicles or classifications of employment. This license must be carried on your person at all times when working. In the event an employee's driving privileges are suspended or revoked, he/she shall immediately inform his/her supervisor. Such employees are prohibited from using any vehicle or equipment until such time as their license is restored. "Immediately" shall be interpreted to mean not later than the beginning of the next work day.

**1.12 DISPUTE RESOLUTION**

In the event a dispute should arise concerning safety, the Public Health Director or his/her designee shall be the final deciding authority.

**1.13 RADIO/STEREO HEADPHONES**

No radio/stereo headphones or earphones shall be worn when operating any vehicle or equipment or at any other time while working.

**1.14 PROTECTING THE PUBLIC**

The public shall be kept away from all work areas that could expose them to a hazard.

**1.15 FLOATATION DEVICES**

Coast Guard approved floatation devices shall be worn at all times while working over water or operating any type of watercraft. Police Department employees are exempt when following department specific policies relating to assisting with arrests on the water or working with the County boat patrol.

**1.16 EXPOSURE TO HUMAN BLOOD AND BODY FLUIDS**

Any employee exposed to human blood, body fluids or other potentially infectious materials must immediately report the incident to their supervisor. Employees whose duties involve exposure to human blood, body fluids or potentially infectious materials are required to use personal protective equipment as required by the City Exposure Control Plan, Bloodborne Pathogen Program and DOC regulations.

## HOUSEKEEPING

### 2.01 WORK AREA

It is the responsibility of each employee to keep his/her work area neat and clean and to return all tools, equipment, and material to the proper storage location.

### 2.02 FLOORS & AISLE

All floors, aisles, and work and storage spaces shall be kept clean and orderly. Any object that would present a trip/fall hazard, such as electrical cords, boxes, etc. shall be properly stored, secured, etc. Marked walkways shall be provided in storage areas and shall not be used for storage.

### 2.03 SPILLS/WET FLOORS

Any substance spilled or observed on the floor that would cause the floor to become slippery or create a trip hazard shall be cleaned up immediately. When floors become wet as a result of weather conditions or cleaning activity "wet floor" signs shall be placed to warn employees and the public.

### 2.04 RAG STORAGE

Oily and greasy rags shall be stored in an approved covered metal container provided for that purpose.

### 2.05 COMPRESSED AIR

Compressed air shall not be used for cleaning purposes except where reduced to less than 30 PSI and then only with effective chip guarding and personal protective equipment. Compressed air shall never be used to clean oneself.

## TOOLS AND EQUIPMENT

### 3.01 GENERAL RESPONSIBILITIES

It is important to keep all tools and equipment in good working condition. Employees shall inspect all tools and equipment prior to use and report any damaged or defective tools to their supervisor immediately. Always use the right tool for the job and use each tool only for that which it is intended.

### 3.02 MAINTENANCE/REPAIR

When performing maintenance or repair functions, use only properly insulated tools, remove all jewelry and shut off the power, if possible, when working around energized electrical circuits or equipment. All work shall be performed consistent with the City's Lockout/Tagout policy.

### 3.03 GRINDER OPERATION

When operating a grinder:

- A. No wheel shall be operated without properly installed guards.
- B. The top (tongue) guard should be adjusted to within ¼ inch of the grinding wheel. The tool rest shall be adjusted to within 1/8 of an inch of the wheel, but no adjustment shall be made while the wheel is in motion.
- C. Grinding on the flat side of the wheel is prohibited.
- D. Out-of-round wheels shall be dressed before use.
- E. Face shield and safety glasses shall be worn.
- F. Anytime the grinding wheel is removed or replaced, it must be ring tested prior to installation.

### 3.04 MOWING OR TRIMMING

When Mowing or Trimming:

- A. ANSI approved safety glasses with side shields or impact goggles must be worn.
- B. Inspect area and remove all debris.
- C. Cut with discharge chute pointed down and in opposite direction of buildings, vehicles and play areas.
- D. Always shut and lock out engine (refer to Lock out tag out small engine section) before attempting to refuel the engine, clean the discharge chute or make any adjustments to the mower.
- E. Wear steel toe safety shoes or toe guards.
- F. Appropriate PPE shall be worn-refer to PPE hazard assessment.

### 3.05 TREE TRIMMING

When trimming trees or using chain saws: (NOTE – All tree work shall be done in accordance with the provisions of ANSI 133.1.)

- A. Except in cases of emergency, aerial tree work shall not be performed when trees are wet or during high winds.
- B. Ropes of suitable strength shall be used for lowering of limbs.
- C. Climbing ropes or safety line shall not be used for lowering of limbs.
- D. Remove all tools, hangers, and ropes from trees before you leave the job site.
- E. No person shall be grounded with vehicle when working around wires.
- F. Never walk with saw blade in motion.
- G. Walk with guide bar pointing to rear.
- H. Maintenance and refueling shall not be done when saw is running.

- I. Approved hard hats, eye, ear, and foot protection shall be worn.
- J. Spectators shall be kept clear of the working area and all streets and sidewalks shall be properly barricaded before work commences.

**3.06 LOCKOUT AND TAGGING OF EQUIPMENT**

All work shall be performed in accordance with the City's Lockout/Tagout policy.

**3.07 TRAINING**

Do not operate, repair or test any machinery, apparatus, tools, or other equipment unless you have been properly trained and are authorized to do so. Use required protective equipment. If unfamiliar with a piece of equipment or a procedure, ask for proper instruction on the equipment and /or procedure.

**3.08 INSPECTION OF VEHICLES, EQUIPMENT AND TOOLS**

All employees are required to immediately report to their supervisor any unsafe working conditions, procedure or equipment. No vehicle, equipment, tool, etc. shall be operated or used with any safety equipment or device disabled or removed. Remember, until a problem is identified, it cannot be corrected. Vehicles shall be inspected daily and documented on the daily mileage log. Any identified problems or repairs should be cited on the Daily Vehicle Checklist and submitted to Vehicle Maintenance for repairs and also reported to immediate Supervisor.

**3.09 GUARDS**

Never operate machinery or equipment when it is not adequately guarded or when guards are removed.

**3.10 GAS CYLINDER STORAGE**

Oxygen, air or any other compressed gas cylinders must be placed in racks or must be secured at all times and properly identified. Compressed gas cylinders must be protected from the weather, heat source and from impact by vehicles or equipment. Oxygen cylinders in storage shall be separated a minimum of 20 feet from fuel gas cylinders unless separated by an appropriate fireproof wall. All lines between cylinders and points of use shall be adequately identified.

**3.11 PROPER GROUNDING**

All electrical equipment must be properly grounded. Never disconnect the ground wire or use an adapter that would negate the effect of the ground.

**3.12 EXTENSION CORDS AND TROUBLE LIGHTS**

When using extension cords, make sure they are U.L. approved, in good condition, properly grounded and of the proper size to handle the amperage. Trouble lights shall be equipped with globe guards and non-metallic sockets. Extension cords shall not be used in place of permanent wiring.

**3.13 WORKING IN WET AREAS**

When working with electrical tools avoid wet areas and contact with water pipes or grounded equipment. When electrical equipment is used in a wet location, wear rubber boots and rubber gloves.

**3.14 WHEN OPERATING DRILLS AND DRILL PRESSES**

- A. Avoid wearing loose gloves, clothing or jewelry.
- B. Always wear ANSI approved eye protection.
- C. Material shall be clamped or otherwise fastened to the drill press bed, not held in the hand.

**VEHICLE OPERATION AND REPAIR**

**4.01 GENERAL RESPONSIBILITY**

All employees operating vehicles or equipment shall be thoroughly familiar with and obey all State and local laws and /or regulations governing motor vehicle or equipment operation. Careless or negligent operation of vehicles or equipment is prohibited.

**4.02 SEAT BELT/SHOULDER HARNESS USE**

Each occupant of a motor vehicle shall wear seat belts and shoulder harnesses as required by Wisconsin Statutes. Inoperative or missing seat belts/harnesses shall immediately be reported to the Supervisor. The vehicle or equipment shall not be operated until the repairs have been made.

**4.03 EMERGENCY VEHICLE OPERATION**

Employees who operate authorized emergency vehicles shall be required to operate their vehicle with respect to State Statute 346.03 and department policy.

**NOTE:** The exemptions granted the operator of an authorized emergency vehicle by this section do not relieve such operator from the duty to drive with due regard under the circumstances for the safety of all persons nor do they protect such operator from the consequences of his/her reckless disregard for the safety of others.

**4.04 USE OF MEDICATIONS**

Employees taking medication or with a medical condition which may adversely affect their ability to perform their job in a safe manner are required to immediately inform their supervisor. The City has the right to require that the employee provide medical information that describes, to the City's satisfaction, any limitations or side effects affecting employment.

**4.05 DRIVER RESPONSIBILITY**

The driver/operator of a vehicle or equipment is responsible for:

- A. Keeping the windshield and windows as clean and clear as possible.
- B. Checking and ensuring that lights, turn signals, emergency flashers, windshield wipers and horn are in proper working order.
- C. Keeping the interior of the vehicle clean and free of trash, dirt, mud, papers or any type of debris, etc.
- D. Promptly reporting any problems that could affect the safe or proper operation of any vehicle or equipment and completing necessary forms.

**4.06 ACCIDENTS**

A. Driver Responsibility

Whenever any vehicle or equipment is involved in an accident, it shall be the responsibility of the driver to:

- 1. Call for the assistance of the Police and advise the Police Department that it involved City equipment.
- 2. Request medical assistance, if necessary.
- 3. Provide all information requested by Police.
- 4. Report the accident to their supervisor at once.
- 5. Provide the other driver with his/her name and address.
- 6. Fill out a written report.

**NOTE:**

Do not discuss the accident with anyone other than a representative of the City or the Police. Do not admit liability or indicate that the City will take responsibility or will pay any bills. If a citizen wishes to file a claim against the City, they should be referred to the City Personnel Department.

B. The Supervisor/Department Head shall:

- 1. In case of a non-personal injury accident, involving equipment, ensure that the appropriate accident report is forwarded to the Personnel Department within twenty-four (24) hours (next business day for weekends and holidays) of the accident.
- 2. In cases involving an accident, with personal injuries, the City Personnel Director or his/her designee shall be telephoned immediately.

#### **4.07 RIDING ON THE OUTSIDE OF VEHICLES**

Employees shall not ride on the outside of any vehicle. The only exception to this rule are Waste Collectors when assigned to a two-person route with a rear leading truck which is equipped with approved steps and handles. In no instance shall the vehicle exceed 10 mph or the distance exceeds two blocks between stops while someone is riding on the outside of the vehicle. In no instance shall an employee ride on the back of a vehicle while the vehicle is backing.

#### **4.08 INDOOR OPERATION**

No gasoline or diesel motors shall be operated, except to start or move the vehicles, in the shop or other enclosed place unless the exhaust is connected to the proper outlet or there is proper ventilation.

#### **4.09 PARKING**

When parking conventionally equipped vehicles or equipment, the driver shall:

- A. Put equipment in low gear or park when necessary.
- B. Remove ignition key, if possible. Do not leave any vehicle unattended with the motor running or with the keys in the ignition. The only exception to this rule is police vehicles and those vehicles that must, for mechanical reasons, remain running. In this instance, the vehicle may be left unattended if the doors are locked and the window closed.
- C. Ensure that traffic signs and signals are visible to other motorists and are not obstructed by the vehicle.
- D. Exercise care when leaving parking space to avoid accident with moving traffic.

#### **4.10 BACKING VEHICLES AND EQUIPMENT**

When backing Equipment:

- A. Make sure no person, vehicle or fixed object is behind the vehicle.
- B. Have a helper (if available) guides you, but remember the driver is fully responsible for backing motions.
- C. Do not back too close to the edge of a fill.
- D. Make sure backup signal, if required, is in working order.

#### **4.11 VEHICLE JACK STANDS**

Always use metal vehicle jack stands when you are working under a raised vehicle. Use safety blocks to secure the body of a vehicle in a raised position. Never exceed rated capacity of jack stands.

#### **4.12 USE OF PERSONAL VEHICLES**

No personally owned vehicle may be used on City business without the prior approval of the Department Head. The operator of the vehicle must provide proof of Liability Insurance with limits of not less than \$100,000 per person, \$300, 000 per occurrence and statutory minimums for uninsured/underinsured motorist. This requirement shall not be waived. The insurance on the vehicle shall be primary to any City insurance coverage.

#### **4.13 MECHANICAL BREAKDOWN**

When a breakdown occurs in a vehicle you are operating:

- A. If possible, move the equipment off the roadway.
- B. If it cannot be moved, make sure you turn on the vehicle flashers.
- C. Contact your supervisor or the dispatcher as soon as possible so that the vehicle can be moved and repaired.
- D. If the vehicle creates a hazard and cannot be moved, the Police should be notified immediately.

#### **4.14 LOADING VEHICLES AND EQUIPMENT**

When loading vehicles, the driver and/or crew are responsible to:

- A. Ensure that the cargo is loaded and secured so that the load does not shift, spill or endanger others. If there is any debris, a cover or tarp should be over the load to prevent debris from blowing off. Prohibit anyone from riding on a load.
- B. Not allow cargo to project beyond the side of the vehicle body.
- C. Ensure that all loads projecting more than four feet beyond the rear of a vehicle shall be marked by a 12" x 12" red flag or cloth secured to the end of the object.
- D. Ensure that shovels and similar tools are placed in or on the vehicle so that they do not project beyond the body and cannot fall off.

### **FIRE SAFETY/FLAMMABLE LIQUIDS**

#### **5.01 EMERGENCY FIRE/EVACUATION PLANS**

Each facility must have and post a fire/emergency evacuation plan. The plan must include: adequate warning measures for alerting all persons in the area of the existence of a fire or other emergency; rapid reporting to the Fire Department; evacuation of affected personnel from areas involved in a fire; procedures for containing the fire insofar as it is safe to do so, and particularly only to the extent that it is possible to maintain safe exit for personnel so engaged; instruction of personnel who regularly work there concerning the location and proper use of fire extinguishers and in the duties they are to perform in given fire situations; and adequate fire extinguishing equipment that is annually inspected by a responsible authority.

**5.02 EXITS**

Exits shall not be locked (chained or otherwise) so as to impede proper evacuation. Exits shall be marked/illuminated in accordance with applicable state status and local ordinances.

**5.03 STORAGE OF FIRE EQUIPMENT**

Fire extinguisher/hoses shall be prominently displayed, labeled for usage and kept clear for easy access at all times.

**5.04 DISCHARGED FIRE EXTINGUISHERS**

Do not place a discharged extinguisher back on bracket. Tag it and report it to your supervisor at once so that it can be recharged or replaced.

**5.05 VEHICLE FIRE EXTINGUISHERS**

Designated vehicles and equipment shall be equipped with fire extinguishers.

**5.06** If you notice an extinguisher with a low pressure gauge reading or an expired inspection tag, notify your supervisor at once and complete necessary form.

**5.07 MONTHLY INSPECTION**

The Department Head or his/her designee shall ensure that fire extinguishers are inspected monthly and documented.

**5.08 USE OF FIRE EXTINGUISHERS**

The following chart will help you understand the use of fire extinguishers. In case of fire, be sure you sound the alarm, get others out and call the Fire Department before attempting to extinguish the fire.

<u>TYPE OF FIRE HAZARD</u>	<u>TYPE OF EXTINGUISHING AGENT</u>
<b>CLASS A – Ordinary Combustibles-</b> paper, wood, grass, cloth, trash, etc.	Water
<b>CLASS B – Flammable Liquids –</b> grease, gasoline, etc.	Dry chemicals, carbon dioxide or halogenated oil, paint, thinner, solvents, agents, to smother the fire with foam.
<b>CLASS C – Energized Electrical Equipment –</b> electrical boxes, panels, transformers, etc. <b>NEVER USE WATER</b> on this kind of fire.	Dry Chemicals, carbon dioxide, or halogenated Agents, to smother the fire with foam.
<b>CLASS ABC – Multi-Purpose – Ordinary Combustibles, flammable liquids, and electrical.</b>	A multi-purpose unit labeled ABC puts out the Most common fires.
<b>CLASS D – Combustible Metals –</b> Fires in Metals and metal dusts such as magnesium, Titanium, zirconium, potassium, and sodium.	Special liquid or dry powder agent.

**USE A FIRE EXTINGUISHER ONLY ON THE  
TYPE OF FIRE WHICH IT IS RECOMMENDED.**

**5.09 STORAGE OF FLAMMABLE LIQUIDS**

Flammable liquids shall be stored in accordance with the Flammable Liquids Code NFPA 30 AND 30A and the directives of the Neenah Menasha Fire Department. No storage of flammable or combustible materials shall be allowed in furnace or boiler rooms.

**5.10 USE OF SAFETY CONTAINERS**

Gasoline and other flammable liquids shall be kept in approved safety containers, stored in a flammable liquid storage cabinet, and be properly labeled.

**5.11 USE OF NONFLAMMABLE CLEANERS**

Never use gasoline or other solvents to clean hands or parts. A non-flammable cleaner will be furnished and must be used.

**5.12 SMOKING**

Smoking or open flames are absolutely prohibited in areas where flammable liquids are present.

**5.13 USE OF ARTIFICIAL LIGHTS**

No artificial lights, except UL approved electric flashlights shall be used near escaping gasoline or other flammable vapors (NOTE – entry to a confined space must be done in compliance with the confined space entry procedures.) If you are unsure about the safety of the atmosphere, stay out of the area and call your Supervisor and the Fire Department; they will check the atmosphere.

**5.14 BURNING**

Burning shall be done in strict compliance with local ordinances. Caution must be observed. No flammable liquids shall be used to start a fire.

## MATERIAL HANDLING

### 6.01 LIFTING

When lifting:

- A. Lift heavy objects with legs, not with the back. Bend your knees.
- B. Maintain proper balance while keeping the back as straight as possible. Keep elbows close to body.
- C. If the object is too heavy to handle safely alone, get help.
- D. If the load obscures your vision check the area to ensure that your intended path is free of obstructions.

### 6.02 STACKING MATERIAL

When piling materials make sure the base is firm and level. Cross tie each layer. Keep piles level and not stacked too high (use shoulder height as a guideline). Keep aisles clear and with adequate space to work in them.

### 6.03 SUSPENDED LOADS

Employees shall never work under a suspended load or leave equipment unattended with a suspended load.

### 6.04 RIDING ON A HOISTING DEVICE

Employee shall never ride on a cable, sling, chain or other hoisting device, or on material being moved by means of a crane.

### 6.05 USE OF CHEMICALS, PESTICIDES, HERBICIDES AND FUNGICIDES

**NOTE** – All chemicals must be used in strict compliance with manufacturers' instructions and applicable Federal, State, and Local laws, regulations and ordinances. Employee should be properly trained and certified.

- A. Make sure you read and follow manufacturers' directions and Material Safety Data Sheets (MSDS).
- B. Wear protective clothing as recommended by the manufacturer and consistent with the City's PPE assessment, which might include: gloves, boots, hats, goggles, long sleeve shirt, apron pants, face protection, and a respirator.
- C. Mix only what you need. Excess chemicals must be marked and stored as recommended by the manufacturer.
- D. Notify your supervisor at once of any spillage of chemicals.
- E. Dispose of containers in accordance with State and Federal regulations.

## 6.06 HANDLING HAZARDOUS MATERIALS

### A. Incompatibility

Always read product labels and material safety data sheets (MSDS) before mixing or combining hazardous materials.

### B. Labeling

All containers shall be labeled to identify the contents, hazards and manufacturer's name. The labels shall reflect the numeric rating of the hazard for flammability, health, and reactivity.

### C. Dispensing

Certain liquids can generate static electricity when they are stirred or transferred. To avoid the possibility of a static spark igniting the flammable vapors, the bulk container should be grounded to a permanent source, while a bonding wire should be provided between the bulk (dispensing) container and the receiving container. Make certain the area is well ventilated and that you follow mixing instructions on the product label or material safety data sheet (MSDS).

**NOTE:** Gasoline cans shall be removed from the vehicle and placed on the ground before filling.

### D. Moving and carrying chemicals

Always carry chemicals in approved containers.

### E. Storage

Always store chemicals according to instructions on product label or material safety data sheets (MSDS).

### F. Disposal

Always follow State and Federal procedures for disposal. Never pour hazardous chemicals or waste down sewers, drains or on the ground.

### G. Spills

All spills shall be cleaned up in accordance with department procedures for hazardous chemical leaks or spills.

### H. Changing Tanks

When working with hazardous gases such as chlorine or ammonia use two people to change or fill tanks.

## 7 PERSONAL PROTECTIVE EQUIPMENT

Refer to Tab 7 Personal Protective Equipment Section of this manual.

## CONSTRUCTION SAFETY

### 8.01 DIGGERS HOTLINE

Before doing any excavating, installing a sign or post or auguring a hole, the location of underground wires and utilities shall be determined by calling "Diggers Hotline" at 1800 242-8511. In situations where the work is being done on City property, also make sure all private utilities are located.

**8.02 WORK ZONE PROTECTION**

Work Zone Protection

- A. All work zones in the roadway, on the right-of-ways, in designated parking areas or on a sidewalk shall have the proper warning signs and be barricaded in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).
- B. If you are unsure of the proper method for barricading and signing a work zone, you must contact your supervisor immediately. In no instance shall a work zone be left unmarked.
- C. Should there be a dispute as to whether or not a job site in the street, parkway or sidewalk is adequately marked; supervisor shall be the deciding authority.
- D. Remove or cover all signs or devices that are not needed.

**8.03 TRENCHING AND EXCAVATIONS**

Refer to Trenching Excavations Section.

**8.04 SLIPPERY CONDITIONS**

When weather or water main breaks cause slippery conditions, use sand, salt, chips in Addition to boot cleats to improve traction in the work area.

**9.01 CONFINED SPACES – REFER TO Confined Space Policy**

**LADDERS, STEP STOOLS AND SCAFFOLDING**

**10.01 USE AROUND ELECTRICAL CIRCUITS**

Never use a metal ladder when working around electrical circuits, wires, changing light bulbs, etc.

**10.02 GENERAL PROVISIONS**

Never stand on or above the second step from the top of a stepladder or the third rung from the top of a straight ladder. Ladders shall not be painted. Ladders shall have approved non-skid feet.

**10.03 WEIGHT RATING**

Always check the weight rating of the ladder to ensure the ladder can safely carry your weight plus the load you are carrying. Type II (commercial grade) ladders are required. No more than one person shall be on a ladder at one time. Use of picks (braced platforms set on rungs) between 2 ladders is prohibited.

**10.04 SCAFFOLDING**

Scaffolding four feet to ten feet high, having a minimum horizontal dimension in either direction of less than 45 inches and scaffolding over ten feet high shall have toe boards, midrails and handrails.

**10.05 EQUIPMENT SELECTION**

Always check ladders, step stools and scaffolding thoroughly before using. A rung, foot or guardrail could be broken or loose. Never use makeshift ladders or scaffolding.

**10.06 PLACEMENT AND SECURING OF LADDERS**

When using ladders set them on a firm dry base at the proper angle. The distance between the foot of the ladder and the wall it rests against should be equal to about  $\frac{1}{4}$  the distance to the support point of the ladder. When possible, secure ladders in place with ropes, hooks, spikes or other anti-slip devices. Always be careful of the placement of the ladder. Avoid placing ladders within the arc of a swinging door (unless the door is locked), near blind corners or where it could be in the path of vehicles or equipment. Use signs or barricades to alert others.

**FIRST AID**

**11.01 FIRST AID SUPPLIES/REPORTING OF INJURIES**

The City provides first aid supplies for the temporary treatment of minor injuries such as cuts, scratches, etc. All employees should know the location and use of the supplies. All injuries, however small, shall be treated to prevent infection. Report all injuries to your supervisor no matter how insignificant it may seem to you at the time. As first aid supplies are used replacements should be requested. The Department Head or his/her designee shall ensure that all first aid kits are inspected and restocked on a monthly basis. First aid kits shall be stocked with items designed to deal with the specific injuries expected to be encountered at the work site. (Reference ANSI Z308-1998).

**11.02 REQUESTING MEDICAL ASSISTANCE**

In case of serious injury:

- A. Dial 911 immediately
- B. Never move an injured person unless it is absolutely necessary.
- C. Keep the injured party warm and as comfortable as possible. Moving an injured person could result in further injury.
- D. Temporary first aid should be administered only by qualified personnel. Unqualified personnel may cause more harm than good.
- E. Keep onlookers away from the injured person.
- F. If, in the case of serious injury, it is necessary to transport the victim, it shall be done by emergency personnel.

## OFFICE SAFETY

### 12.01 HOUSEKEEPING

It is each employee's responsibility to keep his/her work station neat and free from clutter. Furniture such as tables, desks, and chairs must be maintained in good condition and free from sharp corners, projecting edges, wobbly legs, etc. Report any loose or rough covering.

### 12.02 FILE DRAWERS

All file, desk or table drawers shall be kept closed when not in use. Never open more than one file cabinet drawer at the same time. Never overload top file cabinet drawers.

### 12.03 LADDERS

Never use chairs, desks, tables or other office furniture in place of a ladder or step stool.

### 12.04 CHAIRS

Employees should not recline in office chairs that are not intended for that purpose.

### 12.05 DOORS AND BLIND CORNERS

Be cautious when approaching a door that can be pushed toward you. Take it easy when pushing one open and slow down when coming to a blind corner.

### 12.06 MESSAGE SPINDLES

Message spindles are prohibited.

### 12.07 PAPER CUTTERS AND OFFICE HAZARDS

Care should be exercised when using and storing scissors, paper cutters, razor blades, etc. Keep the blades of paper cutters closed when not in use. Also make sure paper cutters are equipped with guards. Use a sponge or other wetting device for sealing envelopes. Use rubber finger guards when working with stacks of paper.

### 12.08 OFFICE EQUIPMENT

Keep your hands clear of electric typewriter cartridges while they are in motion, if used. Be sure equipment is grounded and that the cord is in good condition. If a machine gives you a shock or starts smoking, unplug it and report it to your supervisor. Where appropriate all equipment shall be turned off while unattended or not in use.

**12.09 ELECTRICAL CORDS**

Electrical cords shall be placed to avoid creating a trip hazard. If a cord must cross a pedestrian walkway it should be enclosed in an appropriate track and secured to the floor. Frayed, worn or broken electrical cords shall not be used and reported immediately to your supervisor. Extension cords shall not be used in place of permanent wiring.

**12.10 ELECTRICAL PLUGS**

When removing an electrical plug from a receptacle, pull by the plug not the wire.

**WELDING**

**13.01 GENERAL REQUIREMENTS**

All welding cutting and brazing shall be performed in a manner consistent with DCOMM and OSHA regulations (29 CFR 1910.251-255).

**13.02 PERSONAL PROTECTIVE EQUIPMENT**

Refer to the Personal Protective Equipment section of the Safety Manual.

**13.03 FIRE PROTECTION**

All work shall be performed in compliance with the National Fire Protection Association (NFPA) standard 51B. You are required to inspect welding area before and after completion of work for other fire hazards. You must have immediate access to an approved type of portable fire extinguisher.

**13.04 SHIELDS**

You are required to surround your work area with approved shields when persons in surrounding areas could be affected and to protect adjacent combustible materials. Shields shall not seriously impede required ventilation.

**13.05 VENTILATION**

Adequate general or local ventilation must be maintained. Ventilation capacity shall meet ASHRAE ventilation standards when possible, if ASHRAE standard cannot be met a minimum DComm new construction standard ventilation capacity shall be met and maintained. Ventilation performance shall be measured by an anemometer or equivalent approved meter by a qualified technician.

**13.06 WORK IN CONFINED SPACES**

Welding, cutting or brazing in confined spaces requires air replacement with respirable air to replace withdrawn air or the use of NIOSH approved air-line respirators or hose masks. All work in confined spaces shall be performed in compliance with the City's confined space entry procedures as outlined in this Safety Manual.

**13.07 APPROVED LIGHTERS**

You must have an approved type of lighter to light the blowpipe.

**13.08 FLASH BACK VALVES**

All acetylene tanks shall be equipped with flash back valves, and acetylene tanks shall not be used if the pressure exceeds 15 pounds.

**13.09 HOT WORK PERMIT**

When welding in a confined space or near hazardous chemicals, complete a Hot Work Permit.

**POWERED INDUSTRIAL VEHICLES**

**14.01 AUTHORIZED PERSONNEL**

Only authorized, trained, and certified personnel shall operate powered industrial trucks or vehicles with fork attachments used to carry, lift, load or stack.

**14.02 WATCHING FOR HAZARDS**

Operators must look in the direction of travel and be alert for potential hazards. Operate with forks as close to the surface as possible. (4-6 inches when inside a building).

**14.03 UNATTENDED VEHICLE**

A vehicle is considered unattended when the operator is 25 feet or more from the vehicle or the vehicle is out of the operators view. When the truck is unattended the controls must be neutralized, power shut off, breaks set and forks grounded. Block wheels if parked on an incline.

**14.04 PASSENGERS**

Only the operator may ride on the lift truck, unless a seat and handleholds are provided for a passenger.

**14.05 ARM AND LEG PLACEMENT**

Never place arms or legs between the uprights of the mast or outside running lines of the truck.

**14.06 DIRECTION OF TRAVEL**

On grades in excess of 10%, lift trucks are to be driven downgrade with the load following and upgrade with the load ahead.

**14.07 SEAT BELTS**

When provided, seat belts shall be worn at all times.

**ELECTRICAL WORK**

**15.01 ELECTRICAL WORK**

All electrical work shall be done in compliance with the most recent edition of the National Code & WI Administrative Code (COMM 16).

**15.02 TRAINED EMPLOYEES**

Only trained, qualified employees shall do electrical work.

**15.03 LIVE LINES**

Electrical equipment and lines shall always be considered to be "live" unless they are positively known to be de-energized and are grounded.

**15.04 ENERGIZED EQUIPMENT**

Energized equipment or wires shall never be left ungrounded.

**15.05 LOCKOUT/TAGOUT**

All employees shall follow the City Lockout/Tagout policy in this Safety Manual.

**AERIAL BUCKET USE**

**16.01 CONDUCTING WORK**

All work shall be conducted as if the truck, boom and aerial bucket were not electrically insulated.

**16.02 AERIAL BUCKET OPERATOR**

Operators of aerial buckets shall exercise extreme caution when operating such devices in close proximity to energized lines or equipment. A minimum of 2 personnel are needed whenever the aerial bucket is operated.

**16.03 BEFORE STARTING WORK**

Before starting work the operator shall always face in the direction in which the bucket is being moved.

**16.04 MANEUVERING THE BUCKET**

When the boom must be maneuvered, the bucket operator shall always face in the direction in which the bucket is being moved.

**16.05 EMPLOYEE POSITIONING**

Work shall only be done while standing on the floor of the bucket.

**16.06 ENTERING/LEAVING BUCKET**

Employees shall not enter or leave the bucket by walking the boom.

**16.07 AUTHORIZED AND TRAINED OPERATOR**

Only trained and authorized employees shall be allowed to operate the controls and be carried aloft in the aerial bucket.

**16.08 WORK ZONE PROTECTION**

The emergency flashing light on the truck shall be used at all times while work is being done on road right-of-way. When work is being done in the road right-of-way will exceed 1 hour, the work zone will be protected following MUTCD guidelines.

**16.09 TRAVEL**

No employee shall be transported any distance while in the bucket.

**16.10 BODY HARNESS**

Employees in the bucket shall wear a body harness at all times that is connected to a lanyard that is connected to an anchor point.

**16.11 HARD HAT**

A hard hat which is rated for electrical resistance must be worn at all times while in the bucket.

## **CRANES AND HOISTS**

### **17.01 TRAINED EMPLOYEES**

Only trained, designated employees shall operate cranes and hoists.

### **17.02 NO RIDING ON EQUIPMENT**

No person shall be permitted to ride the hook, sling or load of any equipment.

### **17.03 LOAD LIMITS**

Load limits as specified by the manufacturer shall be clearly marked and shall not be exceeded under circumstances.

### **17.04 UNDER A LOAD**

No one shall be under a suspended load or inside the angle of a winch line.

### **17.05 NO UNATTENDED LOADS**

Suspended loads shall not be left unattended without permission of the supervisor.

### **17.06 INSPECTION**

A thorough, monthly, written inspection report shall be completed on each crane and hoist. In addition, prior to each use all control mechanisms, safety devices, attachments and brake systems shall be checked.

### **17.07 DESIGNATED OBSERVER**

An employee shall be designated to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means.

### **17.08 TAG LINE**

When guiding a suspended load into position, a non-conductive rope or tag line shall be used to permit maintenance of a safe distance from the drop zone, in case a suspended load should fall or contact with an electrical power source should occur.

## SLINGS, ROPES AND CHAINS

### 18.01 LOAD LIMITS

Load Limits as specified by the manufacturer shall not be exceeded under any circumstance.

### 18.02 INSPECTION

Each day before use, all equipment shall be inspected for damage or defects. Damaged equipment shall immediately be removed from service.

### 18.03 APPEARANCE OF ROPE

The outward appearance of rope shall not be accepted as proof of its condition. The rope shall be untwisted at various places and inspected for poor fiber and dry rot.

### 18.04 UNRATED CHAINS

Unrated chains shall not be used for hoisting or lifting anything overhead.

### 18.05 REPAIR OF SLINGS AND CHAINS

Only the manufacturer shall repair and proof-test slings and chains.

### 18.06 SUSPENDED LOADS

Do not place any part of your body under a suspended load.

## FALL PROTECTION

### 19.01 FALL ARREST EQUIPMENT

#### A. General

When exposure to an elevated fall hazard cannot be prevented through engineering controls, personal fall arrest equipment shall be used to control the fall.

#### B. Use

Personal fall arrest equipment shall be used whenever a free fall hazard exceeds 6 feet and only when installed and used in accordance with manufacturer directions and recommendations.

**19.02 FALL PROTECTION SYSTEMS**

Fall protection systems (railings, ward rails) shall be used whenever there is potential to fall four feet or more.

**19.03 SURFACES**

All surfaces shall be free of debris, holes, loose boards, protruding fasteners and liquids and shall allow for free movement of traffic and pedestrians, as is practical and reasonable.

**19.04 BODY BELTS**

All body belts and harnesses shall be inspected prior to use. The inspection shall be documented and damaged equipment shall be removed from service immediately.

**19.05 LANYARDS**

All lanyards, ropes and lifelines shall be inspected prior to use. The inspection shall be documented and damaged equipment shall be removed from service immediately.

**19.06 LANYARD LENGTH**

Lanyard shall not exceed 6 feet in length.

**19.07 TRAINING**

Employees required to wear fall protection equipment shall be trained on the safe and proper use of the equipment prior to use.

## PERSONAL PROTECTIVE EQUIPMENT

### 7.01 General Responsibilities

In order to comply with the Wisconsin Department of Commerce (Comm. 32) and Federal OSHA Standard 29CFR 1910.132 the following written program has been established for the City of Menasha. The purpose of this program is to ensure the safety of all employees whenever they may be exposed to a hazard that could cause bodily injury through hazardous processes, environments, chemical hazards, radiological hazards or mechanical hazards through absorption, inhalation or physical contact. The program is meant to establish procedures for the selection, training, storage, cleaning and use of Personal Protective Equipment (PPE). This program shall cover:

- A. Eye and Face protection
- B. Respiratory Protection
- C. Head protection
- D. Foot protection
- E. Hand protection
- F. Hearing protection
- G. Traffic exposure protection
- H. Leg and body protection

### 7.02 Scope

This policy applies to all City of Menasha Employees who by the nature of their job function have the potential to be exposed to chemical, physical or biological hazards which may cause illness, injury, or impairment to any part of the body through absorption, inhalation or physical contact.

### 7.03 Authority and Responsibility

**Immediate Supervisors are responsible for:**

- A. Ensuring PPE is available
- B. Providing PPE as required
- C. Ensuring the provided PPE is being used by all affected employees during job tasks that require such protection.
- D. Conducting hazard assessments of job functions which may require use of PPE
- E. Maintain documentation of purchase and assignment of PPE
- F. Take appropriate disciplinary action for employees who do not wear PPE as required.

**Menasha Health Department – Safety Coordinator is responsible for:**

- A. Ensuring that hazard assessments of work tasks has been completed and need for PPE for those work tasks has been identified.
- B. Determining appropriate PPE for use
- C. Conducting appropriate training and fit testing to employees for use of PPE.

- D. Maintaining documentation of training, PPE assignments, fit testing and PPE availability.
- E. Update PPE policy as necessary to meet changes in work functions or tasks.

**Workers are responsible for:**

- A. Inspecting all PPE prior to use
- B. Wearing PPE as required when performing job tasks
- C. Participate in mandatory training
- D. Notify supervisor when new PPE is necessary
- E. Contact supervisor when a new task or change occurs which may pose additional hazards not previously identified.

**Hazard Assessment**

General requirements of the OSHA standard (29 CFR 1910.132) specify that employers must make an assessment of the workplace to determine what hazards are present, or likely to be present, which necessitate the use of PPE.

Assessments will be reviewed and updated on an annual basis, or as jobs require new or different PPE. The Supervisor shall provide copies of the PPE assessment to the Menasha Health Department when reviewed or changed.

Additionally, if the employee determines that he/she is performing a job which needs PPE, but it is not listed by his/her Supervisor on the assessment, he/she shall wear the PPE necessary to prevent injury and inform his/her Supervisor of the need to add the job to the assessment list.

**7.04 Considerations**

PPE devices alone shall not be relied on to provide protection against hazards, but shall be used in conjunction with guards, engineering controls, administration controls and sound work practices.

When selecting PPE, utilize the following considerations as a basic directive

- A. Application- What part of the body is being or potentially being affected?
- B. Chemical resistance- Will the material retain its protective qualities with the chemical?
- C. Strength – is the material resistant to punctures, tears and abrasions?
- D. Flexibility – Does the PPE afford the necessary dexterity?
- E. Thermal Limits – Does the material retain its dexterity limits and maintain protective capacity in temperature extremes?
- F. Cleanable- Can material be easily and effectively cleaned?
- G. Longevity- Will clothing resist aging?

## 7.05 Respiratory Protection

Respiratory protection shall be in accordance with the Respiratory Protection Section in this manual.

## 7.06 Eye and Face Protection

This program complies with OSHA 29 CFR 1910.133 Standard for Eye and Face Protection. Suitable eye and face protection shall be worn when there is a potential for exposure to the eyes or face from flying particles, molten metal, chemicals, gases, vapors or potentially injurious light radiation. Side protection is required when there is a hazard potential from flying objects. Clip on side shields would be acceptable.

Eye protection shall be durable, comfortable and easily cleanable. Persons whose vision requires the use of corrective lenses and who by the nature of their job duties require eye protection shall wear prescription safety rated glasses with side shields or other affective slip over type eye protection with side protection.

Use of safety glasses is mandatory in the following areas:

- A. DPW vehicle maintenance shop
- B. Wood Shop

Four general classes of eye and face protection:

- A. Safety eye glasses
- B. Face shields
- C. Goggles
- D. Welding helmets

The following information obtained from the National Safety Council should help in determining what equipment should be selected for particular job tasks:

### Protector Type

- A. Spectacles, semi flat-fold side shield
- B. Goggles, flexible fitting, regular ventilation
- C. Goggles, flexible fitting, hooded ventilation
- D. Goggles, cushioned fit, rigid body
- E. Welding goggles, eyecup type, filter lenses
- F. Chipping goggles, eyecup type, clear lenses
- G. Face shield, plastic or mesh window
- H. Welding helmet, stationary window or lift front window

For contact with	Operation	Hazards	Protectors
	Chipping, grinding, machining, masonry, sanding	Flying fragments, flying objects, chips, particles of dirt	A, B, D, F
Heat	Welding	Sparks	A, B, C, D, F
		High Heat exposure	B, G
		Splashes	B, G

Chemical	Acid & Chemical Handling	Splashes, irritating mists, smoke, fumes or vapors	C, D, G
Dust & Mist	Woodworking, sanding, general dusty conditions	Dust	C, D, F
		<b>Filter Shade</b>	
IR / UV Radiation	Electrical arc welding / plasma torch	10-14	H
	Gas welding	4-8	E, H
	Cutting	3-6	E, H
	Glare	1	E
	Torch soldering	1.5-3	E

**7.07 Hearing Protection (refer to Hearing Conservation Section in this manual)**

**7.08 Head Protection**

This program complies with OSHA Head Protection Standard 29 CFR 1910.135. Head protection shall be worn in areas where there is a potential for injury to the head from impact, flying or falling objects or electrical shock and/or burns. It shall be assumed that these hazards exist anytime employees work under other tasks (i.e. ladders, scaffold, grates) which may allow tools or materials to fall.

Helmets shall effectively protect the employee as follows:

- Resist penetration of falling objects
- Absorb the shock of a blow to the head which are in two types
  - **Type 1** – Helmets intended to reduce the force of impact resulting from a blow only to the top of the head.
  - **Type 2** – Helmets intended to reduce the force of impact resulting from a blow which may be received off center or to the top of the head.
- Be water resistant and slow burning
- Have an adjustable suspension and head band.
- Certain hard hats are also resistant to electrical shock- manufacturer specifications must be consulted if electrical shock is also a hazard.
- All hats should meet the following standard:  
ANSI standard Z89-1986 (sticker or stamp found inside the helmet)  
Electric shock resistant helmets must comply with ANSI Z89.2-1971.

**7.09 Foot Protection**

This program complies with the OSHA Standard for Foot Protection as found in 29 CFR 1910.136. Foot protection shall be worn when there is the potential for injury to feet from falling or rolling objects, objects piercing the sole of the foot, electrical hazards, hot surfaces and slippery surfaces. Safety shoes are required for all employees in the following departments:

- A. Engineering – as needed based on job task.

- B. Department of Public Works including Vehicle Maintenance
- C. Parks Department – Maintenance
- D. Building Maintenance – as needed based on job task

All footwear shall comply with ANSI Z41-1991 Protective Footwear. Specific ratings for protective foot wear are as follows:

Compression ratings indicate the amount of pressure a safety shoe can withstand. The ratings are as follows:

- a. C/30: up to 1,000 lbs of pressure
- b. C/50: up to 1,750 lbs of pressure
- c. C/75: up to 2,500 lbs of pressure

Impact Ratings indicate the ability of the shoe to withstand impact. The ratings are as follow:

- a. I/30: up to 30 foot pounds
- b. I/50: up to 50 foot pounds
- c. I/75: up to 75 foot pounds

#### **7.10 Traffic Safety / High Visibility Clothing**

This program complies with COMM 32.39 Traffic safety/ high visibility clothing of the Wisconsin Administrative Code. High visibility traffic safety clothing (vest or suitable approved alternative) shall be worn by all workers performing any tasks which would expose them to hazards posed by mechanical/ vehicular traffic.

The following would apply to this requirement.

- A. Work on traveled roadways from sidewalk to sidewalk (COMM 32.39(1))
- B. Work in areas/locations such as parking lots or gas stations
- C. Any other area in which vehicular traffic would be in close proximity.

All Department of Public Works employees, Parks employees, Engineering and Police Department employees shall be assigned and wear high visibility clothing. Any other employees whose task may expose them to vehicular traffic shall obtain and wear high visibility clothing while exposed to that hazard. Police Department shall refer and follow WDOT guidance for law enforcement related to high visibility clothing during extended exposure to traffic.

#### **7.11 Protective Clothing – Leg and Body Protection**

Leg protection is required with the use of chain saws and any equipment which would have the potential to cut and injure legs with direct contact during operation. Leg protection must be made of a material which would pass the “threshold chain speed test” per manufacturer’s specification.

Leg protection must be at least 28" long and cover 180° of the front of the legs from inseam to outseam. Protection must extend from the crotch to a minimum of 3" above the ankle.

Leg protection must be maintained to keep free of fraying and unraveling material.

Body protection may be required for welding or torching tasks which could result in molten metal, or other molten materials which could potentially pose a burn risk to the body of the employee. High temperature resistant appropriate body protection should be utilized to protect the employee from burn risk.

## **7.12 Hand Protection**

This program complies with the OSHA Hand Protection Standard as found in 29 CFR 1910.138. Employees shall select and use appropriate hand protection when employee's hands are exposed to hazards such as those from skin absorption of harmful substances, severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

Hand protection shall be selected based on the performance characteristics of the protection based on the task to be performed, conditions present, duration of use, and the hazards and potential hazards identified.

For chemical exposures consult the product MSDS Sheet and refer to the PPE section for the recommended hand protection. Use of improper hand protection with chemical agents may result in exposure due to improper hand protection reacting to the chemical. Questions should be referred to the Menasha Health Department.

For thermal applications consult the specifications and temperature resistance for any hand protection utilized for that task.

## **7.13 Fall Protection Safety Belts and Harnesses**

This section complies with OSHA Fall Protection Standard 29 CFR 1910.66. Fall protection is required when employees are working on ramps, runways, excavations, hoist areas, holes, roofing work or access, ladders, bucket trucks or other vehicles which would involve working at or above 6 feet off the ground. Fall protection must be compatible with the type of work being performed. Examples of fall protection include:

- A. Guard rail system
- B. Safety net system
- C. Personal fall arrest system (i.e. safety belt and lanyard)

Personal fall arrest systems consist of anchorage, connectors and a body belt or body harness and may include a deceleration device, lifeline or suitable combination.

Personal fall arrest systems must do the following:

1. Limit maximum arresting force on an employee to 900 lb when used with a body belt.

2. Limit maximum arresting force on an employee to 1,800 lb when used with a body harness.
3. Bring the employee to a complete stop within 3.5 feet
4. Have sufficient strength to withstand twice the potential impact energy of an employee free falling a distance of 6 feet.

Personal fall arrest systems must be inspected prior to each use for wear, damage or deterioration. Defective components must be immediately removed from service. Dey-rings/carabineers must have a maximum tensile strength of 5000 lb and shall be proof tested to a minimum tensile strength of 3,600 lb. Consult manufacturer specifications for limits.

Positioning body belt or body harness systems are to be set up so the worker cannot free fall more than 2 feet. Anchorage shall be sufficient to support at least twice the potential impact load of the employee's fall or 3000 lb whichever is greater.

If work is of extended duration and involve more than 1 employee an access zone should be established to control and minimize other employees from entering the area below work to minimize risks from falling objects.

## ASBESTOS CONTAINING MATERIALS

### I. Purpose:

Information is intended to give employees a basic knowledge of the hazards associated with asbestos containing materials and methods that can be used to protect employees from exposure.

### II. Policy:

Employees are not allowed to conduct any work which disturbs or has the potential to disturb asbestos containing materials. All removal and or disturbance of asbestos containing or suspect asbestos containing materials shall be conducted by Wisconsin Licensed Asbestos Abatement Contractors. Proof of certification must be documented prior to commencement of work or acceptance of bid to perform work.

### III. Asbestos Inventory:

A comprehensive list of previously identified materials and assumed materials is available at the Menasha Health Department. All suspect materials shall be assumed to contain asbestos until proven otherwise by PLM sampling by a certified Asbestos Inspector.

### IV. Asbestos Identification:

Friable asbestos materials intact and in place in City of Menasha Buildings shall be labeled appropriately.

### V. Asbestos Disturbing Activities:

Examples of activities that may result in the disturbance of suspect asbestos containing materials would include:

- A. Removal of floor tile
- B. Removal of ceiling tile
- C. Removal of pipe insulation
- D. Creating holes in plaster walls or ceilings
- E. Disturbance of suspect materials by an mechanical methods
- F. Removal of carpet with floor tile under
- G. Moving ceiling tile where fire proofing is present in the plenum above.
- H. Any other activity which could damage suspect asbestos containing materials

Common Materials known to contain asbestos:

- A. Floor tile
- B. Mastics
- C. Pipe insulation
- D. Boiler insulation

- E. Gaskets
- F. Metal sink bottoms
- G. Window glazing
- H. Cement board (slate siding)
- I. Vermiculite
- J. Structural fire proofing insulation
- K. Ceiling tile
- L. Plaster
- M. Vehicle brake pads and linings
- N. Roofing materials

Operations and Maintenance:

Employees shall not remove or disturb suspect asbestos containing materials under any circumstances. The Menasha Health Department – Environmental Health Sanitarian shall be contacted in the event of an emergency or inadvertent damage to friable asbestos. Samples of materials shall not be taken by employees unless certified as an Asbestos Inspector by Wisconsin DHS.

Sub-contractors

All subcontractors must read and sign the Asbestos Disclosure Policy form prior to work. It shall be the responsibility of the City of Menasha to survey, sample and properly identify all asbestos containing materials in the area where work will be conducted. Any asbestos containing materials which have the potential to be disturbed during work practices shall be abated by a Wisconsin Licensed Asbestos Abatement Contractor possessing a minimum \$1,000,000 general liability insurance.

# **City of Menasha**

## **BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN**

**For Compliance with Comm Code 32.15 and OSHA 29 CFR 1910.1030**

**Revised 6-09**

City of Menasha  
Bloodborne Pathogens Exposure Control Plan

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# Bloodborne Pathogens Exposure Control Plan

## City of Menasha

In accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030 and COMM Code 32.50, the following exposure control plan has been developed for the City of Menasha.

### I. PURPOSE

The purpose of this exposure control plan is to:

- A. Eliminate or minimize employee occupational exposure to blood or certain other body fluids;
- B. Comply with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030 and COMM Code 32.50.

### II. EXPOSURE DETERMINATION

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposure even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure regardless of frequency. See Appendix B for a listing of these job classifications (Category I) for the City of Menasha.

In addition, OSHA requires a listing of job classifications which are considered "at risk" due to job associated tasks and procedures which may result in occupational exposure to blood or other potentially infectious materials. These job classifications (Category II), and the related job associated tasks and procedures are also listed in Appendix B.

### III. METHOD OF COMPLIANCE

OSHA requires that this plan include a schedule and method of implementation for the various requirements of the standard. The following complies with this requirement:

#### A. Universal Precautions

Universal Precautions is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV, HBC, and other bloodborne diseases. Universal Precautions will be observed at ALL times by City of Menasha employees regardless of the perceived status of the source individual in order to prevent or minimize contact with blood or other potentially infectious materials.

#### B. Engineering and Work Practice Controls

Engineering and Work Practice Controls are designed to eliminate or minimize employee exposure. Engineering controls are examined and maintained or replaced when an exposure incident occurs in the City and on an annual basis. The annual review includes an evaluation of new innovations in technology, particularly devices that reduce needle-sticks.

The following staff are involved in this process:

- |                             |  |
|-----------------------------|--|
| Pubic Health Nurse          | <ol style="list-style-type: none"><li>1) Use of non-latex gloves when performing capillary finger sticks for blood lead, glucose, or Hgb tests.</li><li>2) Use of respiratory face shields when performing CPR.</li><li>3) Contamination sharps disposed of in approved infectious waste sharps container.</li><li>4) Annual review/evaluation of new innovations in technology i.e. needle-safe devices.</li></ol>  |
| Dental Hygienist            | <ol style="list-style-type: none"><li>1) Use of non-latex gloves when performing oral screenings.</li><li>2) Use of safety goggles when placing dental sealants on children's teeth.</li></ol>   |
| Police Officers             | <ol style="list-style-type: none"><li>1) Use of non-latex gloves when performing first aid.</li><li>2) Use of puncture resistant gloves during pat down searches.</li><li>3) Use of special sharps container for storing drug paraphernalia evidence.</li><li>4) Use of respiratory face shields when performing CPR.</li></ol>  |
| Firefighters                | <ol style="list-style-type: none"><li>1) Use of non-latex gloves when performing first aid or first responder procedures.</li><li>2) Use of respiratory face shields when performing CPR.</li></ol>  |
| Street/Sanitation Employees | <ol style="list-style-type: none"><li>1) Use of safety goggles and puncture resistant gloves when collecting trash by other than the automated truck.</li><li>2) Use of non-latex gloves when performing first aid procedures.</li><li>3) Use of respiratory face shields when performing CPR.</li><li>4) Local ordinance in place regulating disposal of infectious waste. Personal contact with those who violate the ordinance to educate and warn them regarding future occurrences.</li></ol> |
| Parks Employee              | <ol style="list-style-type: none"><li>1) Use of non-latex gloves when performing first aid</li><li>2) Use of respiratory face shield when performing CPR.</li><li>3) Use of safety goggles and puncture resistant gloves when collecting trash in the parks.</li><li>4) Use of clean-up kit when cleaning park shelters when there is the presence of blood or other human body fluids.</li></ol>  |
| Maintenance Employee        | <ol style="list-style-type: none"><li>1) Use of clean-up kit when cleaning municipal buildings and police department holding cell when there is the presence of blood or other human body fluids.</li></ol>  |

Senior Center Coordinator Activity	1) Use of non-latex gloves when performing first aid. 2) Use of respiratory face shields when performing CPR. 3) Use of clean-up kit when there is the presence of
Summer Pool Employee Summer Rec. Employee	1) Use of non-latex gloves when performing first aid. 2) Use of respiratory face shields when performing CPR. 3) Use of clean-up kit when there is the presence of blood or other human body fluids.

The public health director will ensure effective implementation of these recommendations.

All supervisors are to ensure that employees follow the "Engineering and Work Practices Controls".

An exposure incident is defined as contact with blood or other potentially infectious materials on an employee's non-intact skin, eye, mouth, other mucous membrane or by piercing the skin or mucous membrane with a contaminated sharp object, such as needle sticks.

An "Exposure Incident Reporting Form" shall be completed each time an exposure incident occurs (See Appendix C).

#### 1. Hand Washing

- a. The City shall provide hand washing facilities which are readily accessible to employee. Antiseptic towelettes, bactericidal washes, waterless hand cleaners or an equivalent may be used where soap and water are not readily available. Police, fire, sanitation, park, and health department employees are to have these alternatives available in their vehicles when out of the building on assignment. Each vehicle operator is responsible for maintaining an adequate supply of these alternative items.
- b. Supervisors shall ensure that employees wash hands or any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.
- c. Supervisors shall ensure that employees wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and running water as soon as feasible.

#### 2. Housekeeping and Waste Procedures

- a. The City shall ensure that the worksite is maintained in a clean and sanitary condition.
- b. All equipment, materials, environmental and working surfaces, vehicles, and facilities shall be cleaned and decontaminated after contact with blood or other potentially infectious materials. A Bloodborne Pathogen Clean Up Kit (containing absorbent powder, scoop, absorbent towels, disposable

gloves, disinfectant, towelettes ad a biohazard waste bag) will be available at every recreation site and in each City of Menasha municipal building and vehicle.

- I. When performing decontamination procedures employees shall wear appropriate personal protective equipment to include, at minimum, disposable gloves. Other personal protective equipment (e.g. protective eyewear, impermeable gown, coveralls, etc.) shall be used when circumstances require additional protective measures.
  - II. Blood spills and other potentially infectious materials shall be cleaned up first with disposable towels followed by a cleaning of the contact area with a freshly prepared 1 to 10 household bleach solution (1 part bleach + 9 parts water) or other approved germicidal disinfectant.
  - III. "Spot Contamination" (the presence of a few drops of blood or other potentially infectious material) can be cleaned up with disinfectant towelettes or paper towels saturated with an approved germicidal disinfectant. City vehicles, facilities, and non-disposable equipment which are "spot contaminated" shall be cleaned up as soon as feasible by designated City of Menasha personnel. Vehicles, facilities, and non-disposable equipment which are contaminated shall be decontaminated by designated City of Menasha personnel.
  - IV. Protective coverings, such as plastic wrap, aluminum foil, or Imperviously-backed absorbent paper used to cover equipment and environmental surfaces, shall be removed and replaced as soon as feasible when they become contaminated with blood or OPIM (Other Potentially Infectious Materials).
- c. The designated City of Menasha personnel shall respond immediately to any major blood or OPIM incident so that it can be cleaned, decontaminated, and removed immediately. ( A major blood or OPIM incident is one which there will be biohazardous material for disposal or when there are contaminated sharps – see letter "e" below.)
  - d. Contaminated cleaning materials shall be placed in approved biohazard bags for proper disposal. Cleaning materials (i.e. mops, towels, etc.) which have been used but not contaminated by blood or other potentially infectious materials require no special disposal considerations.
  - e. Broken glass contaminated with blood or OPIM shall not be picked up directly with the hands. It shall be cleaned up using mechanical means, such as a brush and dust pan, tongs, or forceps. Contaminated sharps, broken glass, plastic or other sharp objects shall be placed into appropriate sharps containers for proper disposal.
  - f. Disposable contaminated materials (i.e. gloves, paper towels,

disinfectant towelettes, bandages, impermeable gowns, coveralls) shall be placed in approved biohazard disposal bags and disposed of at the Menasha Health Department. Gold Cross ambulance personnel will remove disposable contaminated materials at the site of the emergency response and dispose of the contaminated materials according to their approved policies. Disposable materials such as gloves which have been used but not contaminated by blood or other infectious materials require no special disposal considerations.

- g. Contaminated laundry/clothing shall be handled as little as possible. Disposable gloves must be worn when handling contaminated laundry/clothing. Contaminated clothing shall be removed immediately or as soon as feasible and replaced with fresh clothing, after thoroughly cleaning the skin. All contaminated clothing shall be placed in an approved biohazard disposal bag and given to the immediate supervisor on duty. All non-disposable contaminated clothing is sent to Gunderson Cleaners in Menasha for decontamination and laundering. The City will clean, decontaminate and return serviceable items at no cost to the employee. **Contaminated clothing should not be taken home for laundering.**
- h. Contaminated sharps shall be discarded immediately in containers that are closable, puncture resistant, leak proof on sides and bottom, and labeled or color-coded. Containers for contaminated sharps shall be easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used. The containers shall be maintained upright throughout use and replaced when full and not allowed to overfill. When moving containers of contaminated sharps from the area of use, the containers shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, or transport. Containers shall not be opened, emptied, or cleaned manually or in any other manner which would expose employees to the risk of percutaneous injury.

### C. Personal Protective Equipment

- 1. Where occupational exposure can occur in spite of institution of engineering and work controls, personal protective equipment shall be used. At every recreation site and within all City of Menasha municipal buildings and vehicles, a Bloodborne Pathogen Clean Up Kit will be provided.
  - a. Disposal gloves will be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin; and when handling or touching contaminated items or surfaces.
  - b. Disposal gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured or when the ability to function as a barrier is compromised. Disposable gloves shall not be washed or decontaminated for re-use. Disposable gloves shall be removed inside out, with the contaminated side not exposed.
  - c. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

- d. If circumstances warrant the wearing of other than disposable gloves (e.g. leather or cotton gloves), disposable gloves shall be worn underneath for added protection. Non-disposable gloves may be decontaminated for re-use provided the integrity of the glove is not compromised. Non-disposable gloves will be discarded if they are cracked, peeling, torn, punctured or exhibit other signs of deterioration.
  - e. Where a single pair of gloves may be damaged and unable to provide adequate protection, more than one pair of gloves shall be worn to protect against exposure.
  - f. Masks, protective eye goggles and protective disposable gowns and coveralls shall be worn when blood or body fluids may be splashed or splattered.
  - g. An authorized barrier/resuscitation device with an isolation valve shall be used whenever CPR or mouth-to-mouth resuscitation is performed. The mask is intended for one item use and shall be properly disposed of after use. Replacement equipment is available through the immediate supervisor.
  - h. Appropriate protective clothing shall be worn in occupational exposure situations. The type and characteristics shall depend upon the task, location, and degree of exposure anticipated.
  - i. Employees shall not smoke, eat, drink, handle contact lenses or apply makeup in any contaminated area or when wearing protective gloves.
2. The City of Menasha shall ensure that appropriate personal protective equipment is readily accessible at the worksite or is issued to the employees.
- a. All work locations where occupational exposure to blood or body fluids can be reasonably anticipated shall have an adequate amount of communicable disease control supplies and personal protective equipment stored in a convenient location.
  - b. The City of Menasha shall clean, launder and dispose of personal protective equipment, at no cost to the employee.
  - c. The City of Menasha shall repair or replace personal protective equipment as needed to maintain its effectiveness, at no cost to the employee.
3. All personal protective equipment shall be removed prior to leaving the work area. When personal protective equipment/supplies are removed they shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.
4. If a garment(s) is penetrated by blood or other potentially infectious materials, the garment(s) shall be removed immediately, or as soon as feasible, and the person should

shower. The garment should be given to the immediate supervisor and then sent to Gunderson Cleaners to be properly laundered.

5. The City of Menasha shall ensure that the employees use appropriate personal protective equipment. If an employee temporarily and briefly declines to use personal protective equipment because it is in his or her judgment that in that particular instance it would have posed an increased hazard to the employee or others, the City shall investigate and document the circumstances in order to determine whether changes can be instituted to prevent such occurrences in the future.

#### **IV. HEPATITIS B VACCINATION**

##### **A. General Information**

1. The City of Menasha will make available the Hepatitis B vaccination series to all employees who have occupational exposure (Category I Employee – Appendix B), and post-exposure follow-up to employees who have had an exposure incident.
2. The City shall ensure that all medical evaluations and procedures including the Hepatitis B vaccination series and post exposure follow-up, including prophylaxis are:
  - a. Conducted within 24 hours of the exposure (immediately if HIV is of concern);
  - b. Made available at no cost to the employee;
  - c. Made available to the employee at a reasonable time and place;
  - d. Performed by or under the supervision of a licensed physician or by or under the
  - e. supervision of another licensed health care professional;
  - f. All laboratory tests shall be conducted by an accredited laboratory at no costs to the employee and shall include testing for HIV, Hepatitis B and C. Testing will continue for 6 months to 1 year with exposure to these diseases.
  - g. Testing of exposure source for HIV, Hepatitis B and C will be done, if the source is known and available for testing.
  - h. Chemoprophylaxis using up to 3 drugs will be utilized if significant exposure to HIV has occurred.

##### **B. Hepatitis B Vaccine**

1. The City of Menasha Health Department is in charge of the Hepatitis B vaccination program.
2. Hepatitis B vaccination shall be made available after the employee has received the training in occupational exposure (see information and training) and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete Hepatitis B vaccination series antibody testing has revealed the employee is immune, or the vaccine is contraindicated for medical season.
3. Participation in a pre-screening program shall not be a prerequisite for reviewing Hepatitis B vaccination.

4. Post-Hepatitis B vaccine titer testing will be done within 30-60 days of completion of the three dose series of Hepatitis B vaccinations for those employees newly vaccinated after 1-1-04 and who are category I classification. (See Appendix B)
5. If the employee initially declines Hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the vaccination shall then be made available.
6. All employees who decline the Hepatitis B vaccination shall sign the OSHA required waiver indicating their refusal (See Appendix D).
7. If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster doses shall be made available.

**C. HIV Post Exposure Prophylaxis**

1. If a significant exposure occurs and the source individual is known HIV positive or has a history of high risk behaviors (IV drug user, male having sex with male, multiple sex partners, etc...) then immediate post exposure follow-up is needed.
2. According to new CDC guidelines for post exposure prophylaxis, one to three medications can be prescribed by an Infectious Disease Physician. Prophylaxis will be recommended for significant exposure but is not mandatory.
3. The new protocols must be initiated ASAP, preferably within 2 hours.
4. If the exposed worker consents to baseline blood collection for HIV, but does not give the consent for HIV testing, the sample can be preserved for 90 days. If during that time, the employee gives written consent for HIV testing it will be completed.

**D. Hepatitis C Testing**

1. There is no recommended prophylaxis.
2. Follow up testing for HCV is done at 3, 6, and 12 months for those employees exposed to Hepatitis C positive patients.

**V. POST-EXPOSURE EVALUATION AND FOLLOW-UP**

**A. Exposure Incident Procedures**

1. All exposure incidents shall be reported, investigated, and documented. When the employee incurs an exposure incident, the following procedures shall be followed (see Appendix E – “Exposure Incident Checklist”):
  - a. Exposed Individuals Responsibilities
    - I. Report “exposure incident” as soon as feasible to an immediate supervisor. The immediate supervisor will then forward the report to the Menasha Health Department, provided the staff in the health department will receive the report within 24 hours of the exposure incident. The health department will immediately forward the report to the Menasha City Physician or designee if unavailable for a determination of significant exposure. If a determination of significant exposure has been made, the employee will be referred to a physician for post-exposure evaluation.
    - II. Complete an “Exposure Incident Reporting Form” (See Appendix C) containing a detailed account of the nature and circumstances of the exposure to include the route of exposure and whether or not personal protective equipment was being

- utilized. If personal protective equipment was not used, indicate the reason.
  - III. If the health department is unavailable in the next twenty-four hours following an exposure incident, the immediate supervisor should send the employee to the emergency department at Theda Clark Regional Medical Center (TCRMC) for significant exposure determination. If a determination of significant exposure has been made, the employee will be referred to a physician for post-exposure evaluation.
  - IV. Complete "Follow Up of Employee Exposure to Blood/Body Fluid" form (Appendix F) prior to or during evaluation by a health care professional.
  - V. The attending physician completes the "Health Care Professional Written Opinion Post Exposure Follow Up" form (Appendix G).
- b. Supervisor's Responsibility
- I. Review the exposed members narrative account of the exposure incident to ensure that it includes all necessary information. In instances where the employee was not wearing personal protective equipment, investigate to confirm that the failure to wear personal protective equipment was justified by unexpected or uncontrollable circumstances.
  - II. Review all paperwork and submit to Public Health Director.
  - III. Ensure that the employee completed the "Exposure Incident Reporting Form" at TCRMC and that necessary forms are completed if exposure incident occurs on weekends, holidays or after office hours.
  - IV. Ensure that the employee reported to the emergency department of TCRMC when the health department is unavailable for follow-up to determine significant exposure.
2. Any employee who has an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030. The coordination of the post-exposure follow-up will be performed by the health department.

#### **B. Medical Follow-Up**

Following a report of an exposure incident, the City shall make immediately available to the exposed employee a confidential medical examination and follow-up, including at least the following elements:

- 1. Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
- 2. Identification and documentation of the source individual, if possible, or unless it can be established that identification is infeasible or prohibited by state or local law;
  - a. The source individual's blood shall be tested as soon as feasible after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the City of Menasha attorney shall establish that legally required consent cannot

- be obtained.
  - b. Results of the source individual's testing shall be made available to the exposed employee only after consent is obtained, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual
3. The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained. If the employee consents to baseline blood collection, but does not consent at the time for HIV serological testing, the sample shall be preserved for at least 90 days. If within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.

#### **C. Information Provided to the Health Care Professional**

1. The City of Menasha shall ensure that the health care professional responsible for the employee's post-exposure evaluation is provided with the following:
  - a. A copy of 29 CFR 1910.1030;
  - b. A written description of the exposed employee's duties as they relate to the exposure incident;
  - c. Written documentation of the route of exposure and circumstances under which the exposure occurred;
  - d. Results of the source individual's blood testing, if available;
  - e. All medical records relevant to the appropriate treatment of the employee including vaccination status.

#### **D. Health Professional's Written Opinion**

1. The City of Menasha shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of completion of the evaluation (Appendix G).
2. The health care professional's written opinion for HBV vaccination shall be limited to whether HBV vaccination is indicated for an employee, and if the employee has received such vaccination.
3. The health care professional's written opinion for post exposure follow-up shall be limited to the following information:
  - a. A statement that the employee has been informed of the results of the evaluation; and
  - b. A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
  - c. All other findings or diagnosis shall remain confidential and shall not be included in the written report.

### **VI. COMMUNICATION ABOUT HAZARDS TO EMPLOYEES**

#### **A. Labels and Sign.**

1. The City of Menasha shall ensure that biohazard labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious materials, and other containers used to store, transport or ship blood or other potentially infectious materials, and other containers used to store, transport or ship blood or other potentially infectious materials.
2. The universal biohazard symbol shall be used. The label shall be fluorescent orange or orange-red.
3. Red bags or containers may be substituted for labels. However, regulated waste must be handled in accordance with the rules and regulations of the organization having jurisdiction. In Wisconsin, this organization is the DNR.

#### **B. Information and Training**

1. The City of Menasha shall ensure that all employees with potential for occupational exposure participate in a training program at no cost to employees.
2. The City of Menasha and/or applicable supervisors shall ensure that training is provided at the time of initial assignment to tasks when occupational exposure may take place and at least annually thereafter.
  - a. For employees who have received training on bloodborne pathogens in the year preceding the effective date of this standard, only training with respect to the provisions of the standard which were not included need be provided.
  - b. Annual training for all employees with potential for occupational exposure shall be provided within one year of their previous training.
3. The City of Menasha shall provide additional training when changes such as modifications of task or procedures affect the employees potential for occupational exposure. The additional training may be limited to addressing the new exposures created, or new protocols or protection to be implemented.
4. Material appropriate in content and vocabulary to educational level, literacy and language of employees shall be used. (Appendix H contains the required minimum content for trainings.)
5. The person conducting the training shall be knowledgeable in subject matter covered by the elements contained in the training program, as it relates to the workplace.

#### **VII. RECORDKEEPING**

## **A. Medical Records**

1. The City shall establish an accurate medical record for each employee with occupational exposure, which will be kept at City Hall – Personnel Department and shall include (See Appendix I):
  - a. Name and social security number of employee;
  - b. Copy of employee's hepatitis B vaccination record or declination form and any additional medical records related to hepatitis B. (Hepatitis B vaccination records or declination forms will be kept in the Health Department);
  - c. If exposure incident(s) have occurred, a copy of all results of examinations, medial testing, and follow-up procedures;
  - d. If exposure incident(s) have occurred, City's copy of the health care professional's written opinion;
  - e. If exposure incident(s) have occurred, City's copy of information provided to the health care professional: i.e. exposure incident investigation form and results of the source individual's blood testing, if available and consent has been obtained for release.
  
2. The City of Menasha shall ensure that the employee's medical records are kept confidential and are not disclosed or reported without the employee's expressed written consent to any person within or outside of the City of Menasha except as required my law. These medical records shall be kept separate from other personnel records.
  
3. These medical records shall be maintained for the duration of employment plus 30 years.

## **B. Training Records (See Appendix H)**

1. The City of Menasha is responsible for maintaining training records which shall include:
  - a. The date of the training session;
  - b. The contents or a summary of the training sessions;
  - c. The names and qualifications of persons conducting the training;
  - d. The name and job title of all persons attending the training session.
  
2. Training records shall be maintained for three years from the date the training occurred.

## **C. Availability of Records**

1. The City of Menasha shall ensure:
  - a. All records required to be maintained by this standard shall be made available upon request to Department of Commerce (or designee) for examination and copying.
  - b. Employee training records required by this standard shall be provided upon request for examination and copying to employees, to employee representatives, and to the Department of Commerce (or designee).
  - c. Employee medical records required by this standard shall be provided upon request for examination and copying to the subject employee and/or designees, to anyone having written consent of the subject employee and to the Department of Commerce.
2. The City of Menasha shall comply with the requirements involving the transfer of records set forth in this standard.

### **VIII. EVALUATION AND REVIEW**

It shall be the responsibility of the City of Menasha to review and update this Exposure Control Plan at least annually and whenever necessary to reflect new or modified tasks, procedures or protocols, which affect occupational exposure and to reflect new or revised employee positions with occupational exposure.

#### **Appendix A**

#### **City of Menasha DEFINITIONS FOR THE PURPOSES OF THE EXPOSURE CONTROL PLAN**

<b>Antibody</b>	A substance produced in the blood of an individual which is capable of producing a specific immunity to a specific germ or virus.
<b>Amniotic Fluid</b>	The fluid surrounding the embryo or fetus, in the mother's womb.
<b>Antigen</b>	Any substance which stimulates the formation of an antibody.
<b>Assistant Secretary</b>	The assistant Secretary of Labor for Occupational Safety and Health, or designated representative.
<b>Biohazard Label</b>	A label affixed to containers of regulated waste, refrigerators/freezers and other containers used to store, transport or ship blood and other potentially infectious materials. The label must be fluorescent orange-red in color with the biohazard symbol and the word biohazard on the lower part of the label.
<b>Blood</b>	Human blood, human blood components, and products made from human blood.
<b>Bloodborne Pathogens</b>	Pathogenic (disease producing) microorganisms that are present in human blood can cause disease in humans. These pathogens include, but are not limited to Hepatitis B virus (HBV) and Human Immunodeficiency Virus (HIV).
<b>Cerebrospinal Fluid</b>	A clear, colorless fluid surrounding the brain and spinal cord. It can be withdrawn by performing a spinal puncture.
<b>Clinical Laboratory</b>	A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.
<b>Contaminated</b>	The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.
<b>Contaminated Laundry</b>	Laundry which has been soiled with blood or other potentially infectious materials or may contain sharp.
<b>Contaminated Sharp</b>	Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, capillary tubes, and the exposed ends of dental wires.
<b>Decontamination</b>	The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

<b>Engineering Controls</b>	Controls (i.e. sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogens hazard from the workplace.
<b>Exposure Control Plan</b>	A written program developed and implemented by the employer which sets forth procedures, engineering controls, personal protective equipment, work practices and other methods that are capable of protecting employees from exposures to bloodborne pathogens, and meets the requirements spelled out by the OSHA Bloodborne Pathogens Standard.
<b>Exposure Determination</b>	How and when occupational exposure occurs and which job classification and/or individuals are at risk of exposure without regard to the use of personal protective equipment.
<b>Exposure Incident</b>	A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance an employee's duties.
<b>Hand Washing Facilities</b>	A facility providing an adequate supply of running potable water, soap and single use towels, or hot air drying machines.
<b>HBV</b>	Hepatitis B Virus
<b>HCV</b>	Hepatitis C Virus
<b>HIV</b>	Human Immunodeficiency Virus
<b>Licensed Health Care Professional</b>	A person whose legally permitted scope and practice allows him or her to independently perform the activities required by paragraph (f) of the standard: Hepatitis B vaccination and post exposure evaluation and follow-up. (In Wisconsin only a licensed physician meets this definition.)
<b>Medical Consultation</b>	A consultation which takes place between an employee and a licensed health care professional for the purpose of determining the employee's medical condition resulting from exposure to blood or other potentially infectious materials, as well as nay further evaluation or treatment that is required.
<b>Mucous</b>	A thick liquid secreted by glands, such as those lining the nasal passages, the stomach and intestines, the vagina, etc..
<b>Mucous Membranes</b>	A surface membrane, composed of cells, which secretes various forms of mucous, as in the lining of the respiratory tract and the gastrointestinal tract, etc...
<b>Occupational Exposure</b>	A reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious

materials that may result from the performance of an employee's duties.

**OSHA**

The Occupational Safety and Health Administration of the U.S. Department of Labor; the Federal agency with safety and health regulatory and enforcement authorities for most U.S. industry and business.

**Other Potentially Infectious Materials (OPIM)**

(1) The following human body fluids; semen, vaginal secretions, menstrual blood, vomit, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; (2) any unfixed tissue or organ (other than intact skin) from a human (living or dead); and (3) HIV-containing cell or tissue cultures, organ cultures, and HIV – or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

**Parenteral**

Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

**Pathogen**

A bacteria or virus capable of causing infection or disease.

**Pericardial Fluid**

The clear straw-colored serous fluid secreted by the cells of the peritoneum.

**Peritoneum**

The living membrane of the abdominal (peritoneal) cavity. It is composed of a thin layer of cells.

**Personal Protective Equipment**

Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (i.e. uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment. Personal protective equipment may include, but is not limited to, gloves, gowns, laboratory coats, face shields, masks, eye protection equipment, mouthpieces, resuscitation bags, pocket masks or other ventilation devise. Personal protective equipment will be considered "appropriate" only if it does not permit blood or other potentially infectious materials to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth or other mucous membrane under normal conditions of use and for the duration of time which the protective equipment is used.

**Pleural**

The membrane lining the chest cavity and covering the lungs. It is made up of a thin sheet of cells.

**Pleural Fluid**

Fluid from the pleural cavity.

<b>Production Facility</b>	A facility engaged in industrial-scale, large-volume or high concentration production of HIV or HBV.
<b>Prophylaxis</b>	The measures carried out to prevent diseases.
<b>Regulated Waste</b>	Liquid or semi-liquid blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.
<b>Research Laboratory</b>	A laboratory producing or using research laboratory scale amounts of HIV or HBV. Research laboratories may produce high concentrations of HIV or HBV but not in the volume found in production facilities.
<b>Serous Fluids</b>	Liquids of the body, similar to blood serum, which are in part secreted by serous membranes.
<b>Source Individual</b>	Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.
<b>Sterilize</b>	The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.
<b>Synovial Fluid</b>	The clear amber fluid usually present in small quantities in a joint of the body (i.e. knee, elbow).
<b>Universal Precautions</b>	An approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.
<b>Vascular</b>	Pertaining to or composed of blood vessels.
<b>Work Practice Controls</b>	Controls that reduce the likelihood of exposure by altering the manner in which the task is performed.

**Appendix B**

City of Menasha  
OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

JOB CLASSIFICATIONS AND ASSIATED TASKS/PROCEDURES

CLASSIFICATION/POSITION	CATEGORY I (Has Exposure)	CATEGORY II (Collateral Exposure)	NO EXPOSURE	IDENTIFIED TASKS & PROCEDURES
Public Health Nurse	X			Give immunizations. Perform capillary needle sticks for blood glucose, lead an Hgb testing. CPR/First Aid
Dental Hygienist	X			Oral screenings. Dental sealant placement.
Police Officers	X			Pat down searches. Handling drug paraphernalia evidence. CPR/First Aid.
Firefighters	X			First Responders.
Street/Sanitation Worker	X			Collect household trash.
Parks Employee		X		Collect trash in parks. Clean up of park shelters.
Maintenance Department		X		Building cleaning.
Maintenance Department- Police		X		Clean holding cell.
Senior Center Coordinator		X		CPR/First Aid
Activity Coordinator – Senior Center		X		CPR/First Aid
Summer Pool Employees		X		CPR/First Aid
Summer Rec. Employees		X		CPR/First Aid

Appendix B

ASSOCIATED TASKS AND PROCEDURES

A list of tasks and procedures performed by employees in the above job classifications in which exposure to bloodborne pathogens may occur is required. Task/procedures may include, but are not limited to, the following examples:

1. Care of minor injuries that occur, i.e. bloody nose, scrape, minor cut;
2. Initial care of injuries that require medical or dental assistance, i.e. damaged teeth, broken bone protruding through the skin, severe laceration;
3. Initial care of individuals who may need cardiopulmonary resuscitation.
4. Care of individual who need assistance in daily living skills, i.e. toileting, dressing, hand washing, feeding and menstrual needs;
5. Care of individuals who exhibit behaviors that may injure themselves or others, i.e. biting, hitting, scratching;
6. Care of injured person during a sport activity;
7. Cleaning tasks associated with body fluid spills including decontaminating facilities or vehicles contaminated with blood or other potentially infectious materials.

**Appendix C  
City of Menasha  
EXPOSURE INCIDENT REPORTING FORM**

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location: \_\_\_\_\_

Employee(s) Involved: \_\_\_\_\_

Potentially Infectious Materials Involved:

Type: \_\_\_\_\_

Source: \_\_\_\_\_

Circumstances (what was occurring at the time of the incident): \_\_\_\_\_

\_\_\_\_\_

How as the incident caused (accident, equipment malfunction, etc. List any tool, machine or equipment involved): \_\_\_\_\_

\_\_\_\_\_

Personal protective equipment being used at the time of the incident: \_\_\_\_\_

\_\_\_\_\_

Actions taken (decontamination, clean-up, reporting, etc.): \_\_\_\_\_

\_\_\_\_\_

Recommendations for avoiding repetitive of incident: \_\_\_\_\_

\_\_\_\_\_

Name of source (if known): \_\_\_\_\_ DOB (if known): \_\_\_\_\_

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Return completed form to immediate supervisor.

Form sent to Public Health Director \_\_\_\_\_  
Date Supervisor's Signature

Form received by Public Health Director \_\_\_\_\_  
Date

Appendix D

City of Menasha

**BLOODBORNE PATHOGEN – HEPATITIS B VACCINATIONS**

**Declination Statement:**

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to me. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the hepatitis B vaccine, I can receive the vaccination series at no charge to me.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Appendix E

City of Menasha

**BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN**

**EXPOSURE INCIDENT CHECKLIST**

**EMPLOYEE**

- \_\_\_\_\_ Report exposure incident to your supervisor.
- \_\_\_\_\_ Write report describing the incident.
- \_\_\_\_\_ Obtain post-exposure medical assessment through the Menasha Health Department or the emergency department at Theda Clark Regional Medical Center.
- \_\_\_\_\_ Physician to fill out "Health Care Professional Written Opinion Post Exposure Follow Up" (Appendix G).
- \_\_\_\_\_ Employee to fill out "Follow Up of Employee to Blood/Body Fluid" (Appendix F).

**SUPERVISOR**

- \_\_\_\_\_ Review City Policy, Bloodborne Pathogens Exposure Control Plan.
- \_\_\_\_\_ Fill out the necessary Worker's Compensation forms.
- \_\_\_\_\_ Attempt to persuade the source individual to consent to testing for HIV and HBV (Document efforts in report).
- \_\_\_\_\_ Ensure that the employee responded to the Health Department at TCRMC, and that the necessary forms are completed.
- \_\_\_\_\_ Review the paperwork and submit to Health Department.

**Appendix F**

**City of Menasha  
FOLLOW UP OF EMPLOYEE EXPOSURE TO BLOOD/BODY FLUIDS**

**TO BE FILLED OUT BY EMPLOYEE (SECTION I & II PRIOR TO OR DURING EVALUATION BY HEALTH CARE PROFESSIONAL)**

**EMPLOYEE TO INITIAL APPLICABEL SECTIONS**

\_\_\_\_\_ I believe that I received exposure to blood or potentially infectious body fluid. I wish to have the source individual tested for the presence of HIV or Hepatitis B.

\_\_\_\_\_ I understand that the information linking the source individual's identity and blood test results is protected as confidential under State law, and that I may not disclose the identity of the source individual to any other person except for the purpose of having this test performed.

\_\_\_\_\_ I understand that I may have a baseline blood sample taken on myself at this time. The sample can be tested for HIV at this time, or it can be held by the lab for as long as 90 days in case I elect to have HIV testing done in the future. After 90 days the sample will be destroyed.

**THE EMPLOYEE WIL SELECT ONE OF THE THREE OPTIONS LISTED BELOW:**

\_\_\_\_\_ I want to have my blood sample drawn and tested for HIV at this time.

\_\_\_\_\_ I want to have my blood sample drawn at this time and saved for possible testing within 90 days.

\_\_\_\_\_ I do not wish to have a baseline blood sample drawn.

**TO BE READ AND INITIALED BY THE EMPLOYEE:**

\_\_\_\_\_ I have been instructed in the signs and symptoms of illness which may result from exposure to individuals infected with HIV or Hepatitis, and the ways in which I may prevent the spread of these conditions during contacts at or away from work.

\_\_\_\_\_ I have been informed of the results of the evaluation done by a Health Care Professional .

\_\_\_\_\_ I have been told about the signs and symptoms which should be reported to my personal physician.

Signed: \_\_\_\_\_

Date \_\_\_\_\_

**Appendix G**

**City of Menasha  
HEALTH CARE PROFESSIONAL WRITTEN OPINION  
POST EXPOSURE FOLLOW UP EVALUATION**

TO BE FILLED OUT BY HEALTH CARE PROFESSIONAL AFTER 2<sup>ND</sup> VISIT AND RETURNED TO THE CITY OF MENASHA PERSONNEL DEPARTMENT.

I saw \_\_\_\_\_ (patient name) for a post blood/body fluid exposure evaluation on \_\_\_\_\_ (date).

The employee has \_\_\_\_\_ has not \_\_\_\_\_ been informed of the results of the evaluation.

The employee has \_\_\_\_\_ has not \_\_\_\_\_ been told about any medical conditions which could result from the exposure incident to blood or other potentially infectious materials which require further evaluation or treatment.

\_\_\_\_\_ It is my recommendation that the Hepatitis B vaccine be given to this employee. Vaccination received \_\_\_\_\_ (date).

\_\_\_\_\_ Based on the information available to me in confidential medical record, I do not recommend the Hepatitis B vaccine at this time.

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

A signed copy of this written opinion was given to the above name employee on \_\_\_\_\_ (date)

Appendix H  
City of Menasha  
INFORMATION AND TRAINING OF EMPLOYEES  
WITH POTENTIAL EXPOSURE TO BLOODBORNE PATHOGENS

Date(s) of Training: \_\_\_\_\_

Trainer(s) Name and Qualifications: \_\_\_\_\_

Name and Job Titles of all Employees Attending This Training: (Attach separate page)

**Agenda and/or Materials Presented to Training Participant Include:**

- \_\_\_\_\_ An accessible copy of the text of the OSHA Standard.
- \_\_\_\_\_ A general explanation of the epidemiology and symptoms of bloodborne diseases.
- \_\_\_\_\_ An explanation of the modes of transmission of bloodborne pathogens (namely, Hepatitis B, Hepatitis C and HIV)
- \_\_\_\_\_ An explanation of the exposure control plan and the means by which employees can obtain a copy of the written plan.
- \_\_\_\_\_ An explanation of the appropriate methods for recognizing task/activities that may involve exposure to blood and other potentially infectious materials.
- \_\_\_\_\_ An explanation of the use and limitations of method that will prevent or reduce exposure: i.e. engineering controls, work practices, and personal protective equipment.
- \_\_\_\_\_ Information on the types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment or other contaminated items.
- \_\_\_\_\_ An explanation of the basis for selection of personal protective equipment.
- \_\_\_\_\_ Information on the HBV vaccine, its efficacy, safety, method of administration, benefits or vaccination, and provision at no cost to the employee.
- \_\_\_\_\_ Information on the appropriate actions to take and persons to contact in an emergency involving blood and other potentially infectious materials.
- \_\_\_\_\_ An explanation of the procedure to follow if an exposure incident occurs, the method of reporting, and the medical follow-up that is available.
- \_\_\_\_\_ Information on the post-exposure evaluation and follow-up that is provided.
- \_\_\_\_\_ An explanation of the signs, symbols, and color-coding of biohazards.
- \_\_\_\_\_ A question and answer session between the trainer(s) and employee(s).
- \_\_\_\_\_ Provision of a list of contacts that can be resources to the employees if they have questions after training.

Signature of Trainer: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendix I**

**City of Menasha  
EMPLOYEE MEDICAL RECORD CHECKLIST**

NAME: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

JOB CLASSIFICATION: \_\_\_\_\_

\_\_\_\_\_ Copy of employee's Hepatitis B Vaccination record or declination form. Attach any additional medical records relative to Hepatitis B. (Kept in Health Department.)

---

\_\_\_\_\_ Brief Description of Exposure Incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Log and attach the City's copy of information provided to the health care professional.

\_\_\_\_\_ Exposure Incident Report Form

\_\_\_\_\_ Results of the source individual's blood testing, if available.

\_\_\_\_\_ Log and attach the City's copy of the health care professional's written opinion.

**Appendix J**

Dear Dr.

I am referring a City of Menasha employee \_\_\_\_\_ to you for Post-exposure evaluation secondary to a potential bloodborne pathogen worksite exposure.

Please find attached the following resource information:

- Comm 32.15 and OSHA 29 CFR 1910.1030.
- Employee's job description as it relates to the exposure incident and required personal protective equipment.
- Documentation of route and circumstances of the exposure.
- Results of source individual's blood testing, if obtained.
- Relevant medical records.

To comply with the department of Commerce standard, I need a written report of your evaluation within 15 days. I have attached a post-exposure evaluation form for your convenience.

Thank you for your time and consideration. If you have any questions, please feel free to call me at 967-3520.

Sincerely,

Susan Nett, RN, MPA  
Public Health Director

## CONFINED SPACE ENTRY PROGRAM

### I. PURPOSE:

The purpose of this written program is to protect the health and safety of the City of Menasha employees who enter confined spaces and/or are assigned to serve as attendants or rescue personnel. This program is also intended to insure compliance with the requirements of OSHA 29 CFR 1910.146 and Department of Commerce Chapter 32.28 & 32.29.

### II. OBJECTIVE:

- A. To prevent employee injury, illness, or death from confined space hazards.
- B. To establish methods and procedures for controlling confined space activity while performing inspections, repairs, maintenance or other work related activities.
- C. To comply with OSHA 29 CFR 1910.146 and COMM 32 of the Wisconsin Administrative Code.

### III. APPLICATION:

This program applies to:

- A. All employees who are authorized to enter a confined space,
- B. All employees assigned to serve as attendants and/or provide assistance during a confined space emergency rescue, and
- C. To employees who serve as confined space entry supervisors and/or confined space entry program administrators.

### IV. DEFINITION:

Acceptable Entry Conditions – conditions that must exist in a permit space to allow entry and to ensure that employees involved with a permit-required confined space can safely enter and perform work.

Attendant – a trained individual stationed outside one or more confined spaces who monitors the authorized entrant and who performs all attendant duties assigned herein.

Authorized Entrant – an employee who is authorized to enter a confined space.

Confined Space – a space that:

- A. Is large enough and so configured that an employee can enter and perform work;
- B. Has limited or restricted means for entry or exit, such as a tank, vessel, silo, storage bin, hopper, vault, or pit; and
- C. Is not designed for continuous employee occupancy.

**Engulfment** - the surrounding and effective capture of a person by a liquid or finely divided flowable solid substance that can be aspirated to cause death by filling or plugging the respiratory system or that can exert enough force on the body to cause death by strangulation, constriction or crushing.

**Entry** – the action by which a person passes through an opening into a confined space. Entry includes ensuing work activities in that space and is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space.

**Entry Permit** – a written permit that identifies a confined space where work is to be completed and potential hazards that need to be evaluated and controlled before authorization is given for entry. A sample permit/checklist is found in Appendix A.

**Entry Supervisor** – person responsible for:

- A. determining if acceptable conditions are present before entering a permit space;
- B. authorizing entry;
- C. coordinating and supervising all entry operations; and
- D. terminating entry.

**Hazardous Atmosphere** – an atmosphere that may expose employees to the risk of death, incapacitation, and impairment of ability to self-rescue, injury, or acute illness from one or more of the following causes;

- A. Flammable gas, vapor or mist in excess of 10% of its lower explosive limit;
- B. Airborne combustible dust at a concentration that meets or exceeds its lower explosive limit; or dust that obscures vision at 10 feet or less;
- C. Atmospheric oxygen concentrations below 19.5% or above 23.5%;
- D. Atmospheric concentrations of any substance listed in Subpart G, Occupational Health and Environmental Control, or in Subpart Z of 29 CFR 1910 substances for which a dose or PEL is published and could result in employee exposure in excess of its dose or PEL;
- E. Any other atmospheric condition that is immediately dangerous to life or health.

**Immediately Dangerous to Life or Health (IDLH)** – any condition that poses an immediate threat to life or a delayed threat to life, or that would cause irreversible adverse health effects or that would interfere with an individual's ability to escape unaided from a confined space.

**Lower Explosive Limit (LEL)** – the lowest concentration of a gas or vapor, expressed in percent by volume in air that burns or explodes if an ignition source is present at room temperature.

**Non-Permit Confined Space** – a confined space that does not contain or have the potential to contain an atmospheric hazard or any other serious safety or health hazard.

**Permit-Required Confined Space** – a confined space that has one or more of the following characteristics;

- A. Contains or has a reasonable potential for hazardous atmospheres.
- B. Contains a material that has the potential for engulfment.
- C. Is internally configured so an employee could become trapped or asphyxiated by inwardly converging walls or a floor that slopes downward into a smaller cross-section.
- D. Contains any other recognized serious safety or health hazard.

**Rescue personnel** – personnel designated to rescue employees from permit spaces.

**Retrieval System** – equipment used for a non-entry rescue of persons from permit spaces (i.e., tripod).

V. CLASSIFICATION OF CONFINED SPACES:

The Department Head or his/her designee is responsible for classifying confined spaces in their respective departments. The Department Head or his/her designee is also responsible for employee compliance with this program. Classifications are based upon the air quality and the sources of possible hazards as follows:

Non-Permit Confined Space

A non-permit confined space is a confined space with an atmosphere within the following limits:

- A. Oxygen content of at least 19.5% or more, but not more than 23.5%;
- B. A hydrogen sulfide content of less than 10 parts per million (ppm) or a carbon monoxide content of less than 35 ppm;
- C. A combustible gas content less than 10% of the lower explosive level (LEL);
- D. An exposure level, for any hazardous substance determined to be present, which is at or below the Threshold Limit Value (TLV), which is the short term exposure limit for any substance as determined and published by the American Conference of Governmental Industrial Hygienists or the short term exposure limits found in 29 CFR 1910.1000.
- E. And the only source of contamination expected or likely to affect the atmosphere is the employee's presence or the employee's activities.

Permit-Required Confined Space

A permit-required confined space is a confined space that has one or more of the following characteristics:

- A. Contains a hazardous atmosphere;
- B. Contains a material that has the potential for engulfment of an authorized entrant;
- C. Has an internal configuration that could cause an authorized entrant to be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- D. Contains any other serious safety or health hazard.

Confined Space Reclassification

A confined space may be reclassified from a permit-required confined space to a non-permit confined space if the confined space poses no atmospheric hazard and if all hazards within the space are eliminated without entry into the space. The permit-required confined space may be reclassified as a non-permit confined space for as long as the non-atmospheric hazards are eliminated.

If it is necessary to enter a permit-required confined space to eliminate hazards, other than explosive hazards, the entry must follow permit-required confined space entry procedures. However, if after entry the testing and inspection of the permit-required confined space demonstrates that the hazards within the permit-required confined space have been eliminated, the space may be reclassified as a non-permit confined space as long as the hazards remain eliminated.

## Signs

The City of Menasha recognizes that by being a municipal employer there are confined spaces present in the workplace. The Department Head or his/her designee shall therefore inform employees by posting legible signs at the entrances to the confined spaces. Signs are not however, required at manholes located in sewer systems or in public areas. To inform employees, a sign should read "DANGER – NON-PERMIT CONFINED SPACE – DO NOT ENTER UNLESS AUTHORIZED or DANGER – PERMIT REQUIRED CONFINED SPACE – DO NOT ENTER UNLESS AUTHORIZED" or other similar language. (Signs must conform to the requirements in OSHA 29 CFR 1910.145)

## VI. AIR MONITORING:

No person may enter a confined space until the atmosphere of the confined space is sampled and air quality is determined for all levels and all areas of the confined space. Sampling shall be conducted in accordance with this section. Sampling devices shall be used to sample the atmosphere of a confined space. When entry to a confined space is by means of a manhole, a probe shall be inserted through a pick-hole of the manhole cover, or the manhole cover shall be pried open on the downwind side to allow just enough room for the insertion of the device. Only employees trained in the use of the air sampling equipment can conduct pre-entry readings.

The atmosphere of each confined space shall be sampled for:

- A. Oxygen
- B. Hydrogen sulfide or carbon monoxide, depending on the hazard present;
- C. Combustible gases; and
- D. Any hazardous substance which an employee may work with or be exposed to and which the City of Menasha has reason to believe may be present as evidenced by past experience or by its configuration or confined space properties.

**Note:** Authorized entrants and/or their authorized representatives shall be provided an opportunity to observe the atmospheric testing of the confined space that is conducted prior to entry and subsequent testing.

### Sampling Device

The sampling device shall have a direct readout, which can simultaneously test for 1-3 listed above, without manual switching. The sampling device shall be equipped with audible and visible warning devices, which indicate when an atmosphere of a confined space has:

- A. An oxygen content of less than 19.5% or more than 23.5%;
- B. A hydrogen sulfide content of 10 parts per million (ppm) or more, or a carbon monoxide content of 35 ppm or more;
- C. A combustible gas content of 10% or more of the lower explosive limit (LEL).

The sampling device used in confined spaces shall be intrinsically safe for use in combustible atmospheres.

## Calibration

The sampling device shall be calibrated relative to oxygen content of the ambient air at the time of sampling. Calibration of the sampling device relative to the oxygen content shall be performed where the 20.9% natural content of oxygen in the air is most likely to occur, which would prohibit oxygen calibration near a confined space opening. If the sampling device has a zero set it shall be zeroed in a clean atmosphere.

Calibration of the sampling device by the introduction of a known concentration shall be conducted as often as recommended by the manufacturer, or at least every six months. Bump testing or exciting the sensors with gas shall not be a substitute for calibration.

## VII. PROCEDURES:

No employee may enter or work in a confined space, unless the entry or work is in compliance with the provisions of this policy. Due to the hazardous nature of confined spaces, the Department Head shall carefully monitor and control such activities performed by its employee.

The following clearly defines entry duties and procedures of each employee.

### Non-Permit Confined Space Entry

- A. Prior to entry the atmosphere within the space shall be sampled for oxygen, hydrogen sulfide or carbon monoxide, and combustible gas content. These monitoring readings shall be recorded on a pre-entry permit found in Appendix A.
- B. Employees completing the permit and determining if acceptable entry conditions are present are hereby designated as the "Entry Supervisor" and have the duties of authorizing entry, overseeing entry and terminating entry. *Note: An entry supervisor may serve as the attendant or as the entrant, as long as that person is trained in accordance with this program and equipped as required for the role. Also, the duties of the entry supervisor may be passed from one qualified individual to another during the course of an entry.*
- C. Continuous monitoring of the atmosphere within the authorized entrant's immediate area shall be done while in the confined space.
- D. While in the confined space and monitoring shows the air quality has:
  1. An oxygen content of less than 19.5% or more than 23.5%
  2. A hydrogen sulfide content greater than 10 parts per million (ppm) or a carbon monoxide content greater than 35 ppm.
  - 3.
  4. A combustible gas content of 0% or more of the lower explosive limit (LEL); and
  5. An exposure level, for any hazardous substance determined to be present, which is above the Threshold Limit Value (TLV), which is the short term exposure limit for any substance as determined and published by the American Conference of Governmental Industrial Hygienists,

The authorized entrant shall exit the confined space and the confined space shall be reclassified as a Permit-Required Confined Space.

6. Ventilation may not be used in lieu of monitoring samples.
7. If the Non-Permit Confined Space involves work in a trench, shaft, tunnel, caisson or appurtenance that is over 5 feet in depth a second person must be present at the surface.

#### Ventilation and Supplied Air

A confined space with an atmosphere which can not be brought within the limits listed above may be ventilated and may be entered when sampling indicates an atmosphere is back within those limits.

If after ventilation of a confined space and the oxygen content, hydrogen sulfide or carbon monoxide content or the hazardous substance determined to be present can not be brought within the limits specified under a non-permit confined space, the space may be entered if a self-contained positive pressure breathing apparatus (SCBA) or a Type C air line respirator is used.

A confined space, after the introduction of ventilation, which still contains a combustible gas content of 10% or greater of the LEL may not be entered, even with supplied air.

#### Permit-Required Confined Space Entry

- A. Prior to entry of a Permit-Required Confined Space and in addition to sampling of oxygen content, combustible gas content and hydrogen sulfide or carbon monoxide, the Permit-Required Confined Space shall be sampled for any other hazardous substance that may be present or believed to be present. These monitoring readings shall be recorded on the pre-entry permit found in Appendix A.
- B. Employees completing the entry permit and determining if acceptable entry conditions are present are hereby designated as the "entry Supervisor" and have duties of authorizing entry, overseeing entry and terminating entry. *Note: An entry supervisor may serve as the attendant or as the entrant, as long as that person is trained in accordance with this program and equipped as required for the role. Also the duties of the entry supervisor may be passed from one qualified individual to another during the course of an entry.*
- C. Continuous monitoring of the atmosphere within the authorized entrant's immediate area shall be done while in the confined space.
- D. While in the confined space and monitoring shows the air quality has:
  1. An oxygen content of less than 19.5% or more than 23.5%
  2. A hydrogen sulfide content greater than 10 parts per million (ppm) or a carbon monoxide content greater than 35 ppm.
  3. A combustible gas content or 10% or more of the lower explosive limit (LEL); and
  4. An exposure level, for any hazardous substance determined to be present, which is above the Threshold Limit Value (TLV), which is the short term exposure limit for any substance as determined and published by the American Conference of Governmental Industrial Hygienists.

The authorized entrant shall exit the confined space.

- E. Ventilation may not be used in lieu of monitoring devices. An employee may not enter the space until forced ventilation has eliminated any hazardous atmosphere. If forced ventilation is to be used, it shall be so directed as to ventilate the immediate areas where an authorized entrant is or will be present within the space and shall continue until all entrant(s) have left the confined space. The air supply for the forced ventilation shall be from a clean source and may not increase the hazards in the confined space.
- F. **NO EMPLOYEE** may enter the Permit-Required Confined Space without at least one (1) attendant stationed at the entrance of the confined space. A flagman who is directing traffic may not service as the attendant. The attendant shall remain stationed outside the confined space for the duration of the entry.
- G. Where entry into a confined space is made by means of a manhole or a top opening, a mechanical retrieval device shall be set up for rescue attempts prior to entry.
- H. While in the confined space the authorized entrant shall have voice or other means of communication with the attendant.
- I. An authorized entrant entering vertically into the confined space shall wear a full body harness secured to a retrieval line.
- J. Any authorized entrant who makes horizontal movement into a confined space or who descends in such a manner as to make a mechanical retrieval device useless for a rescue attempt shall wear a full body harness.

#### **Duties of the Confined Space Entry Program Administrator**

The Program Administrator for the City of Menasha is the Safety Coordinator or N-M Fire Rescue.

The responsibilities of this individual shall include:

- A. Conducting/coordinating hazard assessments.
- B. Determining the classification permit required/non permit space and location of each confined space.
- C. Coordinating the posting of appropriate danger/caution signs by each confined space.
- D. Supervising the selection and use of respirators in conjunction with the Respiratory Protection Program.
- E. Conducting/coordinating supervisory and employee training and maintaining all training records.
- F. Conducting an annual evaluation of the overall program to determine its continued effectiveness.

Managers and Supervisors are responsible for:

- A. Actively supporting the CSE program and providing funding to purchase equipment when needed.
- B. Ensuring all assigned personnel are knowledgeable of all aspects of the CSE Program.
- C. Ensuring their employees comply with all elements of CSE Program.
- D. Ensuring appropriate PPE and equipment is properly utilized and maintained.

### Duties of Entry Supervisor

- A. Providing confined space entry personnel with a copy of the most current CSE program and any future changes.
- B. Knowing the hazards that may be encountered during entry and informing the entrants about the hazards, including information on the mode, signs, or symptoms and consequences of exposure.
- C. Verifying that the proper atmospheric tests have been conducted and that all procedures and equipment are in place before signing the CSE Permit.
- D. Assuring that the CSE permit is completed prior to each entry.
- E. Terminating the entry and canceling the permit when needed.
- F. Verifying that rescue personnel are available and that the means for summoning them or other emergency personnel is available and operable in the event that an emergency occurs.
- G. Removing unauthorized individuals who have entered or who attempt to enter the confined space.
- H. Determining whenever responsibility for a permit space entry operation is transferred and at intervals dictated by the hazards and operations performed within the space, and that entry operations remain consistent with terms of the entry permit.
- I. Maintaining completed entry permits, and equipment calibration records.
- J. Providing employees an opportunity to observe the atmospheric testing of the confined space.

NOTE: The CSE Supervisor may also serve as an attendant or as an authorized entrant providing that person is properly trained and equipped. The duties of the CSE Supervisor may also be passed from one individual to another during the course of an entry operation.

### Duties of Authorized Entrant

Each Department or his/her designee shall ensure that each authorized entrant:

- A. Know the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure;
- B.
- C. Know how to properly use equipment;
- D. Communicate with the attendant as necessary to enable the attendant to monitor entrant status and enable the attendant to alert entrants of the need to evacuate the space;
- E. Be able to alert the attendant whenever the entrant recognizes any warning sign or symptom or exposure to a dangerous situation; or a prohibited condition;

- F. Be able to exit the space whenever;
  - 1. an order to evacuate is given by the attendant or the entry supervisor; or
  - 2. whenever the entrant detects a prohibited condition/dangerous situation; or
  - 3. when an evacuation alarm is activated.

#### Duties of Attendants

The Department Head or his/her designee shall ensure that each attendant:

- A. Know the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure.
- B. Is aware of the possible behavioral effects of hazard exposure to entrants;
- C. Continuously maintains an accurate count of authorized entrants in the confined space and ensures that the means used to identify authorized entrants accurately identifies who is in the space;
- D. Remains outside the confined space during entry operations until relieved by another attendant; Note: *This properly allows attendant entry for rescue providing the attendant has been trained and properly equipped for rescue operations and if the attendant has been properly relieved.*
- E. Communicates with authorized entrants as necessary to monitor entrant statuses and to alert entrants of the need to evacuate the confined space.
- F. Monitors activities inside and outside the space to determine if it is safe for authorized entrants to remain in the space and orders the authorized entrants to evacuate the space immediately under the following conditions:
  - 1. If the attendant detects a prohibited condition;
  - 2. If the attendant detects the behavioral effects of hazard exposure in an authorized entrant;
  - 3. If the attendant detects a situation outside the space that could endanger the authorized entrant;
  - 4. If the attendant cannot effectively and safely perform all the duties required.
- G. Summon rescue and other emergency services as soon as the attendant determines that authorized entrants need assistance to escape from the confined space hazards;
- H. Warn unauthorized personnel that they must stay away from the confined space;
- I. Advise unauthorized personnel that they must exit the confined space immediately if they have entered the confined space;
- J. Inform the authorized entrant(s) and the entry supervisor, if applicable, if unauthorized persons have entered the confined space;
- K. Performs non-entry rescues as specified in "Non-Entry Rescue" procedures;
- L. Performs no duties that might interfere with the attendant's primary duty of monitoring and protecting the authorized entrants.

Duties of authorized entrants and attendants, as well as entry supervisor's duties are made a part of the general training component.

### Host Employees

When the City of Menasha engages the service of another employer or agency to have their employees perform work that involves confined space entry, the Department Head or his/her designee shall assure that:

1. The other employer or agency is apprised of the elements, including the hazards identified and the City of Menasha's experience with the space, that make the space in question a confined space;
2. Entry operations are coordinated with the other employer or agency when employees of both will be working together in or near confined spaces.

### VIII. GENERAL RULES:

In order to protect the safety and health of all employees associated with the confined space entry, employees and supervisors must comply with the following safety rules:

- A. No employee shall enter or work in a permit required confined space unless the following steps have been performed.
  1. Obtains permission to enter the confined space from the confined space entry supervisor.
  2. Conducts continuous air monitoring of the atmosphere within the confined space in the entrant's immediate work area.
  3. Obtains and uses the proper PPE, tools and emergency rescue equipment.
  4. Complies with all confined space entry procedures.
  5. Never enters a confined space without at least one attendant present with the same level of PPE and respiratory protection.
  6. Immediately exits the confined space in the event that the attendant must leave his/her post.
- B. All employees within the confined space and those employees assigned to serve as attendants shall be in constant two-way communication.
- C. All employees required to wear respiratory protection must properly use and maintain properly the respirator in accordance with CFR 1910.134 and the specific instructions provided to them by their supervisor and during training.
- D. Smoking is not permitted within the confined space or within a 10 foot radius of the entrance of a confined space.
- E. All employees shall comply with the requirements and limitations on the confined space entry permit, including the maximum number of employees permitted to work in the confined space.

- F. No employee shall enter or work in a non-permit confined space unless the following steps have been performed:
  1. Obtains permission to enter the confined space from the confined space entry supervisor.
  2. Obtains and uses the proper PPE, tools and other equipment.
  3. Complies with all other applicable confined space entry procedures.

IX. TRAFFIC SAFETY:

Entrances to confined spaces that are located in streets shall be guarded in accordance with the following requirements.

- A. Employees shall activate the following warning lights upon approach to an entrance to a confined space:
  1. Vehicle's beacon light
  2. Four-way hazard flashers
- B. Employees shall park the vehicle used to transport their confined space equipment in
- C. such a way that the vehicle does not obstruct the normal traffic flow and shall, when
- D. possible, use the vehicle to provide protection for the employees.
- E. Employees shall park the vehicle in such a manner that the vehicle's exhaust fumes cannot accumulate in the confined space.
- F. Employees shall properly place traffic cones around the manhole and any vehicle in accordance with state and federal traffic ordinances to adequately warn oncoming traffic.
- G. Traffic safety cones shall be visible to traffic in all directions and in such a manner as to protect the employees from the traffic flow. Traffic cones should also be placed far enough from the confined space to give drivers adequate notice.
- H. When working on the street or an easement surface, all standby and flag person employees shall at all times wear a traffic safety vest or the equivalent. A flag person(s) shall be added to the confined space entry team when the need arises. The flag person(s) shall not be considered as the required attendant for a permit required confined space.
- I. The requirements of the Manual of Universal Traffic Control Devices shall be followed for all traffic related controls.

X. RESCUE AND EMERGENCY SERVICES:

The City of Menasha has taken every precaution to assure safety in confined space entries by the use of self-rescue and non-entry rescue. Even with the most prudent pre-planning, employee training, and the best safety procedures in place, there may be times when an entry rescue is needed. The following procedures are established for affecting an entry rescue.

**Communications**

Prior to entry into any confined space, Permit or Non-Permit, the authorized entrant and attendant, if applicable, shall have a two-way portable radio if the radio is not being monitored. If the radio is not being monitored the entrant and attendant must have a mobile phone. The Neenah-Menasha Fire-Rescue shift commander must be notified that entry will be made prior to any entry. **NMFR SHIFT COMMANDER – 886-6200, 0.** If the situation arises that requires additional help the authorized entrant and/or attendant shall communicate to the Winnebago

County Communications Center via mobile phone by dialing 9-1-1. The nature of the incident, the exact location and the number of persons involved shall be communicated to the Dispatch Center. The NMFR Department must also be notified when the entry has been completed.

The Winnebago County Communications Center, upon receiving a request for additional help will activate the Neenah-Menasha Fire-Rescue Department. Confined Space rescue trained personnel will then respond to the incident. No unauthorized personnel shall be permitted to attempt a rescue.

### **Entry Rescue**

The Neenah-Menasha Fire Rescue Dept. is the primary rescue response unit for any confined space entry rescue in the City of Menasha. As the designated rescue response, the Neenah-Menasha Fire Rescue Dept. shall ensure that the City of Menasha personnel are provided with, and are trained to use properly, the personal protective equipment and rescue equipment for making rescue into confined spaces. Neenah-Menasha Fire Rescue Dept. /Gold Cross Ambulance is the Emergency Medical Services designee. The City of Menasha shall also ensure that rescue personnel:

- A. Are trained to perform the rescue services.
- B. Are trained as authorized entrants.
- C. Make practice confined space entries at least once every 12 months by means of simulated rescue operations in which they remove dummies, manikins, or actual persons from actual confined spaces.
- D. Are trained and certified in first aid and CPR.
- E. Have complete access to all confined spaces from which the rescue may be necessary so that the Neenah-Menasha Fire-Rescue Department can develop the rescue plan and practice rescue operations.

### **Non-Entry Rescue**

To facilitate non-entry rescue, retrieval systems or similar methods shall be used whenever an authorized entrant enters a confined space, unless the retrieval equipment would increase overall risk of entry or would not contribute to the rescue of the entrant. Retrieval systems shall meet the following requirements:

- A. Each authorized entrant shall use a full-body harness, with a retrieval line attached.
- B. The other end of the line shall be attached to a mechanical device or fixed point outside the confined space. A mechanical device shall be available to retrieve personnel from vertical type confined spaces more than five (5) feet deep.

### **Material Safety Data Sheets (MSDS)**

If an injured entrant is exposed to a substance for which a Material Safety Data Sheet (MSDS) or similar written information is required to be kept at the worksite, that MSDS or written information shall be made available to the Rescue or Emergency Medical Services personnel for treatment purposes.

## XI. TRAINING:

Each Department Head is to ensure that employees who are to have active roles in entry operations are trained so that attendants, authorized entrants and the entry supervisor(s) can work safely in and around the confined space and assist in rescue operations.

### **Annual Training**

General training shall be provided by Cities & Village Mutual Insurance Company (CVMIC). Specific procedures should be reviewed prior to authorizing confined space duties. Each Department Head shall ensure that training is provided so that all employees having active roles in entry operations acquire the understanding, knowledge, and skills necessary for the safe performance of the duties in confined spaces.

### **Additional Training**

Training shall be provided to each employee having active roles in entry operations:

- A. Before the employee is first assigned duties
- B. Before there is a change in duties
- C. Whenever there is a change in confined spaces that present a hazard about which an
- D. employee has not previously been trained.
  
- E. Whenever the Department Head has reason to believe either that there are deviations
- F. from entry procedures required or that there are inadequacies in the employee's
- G. knowledge or use of these procedures.

Joint training with NMFR will take place a minimum of once per year.

Training in air monitoring shall also be conducted annually by Safety Coordinator.

The training shall establish employee proficiency in the duties required by this program and shall introduce new or revised procedures, as necessary, for compliance with this program.

### **Certification**

All training to employees having active roles in entry operations shall be certified. The certification shall contain each employee's name, the signature of the trainer(s), training content, and the dates of the training. The certification shall be available for inspection by employees and their authorized representatives.

### **Equipment**

Each Department engaged in confined space entry must provide, maintain, and ensure proper use of testing, monitoring, communication, personal protective and rescue equipment. All PPE required for safe confined space entry is provided by the City of Menasha and shall be worn by authorized entrants. When work at confined spaces is located in or on streets the employee shall:

- A. Activate the vehicle's 4 way flashers and vehicle beacon upon approach to the entrance of the confined space.
- B. Position the vehicle to permit traffic to flow in an unobstructed manner, and where possible, to provide protections for employees.

- C. Position the vehicle in such a manner so that vehicle exhaust cannot accumulate in the confined space.
- D. The opening shall be promptly guarded by a railing, temporary cover or barrier that will prevent an accidental fall through the opening and will protect the employee working in the space from foreign objects entering the space.

The following is an example of required equipment:

- 1. 4 (four) substance monitoring equipment
- 2. Two-way radio communications
- 3. Eye and face protection
- 4. Head protection
- 5. Hearing protection
- 6. Body protection
- 7. Hand protection
- 8. Respirators and/or SCBA
- 9. Ventilation/Blower systems
- 10. Rescue equipment; full body harness, mechanical retrieval system with fall arrest capabilities and life lines
- 11. Tripod or anchor point

## XII. RECORDKEEPING:

Under this program the following records are to be maintained and retained:

- A. Documents for inspection, repair and calibration results of all monitoring equipment for at least 5 years.
- B. Medical evaluation and surveillance records for the length of the employee's employment plus 5 years.
- C. Documents for inspection and maintenance of all retrieval systems, ropes, harnesses and other entry equipment for at least 5 years.
- D. Entry certificates/checklists for at least one year, revised as required and reviewed annually as a part of the general training program.

**CITY OF MENASHA – CONFINED SPACE ENTRY PERMIT  
APPENDIX A**

Date:					
Site location or description:					
Purpose of entry:					
Supervisor(s) in charge of crews:		Type of crew (welding, plumbing, etc)		Phone #:	
Permit duration:					
Communication procedures (including equipment):					
Rescue procedures (also see emergency contact phone numbers at end of form):					
Requirements completed (Put N/A if item doesn't apply)	Date	Time	Requirements completed (Put N/A if item doesn't apply)	Date	Time
Lockout/De-energize/Tag-out			Supplied Air Respirator (N/A if alternate entry)		
Line(s) Broken-Capped-Blank			Respirator(s) (Air Purifying)		
Purge-Flush and Vent			Protective Clothing		
Ventilation			Full Body Harness w/ "D" ring		
Secure Area (Post and Flag)			Emergency Escape Retrieval Equip		
Lighting (Explosive Proof)			Lifelines		
Hotwork Permit			Standby safety personnel (N/A if Alternate entry)		
Fire Extinguishers			Resuscitator-Inhalator (N/A if alternate entry)		
<b>Add other specific information, if needed, or attach additional instructions or requirements. See the following Examples in bold print.</b>					
<b>Line(s) to be bled/blanked:</b>					
<b>Ventilation equipment:</b>					
<b>PPE clothing:</b>					
<b>Respirators(s):</b>					
<b>Fire extinguisher(s):</b>					
<b>Emergency retrieval equipment:</b>					

CITY OF MENASHA – CONFINED SPACE ENTRY PERMIT  
APPENDIX A

**CONFINED SPACE ENTRY PERMIT**  
**Sample 1 (continued)**

AIR MONITORING									
Substance Monitored		Permissible Levels		Monitoring Results					
Time monitored (put time)		Record the time							
Percent Oxygen		19.5% to 23.5%							
LEL/LFL		Under 10%							
Toxic 1:		____ PEL	____ STEL						
Toxic 2:		____ PEL	____ STEL						
Toxic 3:		____ PEL	____ STEL						
Toxic 4:		____ PEL	____ STEL						
<b>Remarks:</b> <hr/> <hr/>									
Air Tester Name	ID#	Instrument(s)Used (For example: Oxygen meter, Combustible gas indicator, etc.)		Model # or Type	Serial# or Unit				
ATTENDANTS AND ENTRANTS									
Attendant(s) (Required for all confined space work except alternate entry)		ID#	Confined Space Entrant(s)			ID#			
<b>Remarks:</b> <hr/> <hr/>									
<b>SUPERVISOR AUTHORIZATION – ALL CONDITIONS SATISFIED</b>									
Department or phone number: _____									
<b>EMERGENCY CONTACT PHONE NUMBERS:</b>									
AMBULANCE:	FIRE:	SAFETY:		RESCUE TEAM:	OTHER:				
911	911	209-9546	911	Supervisor					

# CITY OF MENASHA EXCAVATION PROGRAM

## A. PURPOSE

To outline safe practices and guidelines for the protection of *City of Menasha* employees working in and around excavations and trenches.

To comply with the Wisconsin Department of Commerce Administrative Code Chapter Comm 32.15, 32.38, 32.39 and the State of Wisconsin adopted Occupational Safety and Health (OSHA) construction Standard 29 CFR 1926.650, Excavations.

## B. RESPONSIBILITIES

Department Heads shall be responsible for:

- A. Ensuring that appropriate equipment and safety equipment are provided to employees involved in trenching and excavation operations.
- B. Ensuring that applicable training has been provided to affected employees.

Supervisors shall be responsible for:

- A. Ensuring that all affected employees have received the appropriate training and safety equipment they need to protect themselves.
- B. Ensuring at least one competent person is on-site at all times.
- C. Enforcing the safe practices outlined in the adopted trenching and excavation safety policy.

Competent Person shall be responsible for:

- A. Applying the proper training and equipment to safely work in trenches and excavations.
- B. Ensuring that all hazards have been identified.
- C. Complying with safe practices established in the adopted trenching and excavation safety policy.
- D. Taking prompt corrective measures to eliminate any hazardous or dangerous conditions.
- E. Completing the *Trenching - Competent Person Checklist Form*.

## C. DEFINITIONS

*Benching* - means a method of protecting employees from cave-ins by excavating the sides of an excavation to form one or a series of horizontal levels or steps, usually with vertical or near-vertical surfaces between levels.

*Cave-in* - means the separation of a mass of soil or rock material from the side of an excavation, or the loss of soil from under a trench shield or support system, and its sudden movement into the excavation, either by falling or sliding, in sufficient quantity so that it could entrap, bury, or otherwise injure or immobilize a person.

*Competent Person* - means someone who is capable of identifying existing and potential hazards in the surroundings, or working conditions that are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

*Excavation* - means any man-made cut, cavity, trench, or depression in an earth surface, formed by earth removal which is greater than or equal to 5' in depth (or with a potential for collapse), and the width is not greater than 15' (measured at the bottom).

*Sheeting* - means the members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system.

*Shield (Shield System)* - means a structure that is able to withstand the forces imposed on it by a cave-in and thereby protect employees within the structure. Shields can be a permanent structure or can be designed to be portable and moved along as work progresses. Shields used in trenches are usually referred to as a "trench box" or "trench shield".

*Shoring (Shoring System)* - means an engineered support system constructed of timber or mechanical systems. Mechanical systems can include aluminum hydraulic, screw jack, or pneumatic. Shoring systems consist of uprights, cross braces, wales, struts and sheeting designed to support the sidewalls of an excavation and prevent cave-ins when sloping is impractical.

*Sloping (Sloping System)* - means a method of protecting employees from cave-ins by excavating to form sides of an excavation that are inclined away from the excavation so as to prevent cave-ins. The angle of incline varies with differences in such factors as the soil type, environmental conditions of exposure, and application of surcharge loads.

*Soil Type* - Soils are characterized by their physical properties and typed A, B, or C.

*Tabulated Data* - means tables and charts approved by a registered professional engineer and used to design and construct a protective system.

*Uprights* - means the vertical members of a trench shoring system placed in contact with earth and usually positioned so that individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called "sheeting."

*Wales* - are horizontal members of shoring system placed in the direction of the excavation face whose sides bear against the vertical members of the shoring system or earth (the uprights or sheeting).

#### **D. SOIL TYPES**

- |        |  |
|--------|--|
| Type A | Cohesive soils with an unconfined compressive strength of 1.5 tons per square foot (tsf) or greater (i.e. clay)              |
| Type B | Cohesive soils with an unconfined compressive strength of greater than .05 tsf but less than 1.5 tsf (i.e. silt, sandy loam) |

Type C Cohesive soil with an unconfined compressive strength of .05 tsf or less (i.e. granular soils including gravel, sand and loamy sand, submerged soil or dense, heavy unstable rock, and soil from which water is freely seeping). NOTE: This includes previously disturbed soils which are routinely found when working in areas such as: roadways, sidewalks, terraces, and easements.

**IMPORTANT POLICY NOTE:** Although each soil condition carries its own requirements for providing protective systems, it shall be the policy of the *City of Menasha* that the most conservative approach will be taken. Rather than use the mandatory manual and visual test to classify the soil type. ALL soils shall be considered "TYPE C" soils and a protective system must be used to maximize protection for employees during trenching and excavation operations.

#### E. SAFE OPERATIONAL PRACTICES

All *City of Menasha* employees must comply with the following safe practices prior to and during entry of a trench or excavation to ensure employee safety.

- A. A designated competent person shall conduct trench, protective system, and adjacent area inspections:
  - 1. Daily and prior to the start of work and as needed throughout the shift.
  - 2. As dictated by the work being done in the trench.
  - 3. After every rainstorm.
  - 4. After other events that could increase hazards, such as snowstorm, windstorm, thaw, earthquake, dramatic change in weather, etc.
  - 5. When fissures, tension cracks, sloughing, undercutting, water seepage, bulging at the bottom, or other similar conditions occur.
  - 6. When there is a change in the size, location, or placement of the spoil pile.
  - 7. When there is any indication of change or movement in adjacent structures.
  
- A. Employees exposed to hazardous trench or excavation conditions are to be removed from these areas until precautions have been made and the area has been inspected by the competent person.
  
- B. A *Trenching – Competent Person Checklist Form (See Attachment 1)* shall be filled out for each inspection by a competent person for all excavations 5 feet or greater in depth.
  
- C. Underground utilities must be located and marked before excavations begin. Utility installations must be protected, supported, or removed to protect employees.
  
- D. Trenches **4 feet or more in depth** shall have a means of egress (i.e., ladder, ramp).
  
- E. A ladder must be appropriately secured and extend a **minimum of 3 feet above** the top of the protective system or top grade of trench.
  
- F. Ladders or other means of egress must be so located so that an employee does not have to travel more than **25 feet laterally** to the nearest means of egress.

- G. Employees exposed to vehicular traffic on highways, roads, streets or their easements shall be provided and required to wear reflective vests or other suitable garments marked with or made of reflectorized or high visibility materials that meet the current ANSI/ISEA 107-2004 standard.
- H. Traffic control devices and flag persons shall be used to warn traffic and create a safe work zone in accordance with current MUTCD guidelines.
- I. Warning lights and 4-way flashers on all vehicles and heavy equipment shall be used on highways, roads, streets or their easements to enhance visibility.
- J. Employees are not allowed to work under raised loads.
- K. Employees are not allowed to work directly under loads being lifted or moved by heavy equipment used for digging or lifting. Employees must also stand far enough away from any vehicle being loaded or unloaded to prevent being struck by any spillage or falling materials.
- L. Operators and/or drivers may remain in their equipment or vehicle cab compartments during loading and unloading operations if the compartments meet the current safety design standards. ( Reference: 29 CFR 1926.601 (b)(6) and Federal DOT Regulations)
- M. The following steps must be taken to prevent vehicles from accidentally falling into an open trench or excavation: use of barricades where practical, use of stop logs where practical, or have another employee use hand signals.
- N. Employees may not work in any trench or excavation **over 4 feet in depth** without another employee present at the top of the trench or excavation. The top person must be someone other than the equipment operator when the person in the trench is not in the operator's constant view.
- O. Trench or excavation openings must be adequately barricaded by using, at a minimum, fencing and/or flashing barricades on all sides when work is not in progress. Public thoroughfares, common paths, or sidewalks shall be barricaded a **minimum of 10 feet** from the excavation site. Any trench or excavation **greater than 4 feet deep** that is to be left unattended for greater than 24 hours, or is subject to water retention, must be fenced to a height of at least 4 feet using appropriate fencing materials.
- P. Employees working on trench or excavation job sites must wear ANSI approved hard hats and safety glasses due to the inherent struck-by and falling debris hazards.
- Q. Employees shall not be permitted to enter, or work in, a trench or excavation **greater than 4 feet in depth** if a hazardous or toxic atmosphere is suspected or exists (i.e., oxygen deficiency, combustible gas concentration greater than 10% of the lower flammable limit, and hazardous substance concentrations).
- R. Atmospheric testing must be conducted prior to and during entry if there is a trench or excavation **greater than 4 feet in depth**.

- S. If water accumulation occurs in the trench, employees must protect the trench from cave-in with special systems or remove the accumulated water with equipment monitored by the competent person.
- T. If the nature of work interrupts the natural drainage flow of surface water, a measure must be used to prevent surface water from entering the excavation and to provide drainage to an area adjacent to the trench and excavation.
- U. Sidewalks, pavement sections, and curb lines shall not be undermined unless a support system or another method of protection is provided to protect employees from their possible collapse.
- V. Spoil piles, equipment, or other materials shall be **no closer than 2 feet** from the surface edge of the trench which is measured from the nearest base of the spoil or equipment to the cut. NOTE: Where more surface space is possible, the distance should be increased to ½ of the trench's depth from the cut edge.
- W. Spoil piles, equipment, or other materials should be placed so that it cannot accidentally run, slide, or fall back into the trench or excavation opening.
- X. Spoil piles, equipment, or other materials should be placed so that it channels rainwater and other run-off water away from the trench or excavation opening.

#### F. PROTECTIVE SYSTEM REQUIREMENTS

There are three acceptable methods for providing protection in trench and excavation work. All trenches and excavations **greater than 5 feet in depth, or those less than 5 feet if the soil is unstable**, shall be properly protected using a recognized sloping, shielding and shoring method. Any trench or excavation that is **20 feet deep or greater** must have a protective system that has been designed by a registered professional engineer.

The following requirements are to be followed regardless of which method is to be utilized:

##### A. *Sloping and Benching Guidelines*

1. SLOPING – The sloping of the sides of the trench or excavation must be inclined away from the trench or excavation at an angle of 1.5 feet wide for every 1 foot in depth. (See Attachment 2)
2. BENCHING – The benching of the sides of the trench or excavation must be inclined away from the trench or excavation and benched with 4 feet horizontal and 2.5 feet vertical steps to the surface of the excavation. **Benching is not allowed in Type C soils.** (See Attachment 3)

##### B. *Shielding Guidelines*

1. Only employees and egress ladders are allowed within the shielded area.

2. Employees must enter and leave the shield in a protected manner by using a ladder or ramp.
3. Employees must stay within the trench shield.
4. Employees may not remain in a shield when it's being moved.
5. A copy of the manufacturer's tabulated data must be present and accessible on the job site.
6. Shields are to be maintained and used according to the manufacturer's general requirements and tabulated data.
7. Shield equipment modifications must be approved by the manufacturer.
8. Multiple shields must be connected using the appropriate locking devices.
9. A trench box or trench shield must be set so that its top edge minimally reaches the top level of the excavation, or extends slightly above grade to prevent materials from rolling into the trench opening. A trench box or trench shield must be set within 2 feet of the trench bottom. Where the top of the trench box or trench shield is below grade, it must extend a minimum of 18 inches above the vertical part of the trench wall (*See Attachment 3 – Slope and Bench Configurations*). Make sure that the Manufacturer's Tabulated Data reviewed to ensure proper installation methods are being followed.
10. Space between the shield and trench wall should be as small as possible. Space should be backfilled to prevent lateral movement of the box.
11. Backfilling is to occur immediately following the removal of the shield system.

### C. Shoring Guidelines

1. Shoring equipment is to be maintained and used according to manufacturer's general requirements and tabulated data.
2. A copy of the manufacturer's tabulated data must be present and accessible on the job site.
3. Any modifications must be approved by the manufacturer.
4. Damaged shoring equipment must be examined by a competent person before using.
5. Backfilling is to occur immediately following the removal of shoring systems.
6. Shoring equipment must be installed starting from the top of the excavation working downward to the bottom.
7. Shoring equipment must be removed starting from the bottom working upward to the top.
8. Employee shall never be lower than waist deep to the lowest cross brace while installing or removing shore equipment.
9. Hydraulic shoring systems must be checked at least once during the shift (looking for leaking hoses, leaking cylinders, bent bases, etc.).
10. Shoring uprights must **extend at least 2 inches above** the trench edge, and must extend all the way to the trench bottom.
11. Shoring uprights must be placed **no greater than 4 feet apart** unless stipulated differently by the manufacturer's general requirements and tabulated data.
12. Cross braces must be placed **no greater than 4 feet apart** unless stipulated differently by the manufacturer's general requirements and tabulated data.

13. Cross braces must be placed **no less than 2 feet** from top of trench edge unless stipulated differently by the manufacturer's general requirements and tabulated data.
14. Cross braces are placed **no less than 2.5 feet** from bottom of trench unless stipulated differently by the manufacturer's general requirements and tabulated data.
15. Shoring systems must be re-inspected for possible failures by a competent person each time the trench or excavation is left unattended (i.e., lunch, breaks or overnight).

#### G. TRAINING

All affected *City of Menasha* employees involved in trenching or excavation work must be trained in the requirements of this policy prior to assignment. Refresher training for affected employees shall be provided whenever there is a change in their job assignments, a change in equipment or processes that present a new hazard, when there is a change in established procedures, or whenever a periodic inspection reveals that an employee does not have the necessary knowledge or skills to safely work in or around trenches or excavations.

The *City of Menasha* shall certify that affected employee training has been accomplished and is being kept up to date. Training records shall contain each employee's name and dates of training.

#### H. EMERGENCIES AND RESCUE PROCEDURES

*(NOTE: If you already have an established emergency and/or rescue procedure, insert the procedure in this policy section. If you do not have an established procedure, this policy section will serve as a general model for you to develop a customized rescue procedure.)*

If you are about to be buried in a cave-in:

- A. Yell to get someone's attention.
- B. Cover your face with your arms.
- C. Do not struggle to free yourself, just wait calmly for rescue.

If you are watching someone being buried in a cave-in:

1. **DO NOT** attempt to rescue them yourself. **NEVER ENTER THE TRENCH!**
2. Call 911 and report the incident as an "Emergency ... Trench Collapse". Give the dispatcher the trench location, number and type of injuries, trench measurements and special hazard information.
3. Mark the spot where victim was last seen inside the trench. Use a piece of clothing, spray marking paint, a hard hat, or rock to mark the location. If the victim is only partially buried, attach a line to them as soon as possible so that they can be relocated quickly in the event of another cave-in.

4. Contact departmental office to report the incident as an "emergency ... Trench Collapse". Give the office staff the trench location, and number and type of injuries. (NOTE: Tell office to dispatch a Vac-All or Jet-All unit to assist in the rescue efforts if one is available internally or from an adjoining municipality.)
5. Set up a trench box and place over the collapsed area. If extra hydraulic or pneumatic shoring equipment is available on the job site, begin setting up equipment, if needed. NEVER GO INTO AN UNPROTECTED TRENCH!
6. Start hand digging inside the protected area. Never use a backhoe to dig. Continue hand digging until rescue personnel arrive and/or the Vac-All.
7. If you reach the victim before the emergency personnel arrive avoid moving the victim's neck and spine, and check for airway ... breathing ... and circulation.
8. Assist emergency personnel with establishing a large enough rescue site and traffic control. Do not allow unauthorized personnel near the area. The area must be preserved for accident investigation by local and state agencies.

**I. ATTACHMENTS – REFERENCE INFORMATION**

- |              |   |
|--------------|---|
| Attachment 1 | Trenching – Competent Person Checklist Form |
| Attachment 2 | Sloping Configurations                      |
| Attachment 3 | Benching Configurations                     |
| Attachment 4 | Causes of Trench Failure                    |
| Attachment 5 | Soil Classification                         |

TRENCHING – COMPETENT PERSON CHECKLIST FORM

Location: \_\_\_\_\_

Date: \_\_\_\_\_

Reason: \_\_\_\_\_ Competent Person \_\_\_\_\_

1. Soil Classification (Type A, B, or C): \_\_\_\_\_

Comments: \_\_\_\_\_

2. Surface Encumbrments: Yes [ ] No [ ]

Comments: \_\_\_\_\_

3. Utilities Involved: Yes [ ] No [ ]

Comments: \_\_\_\_\_

4. Overhead Lines: Yes [ ] No [ ]

Comments: \_\_\_\_\_

5. Trench Dimensions: Length \_\_\_\_\_ Width \_\_\_\_\_ Depth \_\_\_\_\_

6. Method of Protective System:

A. Shield: Yes [ ] No [ ]

Comments: \_\_\_\_\_

B. Shoring: Yes [ ] No [ ]

Comments: \_\_\_\_\_

C. Sloping: Yes [ ] No [ ]

Comments: \_\_\_\_\_

7. Air Quality Readings (mandatory)

	Top	4'	8'	12'	16'
Oxygen (>19.5%)	_____	_____	_____	_____	_____
CO (<35 ppm)	_____	_____	_____	_____	_____
H <sub>2</sub> S (<10 ppm)	_____	_____	_____	_____	_____
Combustibility (<10%)	_____	_____	_____	_____	_____

8. Mechanical Ventilation: Yes [ ] No [ ]

Comments: \_\_\_\_\_

9. Ladder used (must extend 3' above trench or protective system): Yes [ ] No [ ]

Comments: \_\_\_\_\_

10. Traffic Control: Yes [ ] No [ ]

Comments: \_\_\_\_\_

11. General Safety Checklist:

Barricades: Yes [ ] No [ ]

Fencing: Yes [ ] No [ ]

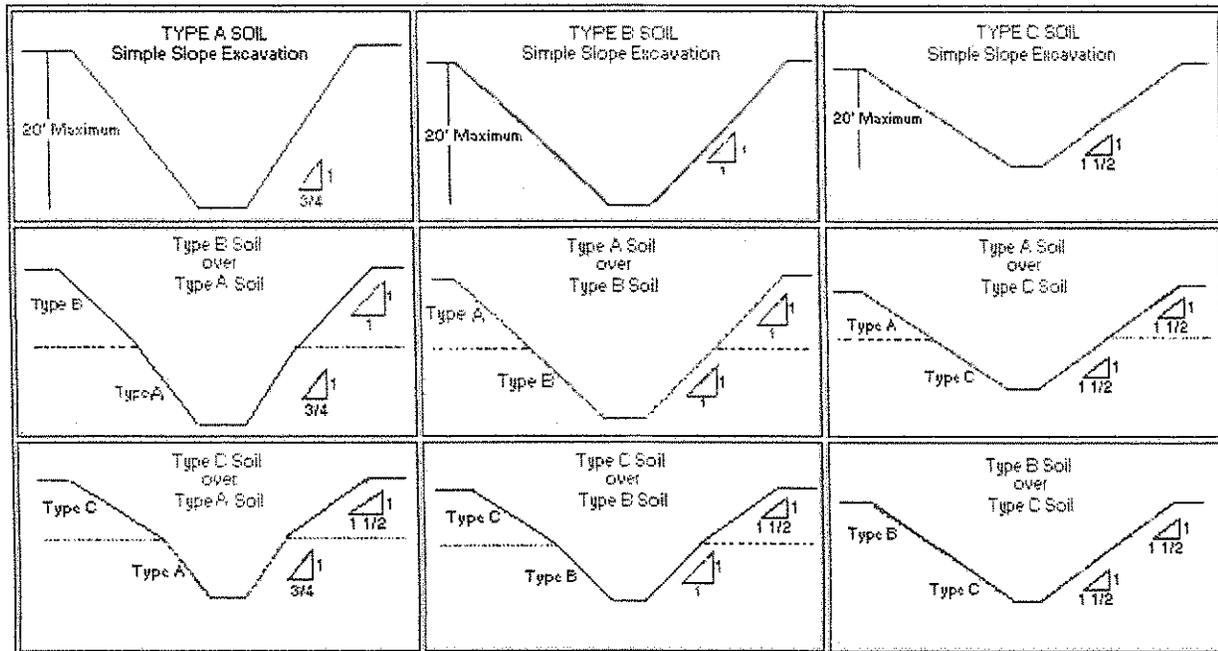
Plating Material: Yes [ ] No [ ]

NOTE: Contact "911" if an emergency arises.

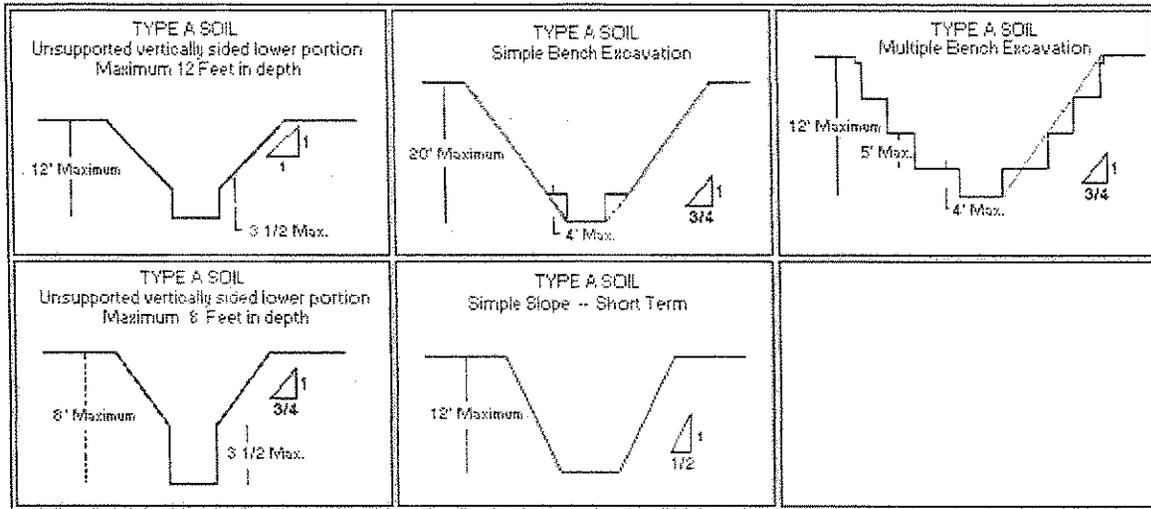
Competent Person: \_\_\_\_\_

Signature

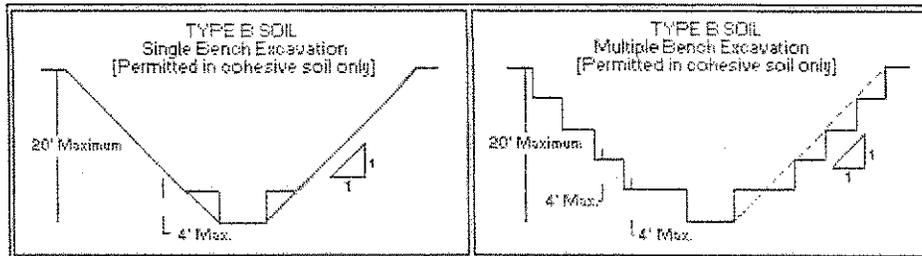
SLOPING CONFIGURATIONS  
Excavations in Layered Soils



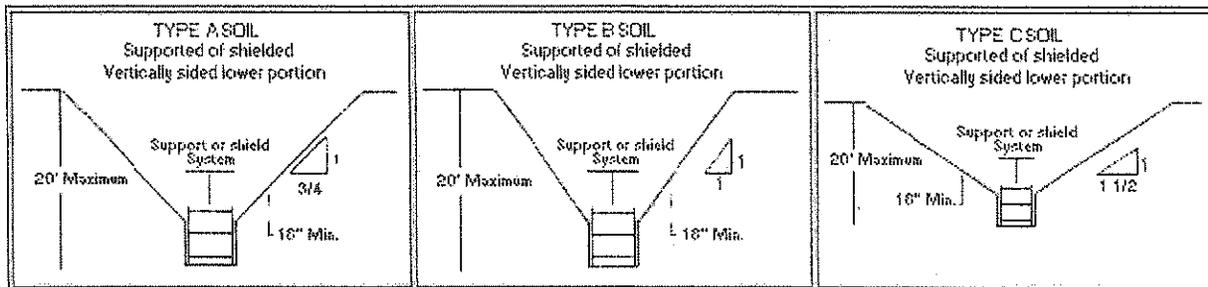
BENCHING CONFIGURATIONS  
Excavations made in "TYPE A" Soil



BENCHING CONFIGURATIONS  
Excavations made in "TYPE B" soil



SLOPE AND BENCH CONFIGURATIONS

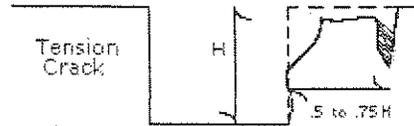


CAUSES OF TRENCH FAILURE

A number of stresses and deformations can occur in an open cut or trench. For example, increases or decreases in moisture content can adversely affect the stability of a trench or excavation. The following diagrams show some of the more frequently identified causes of trench failure.

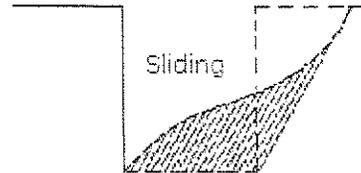
**TENSION CRACKS** Tension cracks usually form at a horizontal distance of 0.5 to 0.75 times the depth of the trench, measured from the top of the vertical face of the trench. See the accompanying drawing for additional details.

**TENSION CRACK**



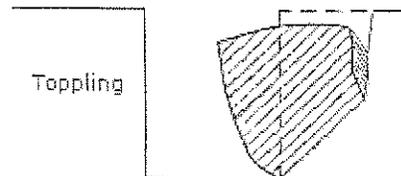
**SLIDING** or sluffing may occur as a result of tension cracks, as illustrated below.

**SLIDING**



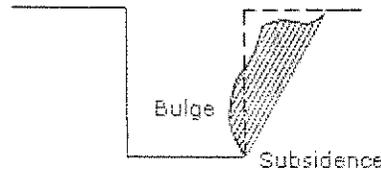
**TOPPLING** In addition to sliding, tension cracks can cause toppling. Toppling occurs when the trench's vertical face shears along the tension crack line and topples into the excavation.

**TOPPLING**



**SUBSIDENCE AND BULGING** An unsupported excavation can create an unbalanced stress in the soil, which, in turn, causes subsidence at the surface and bulging of the vertical face of the trench. If uncorrected, this condition can cause face failure and entrapment of workers in the trench.

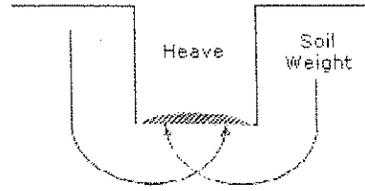
**SUBSIDENCE AND BULGING**



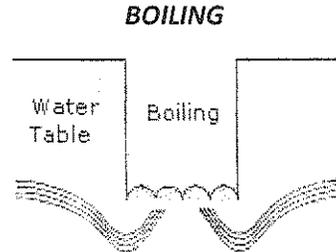
**HEAVING OR SQUEEZING** Bottom heaving or squeezing is caused by the downward pressure created by the weight of adjoining soil. This pressure causes a bulge in the

**HEAVING OR SQUEEZING**

bottom of the cut, as illustrated in the drawing above. Heaving and squeezing can occur even when shoring or shielding has been properly installed.



**BOILING** is evidenced by an upward water flow into the bottom of the cut. A high water table is one of the causes of boiling. Boiling produces a "quick" condition in the bottom of the cut, and can occur even when shoring or trench boxes are used.



**NOTE: UNIT WEIGHT OF SOILS** refers to the weight of one unit of a particular soil. The weight of soil varies with type and moisture content. One cubic foot of soil can weigh from 110 pounds to 140 pounds or more, and one cubic meter (35.3 cubic feet) of soil can weigh more than 3,000 pounds.

## SOIL CLASSIFICATION

**Stable Rock** – Natural solid mineral matter that can be excavated with vertical sides and remain intact while exposed.

**Type A Soil** – Cohesive soils with an unconfined, compressive strength of 1.5 ton per square foot (tsf) or greater. Examples of cohesive soils are:

- A. Clay
- B. Silty Clay
- C. Sandy Clay
- D. Clay Loam
- E. Silty Clay Loam (in some cases)
- F. Sandy Clay Loam (in some cases)
- G. Cali
- H. Hardpan

*Soil is not Type A if the soil is fissured; subject to vibration; has been previously disturbed; is part of a sloped, layered system where the layers dip into the excavation on a slope of four horizontal to one vertical or greater; or the soil is subject to other factors that would require it to be classified as a less stable soil.*

**Type B Soil** – Cohesive soil with an unconfined compressive strength greater than 0.5 tsf but less than 1.5 tsf or granular cohesionless soils including:

- A. Angular gravel (similar to crushed rock)
- B. Silt
- C. Silt Loam
- D. Sandy Loam
- E. Silty Clay Loam (in some cases)
- F. Sandy Clay Loam (in some cases)
- G. Previously disturbed soils not classified as Type C
- H. Soil that meets unconfined compressive strength or cementation requirements for Type A soil but is fissured or subject to vibration
- I. Unstable dry rock
- J. Soil that is part of a sloped, layered system where the layer dip into the excavation on a slope less steep than four horizontal to one vertical, but only if the material would otherwise be classified as Type B.

**Type C Soil** – Cohesive soil with an unconfined compressive strength of 0.5 tsf or less or granular soils including:

- A. Gravel
- B. Sand
- C. Loamy Sand

- D. Submerged soil or soil from which water is freely seeping
- E. Unstable submerged rock
- F. Material in a sloped, layered system where the layers dip into the excavation or a slope of four horizontal to one vertical or steeper.

## FLEET SAFETY POLICY

### I. PURPOSE:

The purpose of the fleet safety policy is established to prevent vehicle accidents and promote safe driving practices while maintaining City of Menasha vehicles and heavy equipment in proper operating condition. This fleet safety policy also serves as the uniform best practice standard governing the privileged of operating City of Menasha vehicles and/or heavy equipment within the scope of employment.

This fleet safety policy applies to all City of Menasha full-time, part time, seasonal and volunteer employees. In addition to the provisions of this policy, all employees are required to comply with applicable Federal and Wisconsin DOT motor vehicle and local traffic laws, and the established City of Menasha driving safety work rules, best practices and procedures.

### II. RESPONSIBILITIES:

#### Department Heads

Department Heads have the responsibility to implement the adopted fleet safety policy and overall fleet safety program by:

- A. Directing all supervisors and employees to endorse and comply with the adopted policy and program components.
- B. Identifying and setting fleet safety goals and priorities.
- C. Providing appropriate safety and financial resources.
- D. Providing support and interest in the fleet safety program.

#### Supervisors, Crew Leaders and In-Charge personnel

Supervisors, Crew Leaders and In-Charge personnel have the responsibility to:

- A. Provide training to employees so that they are fully qualified to drive and maintain all fleet vehicles and heavy equipment.
- B. Ensure the safe operation of fleet vehicles in compliance with the overall fleet safety program requirements.
- C. Enforce the established fleet safety policy's driving work rules, procedures, policies and best practices.
- D. Thoroughly investigate all vehicle accidents
- E. Demonstrate support and interest in the fleet safety program.
- F. Conduct both annual and random license checks.

#### EMPLOYEES

Employees have the responsibility to:

- A. Comply with the directives of this fleet safety policy and overall fleet safety program.
- B. Apply their education and training to the safe operation of assigned vehicles and heavy equipment.

- C. Immediately report any change to the status of their driver's license to their immediate supervisor.
- D. Conduct required pre-trip inspections and preventative maintenance on assigned vehicles and heavy equipment.
- E. Thoroughly complete all fleet-related inspection and maintenance forms.
- F. Report unsafe conditions and /or mechanical defects.
- G. Report all accidents immediately and thoroughly complete the accident report.

**FLEET MAINTENANCE/FLEET MAINTENANCE MANAGER**

Fleet Maintenance Manager has the responsibility to:

- A. Develop, schedule and ensure implementation of the City of Menasha's preventative maintenance program on all vehicles and heavy equipment.
- B. Prepare specifications for purchased or leased vehicles and heavy equipment that ensure maximum safety features.
- C. Assist in the development of fleet safety rules, best practices, procedures and policies.
- D. Supervise the activities of the maintenance staff to ensure quality maintenance.
- E. Assist in providing training on preventative maintenance, inspection techniques, and best practices.

**ACCIDENT REVIEW COMMITTEE**

Accident Review Committee has the responsibility to:

- A. Maintain fleet safety accident-related records and statistics that promote safe and defensive driving.
- B. Obtain literature, posters, films, videos and any other education and training aids that can be used as part of the overall Fleet Safety Program to support best practices.
- C. Assist in the coordination of established driver incentive and recognition programs and distribution of programs awards.
- D. Conduct an accident review on questionable cases to establish accident preventability or non-preventability.
- E. Recommend and support post accident opportunities for improvement.

**USE OF PERSONAL VEHICLES ON CITY OF MENASHA BUSINESS**

The operation of personal vehicles on City of Menasha business is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha.

An employee must comply with the following stipulations in order to continue this granted privilege to operate their personal vehicle on City of Menasha business:

- A. Prior approval of the employee's department head. The employee and their supervisor must make a formal request and show compliance with all of the requirements.
- B. **PROOF OF INSURANCE:** Minimum acceptable liability insurance limits are \$100,000 per occurrence and \$300,000 per incident. Additionally, uninsured motorists protection in the amount of \$25,000 and property damage coverage of \$25,000 is required. Acceptable proof of insurance, determined by the City of Menasha must be provided to the City Administrator, or

their designee, along with the department head's approval prior to using a personal vehicle on City of Menasha business.

- C. Motorcycles and/or mopeds are not acceptable and cannot be used to conduct City of Menasha business and are not eligible for mileage reimbursement. All personal vehicles must be suitable for the use for which employees receive mileage reimbursement.
- D. If an employee's regular vehicle is out of service or otherwise unavailable, it is the employee's responsibility to provide an alternate vehicle if the City of Menasha does not have a vehicle available for assignment.
- E. Employees required to provide their own vehicle will be reimbursed on a per mile basis at a rate that is determined by the City of Menasha. All maintenance, operating, insurance and other vehicle expenses are the responsibility of the employee. It is also the employee's responsibility to maintain their personal vehicle in such a manner as to ensure safe operation. The employee's insurance shall be considered primary.
- F. It is the employee's responsibility to inform their insurer of the circumstances under which the vehicle is operated in the City of Menasha.
- G. Employees are required to submit a mileage reimbursement form on a monthly basis. This City of Menasha form must be completely filled out following the adopted procedures. These mileage reimbursement forms are subject to audit. The provisions of this fleet safety policy shall apply whether or not an employee seeks reimbursement for the use of a non-city or village vehicle.
- H. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.
- I. Failure to comply with the City of Menasha fleet safety policy, a loss of driving privileges, or fraudulent reporting of vehicle use could result in disciplinary action and/or loss of the privilege to operate a vehicle on City of Menasha business. A loss of driving privilege will be reviewed on a case-by-case basis.
- J. The City of Menasha will review the driving records of all employees that are required to drive in the course of their employment on a periodic basis.

#### USE OF CITY OF MENASHA VEHICLES – FLEET SAFETY DRIVING RULES AND BEST PRACTICES

The operation of City of Menasha owned or leased vehicles and/or heavy equipment is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha. An employee must comply with the following fleet safety driving rules and best practices in order to continue this granted privilege to operate vehicles and heavy equipment:

- A. Maintain an approved and valid WI DOT-MV driver's license with the applicable classifications and endorsements at all times. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.
- B. Maintain a satisfactory driving record both on and off the job. The City of Menasha will be reviewing driver records on both a random and routine basis.
- C. Employees are required to obey all Federal DOT, Wisconsin DOT-MV, local and City of Menasha traffic regulations.
- D. Seat belts and shoulder harnesses SHALL BE WORN while operating or riding in City of Menasha owned commercial and fleet vehicles, personal vehicles while on duty, and when operating heavy equipment that has been equipped with a manufacturer's installed seat belt and a rollover protection (ROP) feature. Inoperative or missing seat belts and/or harnesses shall immediately be reported to the immediate supervisor. The vehicle or equipment shall not be operated until the repairs have been made.
- E. Employees who operate fleet automobiles, light trucks, and medium trucks SHALL conduct a quick visual pre-trip inspection of the tires, brakes, headlights, taillights, directional lights, 4-way flashers, wipers, heater, and defroster on the vehicle prior to operating.
- F. Employees who operate commercial vehicles SHALL conduct the required "PRE-TRIP INSPECTION" prior to operating on public roadways as required by federal DOT regulations.
- G. Engines SHALL BE stopped and ignition keys removed when parking or leaving City of Menasha vehicles and/or heavy equipment.
- H. Individuals not employed by the City of Menasha are NOT PERMITTED as passengers in fleet vehicles unless authorized by a supervisor or manager.
- I. While fueling fleet vehicles and/or heavy equipment:
  - 1. Smoking is PROHIBITED within 25' while fueling.
  - 2. Engines SHALL BE turned OFF during the fueling operation. Leaving the vehicle unattended while fueling is PROHIBITED.
  - 3. Using an object to "lock the nozzle" on a fuel pump nozzle while fueling is PROHIBITED.
  - 4. Fuel leaks and/or spills (gasoline, diesel fuel, and hydraulic oil) over one gallon SHALL BE reported immediately to the person responsible for safety so that an internal spill report can be completed.
- J. Non-emergency vehicles are PROHIBITED from parking in fire lanes or in front of fire hydrants while on jobsites.

- K. Traffic cones are to be used as a warning and control measure for crews and vehicular traffic. Traffic cones SHALL BE placed at the vehicle and trailer corners when parked on public roadways, in public parking lots, busy job sites and narrow residential streets to create a safe work zone area.
- L. Report any fleet vehicle and heavy equipment mechanical problems immediately. NEVER drive a fleet vehicle and /or operate heavy equipment that does not appear safe.
- M. Protective guards, deflectors and shields SHALL BE in place before starting and operating any heavy equipment.
- N. Heavy equipment SHALL BE properly maintained and inspected prior to each use.
- O. Employees SHALL BE properly trained and certified on specialty and heavy equipment prior to its use.
- P. Always use metal vehicle jack stands when you are working under a raised vehicle. Use safety blocks to secure the body of a vehicle in a raised position. Never exceed the rated capacity of jack stands.
- Q. The "3-Point Contact" concepts SHALL BE used when mounting and dismounting commercial vehicles, large specialty equipment, and heavy equipment. Jumping off vehicles and heavy equipment is PROHIBITED.
- R. Employees ARE NOT ALLOWED to tamper, over-ride or disconnect any manufacturer installed safety features and devices.
- S. All heavy or specialty equipment SHALL BE turned OFF under the following field conditions:
  - 1. Changing attachments.
  - 2. Manually loading or unloading equipment.
  - 3. Adjusting attachments.
  - 4. In proximity to the general public.
- T. Vehicle interiors are to be kept clean and free of rubbish.
- U. Excess material and debris SHALL BE CLEANED OFF after trailers and trucks are loaded prior to moving (i.e. trailer wheel fenders, bumpers, side panels, truck bed ledges, etc).
- V. Riders and/or passengers ARE NOT ALLOWED on heavy equipment while it is moving.
- W. Vehicle and equipment steps, platforms, and deck plates SHALL BE kept clear of grease, oil, ice and mud.
- X. Loading and unloading trailers:
  - 1. Loading and unloading of heavy or specialty equipment on trailers SHALL BE done on a level surface area.

2. The "4-Point Tie Down" practice and application of the emergency brake SHALL BE done when transporting large riding landscape and construction-type equipment on trailers. The combined strength of all cargo tie-downs (straps, chain, ropes, tensioning devices) must be strong enough to lift half the weight of the piece of cargo tied down.
3. Cargo on trailers SHALL NOT exceed the load capacity of the trailer.
4. Equipment attachments SHALL BE lowered and secured on trailers while transporting.

The "FLEET SAFETY DRIVING RULES AND BEST PRACTICES" are listed separately for use as an independent supplement or handout (See Appendix A).

#### PE-EMPLOYMENT DRIVING STANDARDS

The following driving standards will be applied uniformly applied by the City of Menasha prior to an offer of employment. These driving standards are subject to change at any time at the discretion of the City of Menasha. A copy of the applicant's driving record will be obtained from the WI DOT-MV.

The following driving standards will apply in order to meet the minimum requirements for employment with the City of Menasha for a position that requires the operation of a motor vehicle:

1. Applicants must possess and produce a valid Wisconsin Driver's License which meets the required classification (i.e. Class A, B, C or D) before an offer of employment can be made. In the case of an out-of-state applicant, the offer can be made contingent upon obtaining the appropriate Wisconsin Driver's License prior to starting employment.
2. Applicants, for certain positions that require a CDL, shall possess a valid Wisconsin DOT-MV CDL with the appropriate classification, endorsements, and with a no air brake restriction before starting employment.
3. Applicant's driving record will be reviewed using the following review criteria. Failure to meet these review criteria may result in the applicant's rejection.
  - A. Possess the required Wisconsin DOT-MV Driver's License for the position.
  - B. Must have no more than two moving violations in the last 18 months, and no more than three moving violations in the last 36 months.
  - C. No more than one chargeable accident within the last 18 months or more than two chargeable accidents within the past 36 months.
  - D. No more than six (6) points within the past 12 months.
  - E. No drunk driving or reckless driving convictions within the past five years.

## DRIVER ORIENTATION AND TRAINING

Orientation and training must supplement the applicants' selection process to assure that these new Employees have the knowledge and skills necessary to perform the job in the manner expected, as well as to review the City of Menasha policies and practices with each new employee. The orientation and the type and amount of training that is needed will vary directly with the complexity of the job assignments, and the knowledge and experience level of the new employee.

Immediate supervisors, or designated trainers, are responsible for orienting and training both new and current employees regarding the proper use, maintenance and operation of City of Menasha vehicles and heavy equipment. The following components shall be thoroughly covered during the employee's orientation. This orientation activity must be documented on the "Driver Orientation Checklist" to verify successful completion. These completed orientation forms (**See Appendix B**) should be forwarded to the central personnel area and filed in the employee's personnel file. These are the general areas that are to be covered during the orientation process:

### VEHICLE SAFETY RULES, POLICIES, PROCEDURES AND PRACTICES

Employee will be instructed before using the vehicles and/or heavy equipment for the first time on the following:

- A. Approved uses of City of Menasha vehicles.
- B. Vehicle accident procedures.
- C. Maintenance repair reporting process, procedures and mandatory forms.
- D. Vehicle and/or heavy equipment field breakdown procedures.
- E. Proper storage and parking procedures.
- F. Fueling practices and mandatory forms.
- G. Substance Abuse Policy.
- H. Fleet safety driving rules and best practices.

### VEHICLE OPERATION (OFF ROAD)

Employee will be instructed on the proper use of the vehicle and/or heavy equipment off road on the following:

- A. Proper use of the vehicle and/or heavy equipment's controls, features and attachments.
- B. Procedures for operating the vehicle or heavy equipment on the roadway.
- C. Required inspection techniques and preventative maintenance practices.
- D. Completing the mandatory inspection and maintenance forms.
- E. Proper use of safety features and equipment.
- F. Cargo loading, unloading, and tie-down practices.
- G. Backing procedures and use of spotters.

### VEHICLE ROAD TEST (ON THE ROAD)

- A. Following the orientation, the supervisor, or designated trainer, shall conduct a road test for the purpose of verifying the employee's skill and ability to operate the

vehicle and/or heavy equipment in a safe and competent manner. And the road test shall include a review of the employee's ability to operate the vehicle and/or heavy equipment controls and attachments. All road tests should be conducted on pre-determined routes that include a variety of job-related driving and operating conditions and should be documented on a road test form. (See Appendix C).

In addition, the City of Menasha will provide on-going in-service training programs which address the knowledge and skills necessary for all employees to perform in a satisfactory and safe manner, and will attempt to bridge the gap between the employees' existing level of knowledge and that required for the job.

#### ACCIDENT REPORTING PROCEDURE

Employees involved in an accident with a City of Menasha owned or leased fleet vehicle shall follow these steps:

- A. Stop immediately.
- B. Take precautions to prevent further accidents.
- C. Render reasonable assistance to injured persons.
- D. Call for the assistance of the Police and advise the Police Department that it involves a City of Menasha vehicle or equipment.
- E. Provide all information requested by the Police.
- F. Exchange names, addresses, telephone numbers, vehicle license plate numbers, insurance information, and driver's license information with the other party involved in the accident.
- G. Report the accident to a supervisor at once.
- H. Wait for the City of Menasha representative to arrive at the accident scene. If required, the City of Menasha representative will take the employee for drug and alcohol testing.
- I. Employee who was driving the vehicle or piece of heavy equipment shall complete and submit the City of Menasha accident report form within 24 hours for their supervisor's review.

**NOTE:** Employees **SHOULD NOT** discuss the accident with anyone other than a representative from the City of Menasha, or the Police Department. Employees **SHOULD NOT** apologize, admit guilt, or indicate that the City of Menasha will take responsibility or will pay any accident-related bills. If a citizen wishes to file a claim against the City of Menasha they should be referred to the Clerk's Office.

#### ACCIDENT REVIEW PROCEDURE

All accidents involving City of Menasha vehicles and/or heavy equipment shall be promptly reviewed. A determination whether a fleet accident shall be made and classified as preventable or non-preventable. The review process shall be as follows:

- A. The review guidelines used to make the determination shall be based on the expanded Vehicle Accident Casual Factors from the National Safety Council found in the fleet safety program.

1. An accident shall be judged preventable if the driver "failed to exercise every reasonable precaution" to avert the accident.
  2. A thorough investigation and review of the accident report, employee's driving record, driver statements, witness statements, and any supplemental information (i.e. drawings, etc.) shall be determining factors.
  3. Admission of "fault" by either driver, "blame placing" by another, mechanical failure, cost of repairs and damages, or other such factors are not definitive considerations in determining whether an accident is preventable.
- B. The determination shall be made by the central safety committee, or a designated accident review committee.
- C. The employee shall be given written notification of the determination.
1. The notification shall include the employee's accident history for the previous two years.
  2. A copy of the notification shall be sent to the employee, their department or division head and the city/village administrator, or their designee.
- D. The employee shall have an appeal process concerning the determination as to whether or not an accident should be classified as preventable. The process shall be resolved as follows:
1. The employee shall file a request for review in the form of a letter to the chairperson of the central safety committee, or designated accident review committee.
  2. The central safety committee, or designated accident review committee, will only review appeals on accident classifications that are made within thirty days of the determination notification to the employee.
  3. The central safety committee, or designated accident review committee, shall conduct a review of the accident and give a final determination in writing to both the employee and the employee's department or division head.

NOTE: Possible disciplinary action may be warranted based on the employee's past driving record, current work record, and the severity of the accident. However, any potential disciplinary action must be in accordance with applicable City of Menasha labor agreements and/or established personnel policies.

#### VEHICLE AND HEAVY EQUIPMENT MAINTENANCE AND CARE

It is the responsibility of each department or division head to ensure that all City of Menasha owned or leased vehicles and heavy equipment assigned to their respective departments are in proper working condition at all times. The Department or division head shall ensure that a written orientation and training program is developed for vehicles and heavy equipment in their respective department. Routine checklists shall be developed and utilized for the vehicles and heavy equipment.

All supervisory and in-charge personnel are accountable for the City of Menasha assigned vehicles and heavy equipment. This accountability includes instruction of employees in the proper operation and preventative maintenance procedures and ensuring that routine vehicle inspections are performed on the pre-use basis and that inspection forms are completed and submitted in accordance with the established procedure.

Employees, who are assigned a vehicle and/or piece of heavy equipment, are responsible for the daily inspection of the vehicle and/or heavy equipment and completing the required forms. If an employee is unfamiliar with the operation or maintenance of a vehicle or piece of heavy equipment, it is their responsibility to request information and instructions on the proper procedures from their immediate supervisor.

#### VEHICLE EMERGENCY BREAKDOWN PROCEDURE

Employees are responsible for following the breakdown procedures whenever a vehicle becomes disabled in a public roadway:

- A. Get completely off the traveled roadway. Avoid curves, hills or where the view may be obstructed.
- B. Shut down the vehicle.
- C. Set the parking brake to prevent movement.
- D. Turn on the 4-way flashers. If reflective triangles are available, set them near the vehicle and at approximately 100' to warn approaching traffic.
- E. Call for assistance.
- F. Stay in and with the vehicle.

#### FLEET SAFETY EQUIPMENT AND SUPPLIES

##### VEHICLE PURCHASING

The City of Menasha will consider and make every effort to upgrade safety features when developing specifications for the purchase of automobiles, vans, light trucks, medium trucks, heavy trucks, specialty vehicles and heavy equipment. The following items will be considered where available, practical and functional to enhance safety and protection:

##### All Vehicles

1. Additional or upgraded right-side mirror.
2. Additional fog/road lights.
3. Wiring for hands-off 2-way radio or cellular phone use.
4. Daytime running lights.
5. Anti-lock brakes, where possible.
6. Ergonomic seats (adjustable, lumbar support).
7. Dual airbags, where possible.

##### Trucks and Commercial Trailers

1. Liberal use of reflective tape for improved visibility.
2. Work lights for hookup or cargo loading in the dark.
3. Upgraded steps and grab rails on cabs, rear panels and trailers.
4. Rear-view vision systems.
5. Convex mirrors mounted at front and rear of vehicle.
6. Bulkheads to protect employees from shifting cargo.
7. Side racks and equipment boxes.
8. Hydraulic tailgate lifts.
9. Walk-up ramps.
10. Hazard lights (strobe, rotational) or light bars.

11. Back-up alarm devices.

**EMERGENCY EQUIPMENT AND SUPPLIES**

Supervisors and employees are required to maintain and ensure that all commercial vehicles are carrying the following emergency equipment: 1) Reflective triangles, 2) Basic first aid kit, 3) Small multi-purpose dry fire extinguisher, and the 4) Vehicle "Glove-box" accident reporting kit (Proof of Insurance, vehicle and trailer registration cards, accident report form, witness cards and disposable camera (optional)).

In addition, all vehicle and trailer combination units must carry a minimum of 5 – traffic cones for use in establishing a minimum tapered work zone when loading and unloading trailers, or abandoning a trailer on public roadways or in parking lots.

## APPENDIX A

### FLEET SAFETY DRIVING RULES AND BEST PRACTICES

The operation of City of Menasha owned or leased vehicles and/or heavy equipment is a privilege which may be withdrawn at any time at the sole discretion of the City of Menasha. An employee must comply with the following fleet safety driving rules and best practices in order to continue this granted privilege to operate vehicles and heavy equipment:

- A. Maintain an approved and valid WI DOT-MV driver's license with the applicable classifications and endorsements at all times. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their immediate supervisor. Failure to report a status change in licensing such as: restriction, suspension or revocation of driving privileges will result in disciplinary action up to and including termination of employment.
- B. Maintain a satisfactory driving record both on and off the job. The City of Menasha will be reviewing driver records on both a random and routine basis.
- C. Employees are required to obey all Federal DOT, Wisconsin DOT, Wisconsin DOT-MV, local and City of Menasha traffic regulations.
- D. Seat belts and shoulder harnesses SHALL BE WORN while operating or riding in City of Menasha owned commercial and fleet vehicles, personal vehicles while on duty, and when operating heavy equipment that has been equipped with a manufacturer's installed seat belt and a rollover protection (ROP) feature. Inoperative or missing seat belts and/or harnesses shall immediately be reported to the immediate supervisor. The vehicle or equipment shall not be operated until the repairs have been made.
- E. Employees who operate fleet automobiles, light trucks, and medium trucks SHALL conduct a quick visual pre-trip inspection of the tires, brakes, headlights, taillights, directional lights, 4-way flashers, wipers, heater, and defroster on the vehicle prior to operating.
- F. Employees who operate commercial vehicles SHALL conduct the required "Pre-Trip Inspection" prior to operating on public roadways as required by federal DOT regulations.
- G. Engines SHALL BE stopped and ignition keys removed when parking or leaving City of Menasha vehicles and/or heavy equipment.
- H. Individuals not employed by the City of Menasha are NOT PERMITTED as passengers in fleet vehicles unless authorized by a supervisor or manager.
- I. While fueling fleet vehicles and/or heavy equipment:
  - 1. Smoking is PROHIBITED within 25' while fueling.
  - 2. Engines SHALL BE turned OFF during the fueling operation. Leaving the vehicle unattended while fueling is PROHIBITED.

3. Using an object to "lock the nozzle" on a fuel pump nozzle while fueling is PROHIBITED.
  4. Fuel leaks and/or spills (gasoline, diesel fuel, and hydraulic oil) over one gallon SHALL BE reported immediately to the person responsible for safety so that an internal spill report can be completed.
- J. Non-emergency vehicles are PROHIBITED from parking in fire lanes or in front of fire hydrants while on job sites.
  - K. Traffic cones are to be used as a warning and control measure for crews and vehicular traffic. Traffic cones SHALL BE placed at the vehicle and trailer corners when parked on public roadways, in public parking lots, busy job sites and narrow residential streets to create a safe work zone area.
  - L. Report any fleet vehicle and heavy equipment mechanical problems immediately. NEVER drive a fleet vehicle and/or operate heavy equipment that does not appear safe.
  - M. Protective guards, deflectors and shields SHALL BE in place before starting and operating any heavy equipment.
  - N. Heavy equipment SHALL BE properly maintained and inspected prior to each use.
  - O. Employees SHALL BE properly trained and certified on specialty and heavy equipment prior to its use.
  - P. Always use metal vehicle jack stands when you are working under a raised vehicle. Use safety blocks to secure the body of a vehicle in a raised position. Never exceed the rated capacity of jack stands.
  - Q. The "3-Point Contact" concept SHALL BE used when mounting and dismounting commercial vehicles, large specialty equipment, and heavy equipment. Jumping off vehicles and heavy equipment is PROHIBITED.
  - R. Employees ARE NOT ALLOWED to tamper, over-ride or disconnect any manufacturer installed safety features and devices.
  - S. All heavy or specialty equipment SHALL BE turned OFF under the following field conditions:
    1. Changing attachments.
    2. Manually loading or unloading equipment.
    3. Adjusting attachments.
    4. In proximity to the general public.
  - T. Vehicle interiors are to be kept clean and free of rubbish.

- U. Excess material and debris SHALL BE CLEANED OFF after trailers and trucks are loaded prior to moving (i.e. trailer wheel fenders, bumpers side panels, truck bed ledges, etc).
  
- V. Riders and/or passengers ARE NOT ALLOWED on heavy equipment while it is moving.
  
- W. Vehicle and equipment steps, platforms, and deck plates SHALL BE kept clear of grease, oil, ice and mud.
  
- X. Loading and unloading trailers:
  - 1. Loading and unloading of heavy or specialty equipment on trailers SHALL BE done on a level surface area.
  - 2. The **"4-Point Tie Down"** practice and application of the emergency brake SHALL BE done when transporting large riding landscape and construction-type equipment on trailers. The combined strength of all cargo tie-downs (straps, chain, ropes, tensioning devices) must be strong enough to lift half the weight of the piece of cargo tied down.
  - 3. Cargo on trailers SHALL NOT exceed the load capacity of the trailer.
  - 4. Equipment attachments SHALL BE lowered and secured on trailers while transporting.

## DRIVER ORIENTATION CHECKLIST

## VEHICLE SAFETY RULES, POLICIES, PROCEDURES AND PRACTICES

Employee will be instructed before using the vehicles and/or heavy equipment for the first time on the following items. Check (x) off and date the items after they have been reviewed with the employee.

## REVIEWED

- A. Approved uses of City of Menasha vehicles. Date: \_\_\_\_\_
- B. Vehicle accident procedures (Glove Box Accident Reporting Kit). Date: \_\_\_\_\_
- C. Maintenance repair reporting process, procedures and mandatory forms. Date: \_\_\_\_\_
- D. Vehicle and/or heavy equipment field breakdown procedures. Date: \_\_\_\_\_
- E. Proper storage and parking procedures. Date: \_\_\_\_\_
- F. Fueling practices and mandatory forms. Date: \_\_\_\_\_
- G. Random and annual license checks. Date: \_\_\_\_\_
- H. Substance Abuse Policy. *(Employee gets a copy)* Date: \_\_\_\_\_
- I. Fleet Safety Driving Rules and Best Practices. *(Employee gets a copy)* Date: \_\_\_\_\_

## VEHICLE OPERATION (OFF ROAD)

Employee will be instructed on the proper use of the vehicle and/or heavy equipment on the following items prior to putting the vehicle on the road or heavy into operation. Check (x) off and date the items after the employee has received practical experience and proved basic competency.

## INSTRUCTED

- A. Proper use of the vehicle and/or heavy equipment's controls, features and attachments. Date: \_\_\_\_\_
- B. Procedures for operating the vehicle or heavy equipment on the roadway. Date: \_\_\_\_\_
- C. Required inspection techniques and preventative maintenance practices. Date: \_\_\_\_\_
- D. Completing the mandatory inspection and maintenance forms. Date: \_\_\_\_\_
- E. Proper use of safety equipment and features. Date: \_\_\_\_\_
- F. Cargo loading, unloading, and tie-down practices. Date: \_\_\_\_\_
- G. Backing procedures and use of spotters. Date: \_\_\_\_\_

VEHICLE ROAD TEST (ON THE ROAD)

ROAD TEST COMPLETED

- A. Following the orientation, the supervisor, or designated trainer, shall conduct a road test for the purpose of verifying the employee's skill and ability to operate the vehicle and/or heavy equipment in a safe and competent manner. And the road test shall include a review of the employee's ability to operate the vehicle and/or heavy equipment controls and attachments. All road tests should be conducted on predetermined routes that include a variety of driving and operating conditions which should be documented on a road test form.
- B. (See Appendix C). Pass ( ) Fail ( )

Employee Name: \_\_\_\_\_ Supervisor/Trainer Name: \_\_\_\_\_

Date Full Orientation Completed: \_\_\_\_\_

**DRIVER ROAD TEST**

<b>Drivers Name:</b>	<b>Department</b>
<b>Vehicle or Equipment Driven</b>	<b>Fleet #</b>
<b>Evaluator Name:</b>	<b>Road Test Date</b>
<b>Road Test Location</b>	<b>Weather conditions</b>

**Pre-Inspection**

- Checks general condition of the vehicle  pass  fail
- Checks for proper operation of parking and service break systems  pass  fail
- Checks steering mechanism  pass  fail
- Checks all lighting devices and reflectors  pass  fail
- Checks conditions of tires  pass  fail
- Checks horn and windshield wipers  pass  fail
- Checks heater and defroster  pass  fail
- Checks and adjusts side and rear view mirrors  pass  fail
- Checks emergency equipment  pass  fail

## Placing the Vehicle in Operation

- Uses seat belts and safety harnesses  pass  fail
- Starts vehicle properly  pass  fail
- Checks air-break system if applicable  pass  fail
- Checks for traffic before pulling out or away  pass  fail
- Shifts gears properly, if applicable  pass  fail
- Does not allow vehicle to roll while stopped  pass  fail
- Drives with both hands on the wheel  pass  fail
- Demonstrates constant head and eye movement  pass  fail
- Watches for low clearance  pass  fail
- Operates at posted speed and for conditions  pass  fail
- Steers smoothly  pass  fail

## Backing and Parking

- Stops in correct position  pass  fail
- Avoids backing from blind spots  pass  fail
- Gets out of vehicle and checks entire area, including overhead before backing  pass  fail
- Uses mirrors properly  pass  fail
- Requests for someone to "spot"  pass  fail

## Intersections

- Prepares to stop vehicle if necessary, even if traffic signal is green  pass  fail
- Checks all directions for traffic conditions  pass  fail
- Stops vehicle in proper location when required  pass  fail
- Does not allow vehicle to roll when stopped  pass  fail
- Demonstrates constant head movements in all directions  pass  fail

## Turning

- Makes sure that vehicle is in proper lane for turn  pass  fail
- Signal intention to turn well in advance  pass  fail
- Demonstrates checking mirrors and blind spots  pass  fail
- Approaches at proper speed  pass  fail
- Checks for pedestrians in advance of turning  pass  fail
- Checks traffic conditions and turns only when intersection is clear  pass  fail
- Keeps vehicle in proper lane during turn  pass  fail
- Does not shift gears during turn, if applicable  pass  fail

**Railroad Crossing**

- Checks in all directions when approaching crossing  pass  fail
- Comes to a complete stop when necessary or required by law  pass  fail
- Stops at safe distance when necessary or required by law  pass  fail
- Does not shift gears when crossing tracks, if applicable  pass  fail

**Passing**

- Only passes in safe location where legally allowed  pass  fail
- Checks ahead and behind to make sure passing room is adequate  pass  fail

**Coupling and Uncoupling Unit**

- Checks that the hitch or pintle hook is ready to receive  pass  fail
- Chokes trailer wheels  pass  fail
- Ensures that trailer tongue is appropriately raised for clearance  pass  fail
- Lines up properly with trailer  pass  fail
- Properly connects brakes and electrical lines  pass  fail

**Coupling and Uncoupling Unit (continued)**

- Properly connects and locks tongue to hitch or pintle hook  pass  fail
- Crisscrosses and connects safety chains  pass  fail
- Raises and locks landing wheel into position  pass  fail
- Removes wheel chokes  pass  fail
- Applies brakes and gently tries to pull away from trailer  pass  fail

**Overall Rating**

- pass  fail

**Evaluator Comments and Observations:**

**CITY OF MENASHA**  
**HAZARD COMMUNICATION PROGRAM**  
**OSHA STANDARD 29 CFR 1910.1200**

**APPENDIX B**

**MATERIAL SAFETY DATA SHEET**

*MSDS information available in each department/building*

## HAZARD COMMUNICATION PROGRAM

### GENERAL INFORMATION

In order to comply with the Federal OSHA Hazard Communication Standard 29 CFR 1910.1200; Wisconsin Employee Right-to-Know Law, 1984; and Wisconsin Statutes 101.58-101.599, the following written Hazard Communication Program has been established for The City of Menasha. The purpose of this policy is to ensure that:

- A. Hazardous substances present in the work place are identified and labeled.
- B. Employees have ready access to information on the hazards of these substances.
- C. Employees are given information on how to prevent injury or illness due to chemical exposure.
- D. Employees are provided with training related to Hazard Communication and on how to read and interpret information found on MSDS Sheets.

This policy applies to all City of Menasha employees, visitors, and contractors who work with or have exposure to hazardous products or chemicals. This policy is available at the Personnel office, as well as at the following departments:

Finance / Assessor Dept.	140 Main St. Menasha, WI 54952
Park and Rec. Dept	140 Main St. Menasha, WI 54952
Public Works Dept.	140 Main St. Menasha, WI 54952
Police Dept. / Fire Dept.	430 First St. Menasha, WI 54952
City Garage	455 Baldwin St. Menasha, WI 54952
Public Library	440 First St. Menasha, WI 54952
Health Department	316 Racine St. Menasha WI 54952

This written program applies to all work operations in the organization where employees may be exposed to hazardous substances under the normal working conditions or during emergency situations. Under this program, employees will be informed of the contents of the Hazard Communication Standard, the hazardous properties of chemicals with which they work, safe handling procedures, and measures to take to protect themselves from these chemicals. Employees will also be informed of the hazards associated with non-routine tasks as they come in contact with them. A copy of OSHA Hazard Communication Standard 29 CFR 1910.1200 can be found in *Appendix A*.

### RESPONSIBILITIES

The Health Department has overall responsibility for the program.

The Safety Coordinator is responsible for:

- A. Reviewing and updating the program to ensure that it satisfies the requirements of all applicable local, state and federal hazard communication requirements.
- B. Maintaining a master file of material safety data sheets (MSDS)
- C. Providing training and subsequent annual refresher training to all employees.
- D. Maintaining copies of the records of all employees included in the training sessions.

Department heads and supervisors are responsible for:

- A. Coordinating initial and new chemical training of employees on the Hazard Communication program.
- B. Reviewing incoming chemical materials to verify correct labeling.
- C. Contacting vendors to obtain material safety data sheets on chemical products.
- D. Forwarding copies of material safety data sheets to the Health Department.
- E. Maintaining and updating master MSDS files and sheets for all chemicals used in their work environment.
- F. Responding to any employee concerns or request for information.
- G. Ensuring that all primary and secondary containers are properly labeled.
- H. Ensuring employees use chemical products consistent with their intended use.
- I. Informing outside contractors who are performing work on City of Menasha property about potential hazards.
- J. Providing on-going training as new chemicals are introduced into the work site.
- K. Informing the Health Department when new employees are hired so training can be conducted.

All employees are responsible for:

- A. Following directions in the use and handling of all chemicals as prescribed on the material safety data sheets and instructed by the supervisor.
- B. Becoming familiar with the information on the material safety data sheets.
- C. Notifying their supervisor of any condition which may have an adverse impact on employee safety/health.

Outside personnel (Contractors, etc.):

- A. Department heads and supervisors will advise contractor supervisory personnel of the nature of the hazardous chemicals they may encounter in doing work on City of Menasha premises. MSDS's will be used/provided as appropriate for this purpose. Contractor supervisory personnel will also be informed that they are required by OSHA regulations to instruct their employees relative to hazardous chemicals they use.

#### HAZARD DETERMINATION

Each chemical in the workplace shall be evaluated for hazardous properties. The City of Menasha shall rely on manufactures and/or distributors to make this evaluation.

- A. Hazardous properties include toxicity, corrosivity, irritation effects, sensitization potential, flammability, instability, oxidizing effects and reactivity.
- B. Resources to be used in the hazard review include vendor MSDS's and other internal and literature sources.

#### MATERIAL SAFETY DATA SHEETS (MSDS)

A material safety data sheet (MSDS) is a technical report that explains how to use, handle and store chemicals safely. There is no standard format used for MSDS's, but what is consistent on them is the information which must be contained on a MSDS (see Appendix B). The Health Department will maintain a binder in the Health Department office with a MSDS on every substance on the list of hazardous

chemicals. The MSDS will be a fully completed OSHA Form 174 or equivalent. Each Department Head will ensure that each department maintains a MSDS for each hazardous material in their particular area(s). MSDS's will be made readily available to all employees during their shifts.

A master list of MSDS's is available from the Health Department

#### LIST OF HAZARDOUS CHEMICALS

An inventory of hazardous substances has been compiled. The master inventory list is kept in the Health Department. The list is readily available and accessible for review. The Safety Coordinator is responsible for maintaining the master list of hazardous substances and updating the list as necessary. One list of chemicals identifies all of the chemicals used in each of the various departments and is available in each department. Each list also identifies the corresponding MSDS for each chemical. A master list of these chemicals will be maintained by, and is available from, the Health Department.

A list of all hazardous chemicals known to be present within the City of Menasha is found in *Appendix C*. Further information on each listed chemical can be obtained by reviewing the MSDS's.

#### LABELING

Container labels are the first and easiest place to look to see if the material an individual is working with is hazardous. Labels can quickly inform people what they need to know in order to properly protect themselves. The City of Menasha's labeling procedures and policies are as follows:

- A. The supervisor responsible for receiving shipments will evaluate labels on incoming containers and each label will be checked for:
  1. Identity of substance.
  2. NFPA chemical hazard warning using appropriate format.
  3. Name and address of the manufacturer.
- B. If the label is not appropriate, the supervisor in the receiving department will notify the manufacturer or distributor.
- C. If the label is not received within 30 days of the initial notification, the supervisor in the receiving department will send a second request to the manufacturer or distributor.
- D. If an appropriate label is not received after the second 30 days, the Department Head will direct the appropriate supervisor to obtain and place on the container an appropriate label that has not yet been received from the manufacturer.
- E. The supervisor responsible for ordering/receiving shipments will be responsible for updating labels when new information is received.
- F. Labels will be removed if they are incorrect and when the container is empty. Containers should not be re-used for different chemicals unless approved to do so by the Safety Coordinator. All supervisors are responsible for seeing that all containers used in their departments are labeled properly and remain legible.
- G. Piping systems shall:
  1. Be labeled at access points and every ten feet where the piping is eight feet or closer to employee contact.
  2. Be labeled as follows:

<u>Substance</u>	<u>Color</u>
a. Materials Hazardous to Life and Property	Yellow
b. Fire Protective materials	Red
c. Low Hazard Liquids	Green
d. Low Hazard Gases	Blue

3. Include, in the appropriate background the materials contained in the piping and the direction the material is flowing.

H. All secondary containers shall be properly labeled. Menasha Utilizes the NFPA Labeling System. Note: Only unused secondary containers or containers which contained the same chemical may be used. Containers used previously for other chemicals may not be re-used with for other products.

### EMPLOYEE TRAINING

The Hazard Communication Standard requires that employers provide employees with information regarding hazardous chemicals in their work area. All affected employees will be trained and informed at the time of initial assignment on the Hazard Communication Standard and whenever a new hazard is introduced into the work place. Department heads and supervisors will be trained regarding hazards and appropriate protective measures so they will be available to answer questions from employees and provide daily monitoring of safe work practices.

Objectives of the employee-training program are as follows:

- I. Increase employee awareness of chemicals and other hazardous materials in their work area.
- J. Teach employees how to read material safety data sheets.
- K. Detail the Hazard Communication Standard pertaining to employees and their workplace environment.
- L. Assist employees in understanding standard and in-house labeling systems.
- M. Instruct employees regarding the hazards involved with non-routine tasks.

Before exposure to a chemical, each new employee, who is exposed or potentially exposed to hazardous chemicals, will receive information and training that includes the following:

- N. Employees will have access to the written Hazard Communication Program and informed of its location.
- O. Employees will be trained to read and understand material safety data sheets, including: chemical and physical properties of hazardous materials (i.e.: flash point, reactivity); physical hazards of chemicals (i.e.: potential for fire, explosion); and health hazards, including signs and symptoms associated with exposure to chemicals and any condition known to be aggravated by exposure to the chemical.
- P. Employees will be instructed where material safety data sheets are located.
- Q. Employees will be trained to read and understand a label.
- R. Employees will be trained in how to handle hazardous chemicals used in their work area and chemicals encountered when performing non-routine tasks.

- S. Employees will be trained in the proper use, storage, and handling of personal protective equipment.
- T. Employees will be instructed on work procedures to follow to assure their protection when cleaning hazardous chemical spills and leaks.
- U. Employees will be instructed where medical supplies and safety equipment are kept.

Safety Coordinator will review the training program on an annual basis and determine the appropriate levels of training and re-training. Refresher training is required on an annual basis. It will be City of Menasha policy to provide training regularly to ensure the effectiveness of the program. As part of the assessment of the training program, employee input will be obtained regarding the training they have received and their suggestions for improving it.

#### HAZARDOUS NON-ROUTINE TASKS

Periodically, employees are required to perform non-routine, hazardous tasks (i.e.: cleaning tanks, entering confined spaces, etc..). Prior to starting work on such projects, each affected employee will be given information by their supervisor about hazardous products to which they may be exposed during such activities. This information will include:

- A. Specific chemicals hazards and review of specific MSDS.
- B. Protective safety measures the employee can take.
- C. Measures the City of Menasha has taken to reduce the hazards, including but not limited to: ventilation, respiratory protection, presence of another employee, and the establishment of emergency response procedures.

#### CONTRACTORS

It is the responsibility of the department head to provide any outside contractors who are working for the affected department with the following information:

- A. Hazardous chemicals which the contractors and their employees may be exposed to while on the job site.
- B. Precautions the employees may take to reduce the possibility of exposure, such as using appropriate protective measures and proper handling procedures.

The department head will be responsible for contacting each contractor before work is started in the department to gather and disseminate any information concerning chemical hazards that the contractor is bringing into the work place.

#### RECORDKEEPING

All material safety data sheets will be kept for a period of thirty (30) years (per OSHA 29 CFR 1910.1200) from the last date of purchase of the product. In addition, all inventory lists will be kept for a period of thirty (30) years.

#### PROGRAM EVALUATION

The program shall be evaluated on an annual basis by the Safety Coordinator or designated personnel.

# HEARING CONSERVATION PROGRAM

## Purpose

The purpose of this hearing conservation program is to prevent occupational hearing loss and comply with the DComm/OSHA Standard 29 CFR 1910.95 – Occupational Noise Exposure Hearing Conservation Standard.

## Authority and Reference

Occupational Safety and Health Administration (OSHA) 29 CFR 1910.95

Wisconsin Department of Commerce- DComm 32.15

## Application

OSHA Occupational Noise Exposure Standard 29 CFR 1910.95 establishes a permissible exposure limit (PEL) for occupational noise exposure, and requirements for audiometric testing, hearing protection and employee training if those sound levels are exceeded. This regulation defines "action level" (AL) as a "dose" of 50%, which is equivalent to an eight hour time weighted average of 85 dBA. When noise levels exceed this amount, an effective hearing conservation program is required, which includes at a minimum:

REQUIREMENT	SECTION
Noise monitoring	29 CFR 1910.95(d)(e)(f)
Audiometric Testing	29 CFR 1910.95(g)(h)
Hearing protectors	29 CFR 1910.95(i)(j)
Education and Training	29 CFR 1910.95(k)(l)
Recordkeeping	29 CFR 1910.95(m)

Note: The OSHA regulation only indicates a minimum level of hearing protection and focuses on permanent hearing loss. Short durations of noise, especially sharp bursts of noise at these levels can not only induce hearing loss but can also affect an employee's health and safety in other ways (see table #1)

## Background

Occupational noise can cause hearing loss, and increase the worker's susceptibility to other workplace problems including physical and psychological disorders, interference with speech and communication and disruption of job performance associated with excessive noise intensities. This exposure to noise produces hearing loss of a neural type involving injury to the inner ear cells. The loss of hearing may be temporary or permanent. Brief exposure causes temporary loss. Repeated exposure to high noise levels will cause permanent loss.

Permanent hearing loss is preventable with the continued use of proper hearing protection and reduction of workplace noise levels to below 85 dBA. This will benefit not only employees who can listen and communicate well throughout their lifetime, but also helps the employer in terms of reduced exposure to hearing loss compensation claims and a potential for increased general safety and job performance.

## Responsibility and Compliance

The administration of this program will be the responsibility of the Menasha Health Department Safety Coordinator or his/her designee.

## Administrative Responsibilities

- A. Coordination and supervision of noise exposure monitoring
- B. Identification of employees to be included in the Hearing Conservation Program.
- C. Coordination and supervision of audiometric testing program
- D. Supervision of hearing protection selection
- E. Development of policies related to the use of hearing protectors
- F. Supervision of employee training programs
- G. Coordination and supervision of required recordkeeping
- H. Periodic evaluation of overall program
- I. Coordination of required changes/improvements in the program

## Noise Monitoring

Noise exposure measurements will be conducted wherever exposures are expected to be between 80 dBA and 130 dBA.

This monitoring will be coordinated by the Department Supervisor with assistance from the Safety Coordinator.

The results of the noise exposure measurements will be recorded on form #1.

## Audiometric Testing

- A. Audiometric Testing will be performed on all employees whose exposures equal or exceed an 8-hour time weighted average of 85 dBA (action level).
- B. Audiometric testing will be provided at no cost to employees.
- C. Audiometric tests will be performed by a licensed or certified audiologist, otolaryngologist, or other physician, or by a technician who is certified by the Council of Accreditation in Occupational Hearing Conservation, or who has satisfactorily demonstrated competence in administering audiometric examinations. A technician who operates microprocessor audiometers does not need to be certified. A technician who performs audiometric tests must be responsible to an audiologist, otolaryngologist or physician.

## Baseline Audiogram

- A. A baseline audiogram will be conducted within 6 months of an employee's first exposure at above the action level in order to establish a valid baseline audiogram against which subsequent audiograms can be compared.
- B. Mobile test van exception. Where mobile test vans are used to meet the audiometric testing obligation, the Safety Coordinator will obtain a valid baseline audiogram within 1 year of an employee's first exposure at or above the action level. Where baseline audiograms are obtained more than 6 months after the employees first exposure at or above the action level, employees will wear hearing protectors for any period exceeding six months after first exposure until the baseline audiogram is obtained.

- C. Testing to establish a baseline audiogram will be preceded by at least 14 hours without exposure to workplace noise. Hearing protectors may be used as a substitute for the requirement that baseline audiograms be preceded by 14 hours without exposure to workplace noise.
- D. The Safety Coordinator will notify employees of the need to avoid high levels of non-occupational noise exposure during the 14 hour period immediately preceding the audiometric examination.

Audiograms will be conducted at least annually after obtaining the baseline audiogram for each employee exposed at or above 8-hour TWA average of 85 dBA.

The Safety Coordinator will maintain a record of all employee audiometric test records. The record will include:

- A. Name and job classification of the employee
- B. Date of the audiogram
- C. Examiner's name
- D. Date of last acoustic or exhaustive calibration of the audiometer
- E. Employee's most recent noise exposure assessment

#### **Audiometric Evaluation**

- A. Each employee's annual audiogram will be compared to his/her baseline audiogram by a qualified evaluator to determine if a Standard Threshold Shift (STS) has occurred.
- B. STS is defined by OSHA as a change in hearing threshold relative to the baseline of an average of 10dBA or more at 2000,3000 and 4000 Hz in either ear.
- C. In determining if a STS has occurred, an allowance can be made for the contribution of aging (presbycusis). The age correction values to be used are found in Appendix F of 29 CFR 1910.95.
- D. If an annual audiogram indicates that an employee has incurred a STS the person will be scheduled for a retest within 30 days to determine if the threshold shift is persistent.
- E. The following procedures will be taken if a comparison of the baseline audiogram indicates a persistent STS.
- F. Employees not using hearing protectors will be trained, fitted and required to use hearing protectors if they are exposed to an 8 hour TWA average sound level of 85dBA or greater.
- G. Employees already using hearing protectors will be retrained, refitted and required to use hearing protectors.
- H. The Safety Coordinator will inform the employee, in writing, within 21 days of this determination, of the existence of a permanent STS. (See Form #2) A copy of the STS letter will also be sent to the employee's supervisor.
- I. The Safety Coordinator will counsel the employee on the importance of using hearing protectors and refer the employee for further clinical evaluation if necessary.
- J. Persistent significant threshold shifts must be entered on the OSHA 300 Log (Form 300) if determined to be work related.
- K. If subsequent audiometric testing of an employee whose exposure to noise is less than an 8-hour TWA of 85 dBA indicates that a STS is not persistent, the Safety Coordinator:
- L. Shall inform the employee of the new audiometric interpretation.
- M. Discontinue the required use of hearing protectors for that employee. The employee will however, be encouraged to use hearing protection even if not required.

## Protection Equipment

- A. The Department Supervisor shall ensure that hearing protectors are worn:
  - 1. By an employee who is subjected to sound levels equal to or exceeding an 8-hour TWA of 85dBA.
  - 2. By any employee who has experienced a persistent STS and who is exposed to 8-hour TWA of 85 dBA or greater.
  - 3. By any employee who has not had an initial baseline audiogram and who is exposed to 8-hour TWA or greater.
- B. Employees will be given the opportunity to select their hearing protectors from a variety of suitable hearing protectors at no cost to them. Hearing protectors will be approved by the Safety Coordinator prior to them being made available to employees.
- C. The Safety Coordinator will provide training in the use and care of all hearing protectors.
- D. The Safety Coordinator will ensure proper initial fitting and supervise the correct use of all hearing protectors.
- E. Employees will be held accountable for properly using and maintaining the equipment furnished by the City of Menasha.
- F. The Department Supervisor will evaluate the attenuation characteristics of the hearing protectors to ensure that a given protector will reduce the individual's exposure to the required decibels (dBA).
  - 1. If the 8-hour TWA is over 85dBA then the protector must attenuate the exposure to at least an 8-hour TWA of 85 dBA or below.
  - 2. If the protector is being worn because the employee experienced a STS, then the protector must attenuate the exposure to an 8-hour TWA to less than 85dBA.
  - 3. If employee noise exposures increase to the extent that the hearing protectors provided may no longer provide adequate attenuation, the employee will be provided more effective hearing protectors.
- G. It is the responsibility of the supervisor to ensure that hearing protectors are worn by all employees who are exposed to noise levels at or above an eight hour TWA of 85 dBA or if the employee experienced a permanent STS or has not yet had a baseline audiogram.

## Employee Educational Training

An annual training program for affected employees will be conducted by the Safety Coordinator and will include information on:

- A. The effects of noise on hearing
- B. Purpose and use of hearing protectors
- C. Advantages and disadvantages of various types of hearing protectors
- D. Instruction in the selection, fitting and use and care of protectors
- E. The purpose of audiometric testing and an explanation of the test procedures.

Form #4 will be used to record the training dates and employees attendance. Record of training will also be maintained on the master training database.



Form #2

Standard Threshold Shift (STS) Letter to Employee

Date

Name

Your most recent audiometric test result was compared to your baseline audiogram. This comparison indicates that your hearing has deteriorated to the point where your hearing impairment constitutes a "standard threshold shift". This is defined by OSHA as a relative hearing loss of an average of 10 dBA in either ear at the frequencies of 2000,3000 and 4000 Hz.

An audiogram cannot define why you have a hearing loss, but there are many possible reasons such as infection, wax buildup in your ear and noise.

By taking necessary action now, we can try to stop hearing loss from getting any worse.

Consequently, we want to fit you with hearing protectors. Please call \_\_\_\_\_ to arrange an appointment with \_\_\_\_\_.

Whenever you are in a work environment that would result in noise exposure that equals or exceeds an 8-hour time weighted average (TWA) of 85 dBA, hearing protection must be used.

Loss of hearing will affect your life. Preserve your hearing while you still have a chance.

The Menasha Health Department will assist you and answer any questions that you may have.

Sincerely,

Safety Coordinator  
City of Menasha Health Department





**ANNUAL HEARING CONSERVATION PROGRAM EVALUATION**

1. Noise exposure level monitoring has been completed in all areas and rechecked as necessary after any alterations which may have resulted in a change in noise levels.  
Yes  No

If no, what action will be taken to complete the monitoring?

2. Baseline audiograms (if required) have been completed on all employees hired this year.  
Yes  No

If no, what arrangements will be made to complete the audiograms?

3. Annual audiograms (if required) have been completed on all employees who are included in the hearing conservation program.  
Yes  No

If no, what arrangements will be made to complete the audiograms?

4. All employees included in the hearing conservation program have been provided with hearing protection?  
Yes  No

If no, what action will be taken to provide this protection?

5. All employees who are required to wear hearing protection are wearing them correctly?  
Yes  No

If no, what action(s) will be taken to enforce this requirement?

6. All employees included in the Hearing Conservation Program have received initial and annual training in the use of hearing protection, the effects of noise on hearing and the purpose of audiometric testing if applicable.  
Yes  No

If no, what will be done to complete this training?

7. STS have been identified.

Yes  No

If no, what action will be taken with these employees?

8. Employees with STS's have been notified in writing and fitted with the proper hearing protectors.

Yes  No

Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## LOCKOUT/TAGOUT PROGRAM

### **I. GENERAL POLICY:**

- A. The City of Menasha will use the following lockout/tagout program whenever maintenance or servicing is done on machines or equipment in which energization start up of the machines or equipment or release of stored energy can cause injury to employees.
- B. This program does not cover the following operations:
1. Construction, agriculture, and maritime employment;
  2. Installations under the exclusive control of electric utilities for the purpose of power generation, transmission, and distribution including related equipment for communication or metering;
  3. Exposure to electrical hazards from work on, near, or with conductors or equipment in electric utilization installations; and,
  4. Oil and gas well drilling and servicing.
- C. The program shall be used to ensure that machinery, vehicles or equipment is stopped/isolated from all potentially hazardous energy sources and locked/tagged out before employees perform any servicing or maintenance where the unexpected start-up of the machine/equipment or release of stored energy could cause injury.
- D. All employees are required to comply with the restrictions and limitations imposed upon them during the use of lockout/tagout procedures. The authorized employees are required to perform the lockout/tagout procedures in accordance with this program. Affected or other employees shall not attempt to start, energize, or use that machine, vehicle or equipment. Failure to comply with the program will result in disciplinary action up to and including termination.

### **II. LOCKOUT/TAGOUT REQUIREMENTS**

- A. Lockout/Tag out is required whenever maintenance and/or servicing is performed on a machine, vehicle or piece of equipment. Maintenance and/or servicing are used interchangeably and apply to the following activities:
1. An employee is required to remove or bypass a guard or other safety device; or,
  2. An employee is required to place any part of his or her body into an area on a machine, vehicle or piece of equipment where work is actually performed upon the material being processed or where an associated danger zone exists during a machine operating cycle.
- B. All of the activities in Section II. Lockout/Tagout Requirements, Part A., require a lockout/tagout if the unexpected start up or release of stored energy could harm an employee. The only exceptions to this are as follows:
1. If testing or positioning of a machine requires power, the lockout/tagout device may be removed only for that period of time;

2. Minor adjustments which are routine, repetitive, and integral to the use of the equipment, vehicle or equipment during normal production operations provided other effective protection is in place; or,
3. Work on cord and plug connected electrical equipment for which exposure to the hazards of unexpected energization or start up of the equipment is controlled by the unplugging of the equipment from the energy source and by the plug being under the exclusive control of the employee performing the servicing or maintenance.

### **III. TAGOUT REQUIREMENTS**

- A. If the equipment is not capable of being locked out, the City of Menasha shall utilize a tagout system. Lockout is preferable and should be used exclusively.
- B. When major replacement, repair, renovation, or modification of machines, vehicles or equipment is performed and when new machines or equipment are installed, energy isolating devices shall be designed to accept a lockout device.

### **IV. ENERGY CONTROL PROCEDURES**

- A. Procedures shall be developed, and utilized for the control of potentially hazardous energy when employees are engaged in activities where lockout/tagout is required.
- B. The procedures for the control of potentially hazardous energy shall include the following:
  1. The scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy; and,
  2. The means to enforce compliance including, but not limited to, the following
    - a. A specific statement of the intended use of the procedure;
    - b. Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;
    - c. Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and,
    - d. Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

### **V. PROTECTIVE MATERIALS AND HARDWARE**

- A. The City of Menasha shall provide locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware for isolating, securing, or blocking of machines or equipment from energy sources.
- B. Lockout and tagout devices shall be assigned with individual identifiers to all employees who may be involved in maintenance or servicing of equipment or machines and shall not be used for any other purposes. Only the person assigned a lock will have a key to that lock. If an employee is issued multiple locks, they shall be like-keyed.
- C. Lockout and tagout devices shall meet the following requirements:
  1. Durable. They should be able to withstand the environment that they will be used in, and tagout devices should be constructed and printed so that exposure to weather or damp locations will not cause the tag to deteriorate or the message on the tag to become illegible.

2. Standardized. Lockout and tagout devices shall be standardized in at least one of the following criteria:
  - a. Color;
  - b. Shape;
  - c. Size; and,
  - d. Print and format, if tagout devices are to be used.
3. Substantial. Lockout devices shall be substantial enough to prevent removal without the use of excessive force or unusual techniques (bolt cutters). Tagout devices shall be substantial enough to prevent inadvertent or accidental removal. Tagout device attachment means shall be of a non-reusable type, attachable by hand, self-locking, and non-releasable with a minimum unlocking strength of no less than 50 lbs.
4. Identifiable. Lockout and tagout devices shall indicate the identity of the employee applying the device(s). Tagout devices shall warn against hazardous conditions if the machine or equipment is energized and shall include a legend such as the following:
  - a. Do Not Start;
  - b. Do Not Open;
  - c. Do Not Close;
  - d. Do Not Energize; or,
  - e. Do Not Operate.

#### **VI. PERIODIC INSPECTION**

- A. The City of Menasha shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedures are being followed.
- B. The periodic inspection shall be performed by an authorized employee other than the ones utilizing the energy control procedure being inspected.
- C. The periodic inspection shall be designed to correct any deviations or inadequacies.
- D. If lockout and/or tagout is used for energy control, the periodic inspection shall include a review between the inspector and each authorized and affected employee. The review should include the employee's responsibilities under the energy control procedure being inspected. If tagout is used for energy control, the review shall also include a discussion on the limitations of tags.
- E. The City of Menasha shall certify that periodic inspections have been performed (See form L-6). The certification shall include the following:
  1. The identity of the machine or equipment on which the energy control procedure was being utilized;
  2. The date of the inspection;
  3. The employee(s) included in the inspection; and
  4. The person performing the inspection.

#### **VII. EMPLOYEE TRAINING**

- A. The City of Menasha will provide appropriate training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of energy controls are required by employees.

- B. Authorized employees are employees who implement lockout or tagout system procedures on machines or equipment to perform the servicing or maintenance on that machine or equipment. Authorized employees will be trained in the following area:
1. Recognition of applicable hazardous energy sources;
  2. The type and magnitude of the energy available in the workplace; and,
  3. The methods and means necessary for energy isolation and control.
- C. Affected employees are employees whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout or whose job requires him/her to work in an area in which such servicing or maintenance is being performed. Affected employees will be trained in the purpose and use of energy control.
- D. All other employees are employees whose work operations are or may be in an area where energy control procedures are being utilized. All other employees shall be instructed about the lockout/tagout procedures and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked out or tagged out.
- E. If a tagout system is used, employees shall also be trained in the following limitations of tags:
1. Tags are essentially warning devices affixed to energy isolation devices, and do not provide the physical restraint on those devices that is provided by a lock;
  2. When a tag is attached to an energy isolation means, it is not to be removed without authorization of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise defeated;
  3. Tags must be legible and understandable by all authorized employees, affected employees, and all other employees whose work operations are or may be in the area in order to be effective;
  4. Tags and their means of attachment must be made of materials which will withstand the environmental conditions encountered in the workplace;
  5. Tags may evoke a false sense of security and their meaning needs to be understood as part of the overall energy control program; and,
  6. Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use.
- F. Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures. Retraining shall also be conducted whenever a periodic inspection reveals or whenever the Department Head or designated employee has reason to believe that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.
- G. The retraining shall reestablish employee proficiency and introduce new or revised control methods and procedures as necessary.

- H. The City of Menasha shall certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name and dates of training. Record of training will be maintained on City of Menasha Master Training Database and Lockout/Tagout training logs will be maintained in the master file for each department.

#### **VIII. ENERGY ISOLATION**

Implementation of lockout or the tagout system shall be performed only by authorized employees.

#### **IX. NOTIFICATION OF EMPLOYEES**

- A. The employee who is to do the lockout/tagout shall notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked/tagged out to perform the servicing or maintenance.
- B. Notification shall be given before the controls are applied and after they are removed from the machine or equipment.

#### **X. APPLICATION OF CONTROL**

- A. The established procedure for the application of energy control shall cover the following elements and actions and shall be done in the following sequence:
- B. Preparing for shutdown. The authorized employee shall be able to identify the type and magnitude of the energy that the machine or equipment utilizes, shall understand the hazards of the energy, and shall know the methods to control the energy.
- C. Machine or equipment shutdown. The machine or equipment shall be turned off or shut down. If the machine or equipment is operating, the authorized employee will shut it down by the normal stopping procedure (depress stop button, open switch, close valve, etc.). An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of equipment deenergization.
- D. Machine or equipment isolation. The authorized employee will then deactivate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).
- E. Lockout or tagout device. The authorized employee will next lockout/tagout the energy isolating device(s) with assigned individual lock(s)/tag(s). If more than one authorized employee must perform maintenance or repair, each authorized employee must use their own lock/tag. Hasps will be used to accept more than one lock/tag, (see Section XIV. Group Lockout or tagout). Lockout devices and/or tagout devices shall be affixed in a manner to hold the energy isolating devices in a "safe" or "off" position. Where tagout devices are used with energy isolating devices designed with the capability of being locked, the tag attachment shall be fastened at the same point at which the lock would have been attached. Where the tag cannot be affixed directly to the energy isolating device, the tag shall be located as close as safely possible to the device in a position that will be immediately obvious to anyone attempting to operate the device.
- F. Stored energy. If there is any stored or residual energy (such as that in elevated

machine members, hydraulic systems, air or water pressure, etc.), the authorized employee doing the lockout/tagout will dissipate or restrain it by methods such as grounding, repositioning, blocking, bleeding down, etc. If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation shall be continued until the servicing or maintenance is completed or until the possibility of such accumulation no longer exists.

G. Verification of isolation. The authorized employee will ensure that the equipment is disconnected from the energy sources(s) by first checking that no employees are exposed, then by verifying the isolation of the equipment by operating the push button or other normal operating control(s) or by testing to make certain the equipment will not operate.

H. The machine or equipment is now locked/tagged out.

I. The City of Menasha will attempt to maintain and repair equipment during hours of least exposure to the general public and/or other employees.

#### **XI. RELEASE FROM LOCKOUT OR TAGOUT**

- A. When the servicing or maintenance is completed and the machine or equipment is ready to return to normal operating condition, the authorized employee shall take the steps indicated below.
- B. Check the machine or equipment and the immediate area around the machine or equipment to ensure that nonessential items have been removed and that the machine or equipment components are operationally intact.
- C. Check the work area to ensure that all employees and the general public have been safely positioned or removed from the area.
- D. Re-install all guards and equipment components.
- E. Verify that the controls are in neutral.
- F. Remove the lockout/tagout devices and re-energize the machine or equipment. Each lockout or tagout device shall be removed from each energy isolating device by the employee who applied the device. If the employee who applied the device is not available to remove it, that device may be removed under the direction of the Department head or designated employee, provided that specific procedures and training for such removal have been developed, documented, and incorporated into the City of Menasha Lockout/Tagout Program. See Section XII. Emergency Removal of Lockout or Tagout Device.
- G. Notify affected employees that the servicing or maintenance is completed, that lockout or tagout devices have been removed, and the machine or equipment is ready for use.

#### **XII. EMERGENCY REMOVAL OF LOCKOUT DEVICE**

- A. Authorized employees are to remove their lockout device upon completion of maintenance. There should be very few occasions where it is necessary for the Department Head and/or designated employee to remove the lockout device.
- B. Emergency lockout removal can only be performed by the Department Head and/or designated employee, who maintains spare keys to all locks used in lockout.

- C. Before emergency removal of the lockout/tagout device can be accomplished, it is necessary to make every effort to contact the authorized employee who originally placed the device. If the employee cannot be contacted, then emergency removal of the device may proceed.
- D. After the lockout/tagout device has been removed, it is imperative that the employee who originally placed the device be warned of its removal before resuming work.

### **XIII. ADDITIONAL REQUIREMENTS**

In situations in which lockout or tagout devices must be temporarily removed from the energy isolation device and the machine or equipment energized to test or position the machine, equipment, or component, the following steps must be followed:

- A. Clear the machine or equipment or equipment of tools and materials;
- B. Remove employees from the machine or equipment area;
- C. Remove the lockout or tagout devices;
- D. Energize and proceed with testing or positioning; and,
- E. Deenergize all systems and reapply energy control measures, and continue the servicing and/or maintenance.

### **XIV. GROUP LOCKOUT OR TAGOUT**

- A. Every authorized employee who performs maintenance or servicing on a machine/piece of equipment, must place their own lock or tag on the energy isolation device during the time that employee is involved in the work.
- B. This will require a hasp which is capable of holding multiple locks or tags at the energy isolation device. The reason for this requirement is to assure that no one can energize a machine while someone is still working on it.
- C. To prevent the use of machines/equipment which have not been completely serviced, authorized employees may transfer locks during shift changes. The authorized employee who is leaving must fully brief the incoming authorized employees(s).
- D. At all times of operations, the lockout/tagout device in use shall belong to an employee who is in the facility at the same time.

### **XV. MACHINE-SPECIFIC PROCEDURES**

- A. In addition to the above general lockout/tagout procedures, authorized employees must follow the specific procedures which have been developed for each machine.
- B. These procedures explain how that specific machine is shut down, isolated from energy, locked or tagged out, and eventually restored to service.
- C. A procedure will be developed for each form of energy which powers each machine in the City of Menasha.
- D. A list of all machines will be developed and maintained by the City of Menasha, and maintained by Menasha Health Department – Safety Coordinator.

### **XVI. VEHICLE SPECIFIC PROCEDURES**

- A. In addition to the above general Lock out / Tag out procedures, authorized employees must

follow specific Lockout / Tagout procedures related to service/repairs on vehicles as follows:

1. Vehicle shall be placed "Out of Service" by tag on steering wheel, an individual tag shall be placed by each person conducting work.
2. Vehicle power shall be isolated by removing keys and placing them in the supplied lock box. Each person conducting work on the vehicle shall place their lock on the lock box while work is being done. If there is a secondary power source or stored energy potential those sources will have to be isolated and relieved prior to work. Further safety catches (i.e. hydraulic line isolation bar) must be used. Refer any questions regarding potentials to vehicle specific procedures Form L-5, vehicle Maintenance personnel or equipment operation and service manual(s).
3. Documentation of Lockout/Tagout shall be kept on the service record by recording "service code" 04 on the service record. Tags shall be labeled while on the steering wheel.
4. Each person conducting work must remove their own tag from the steering wheel and lock from the box when finished. Vehicle may only be energized once all tags and locks have been removed.
5. Electronic service records shall be used to review and audit the vehicle Lockout/Tagout program.
6. In the case of lawn mowers, or other smaller motorized equipment the spark plug must be effectively disconnected and isolated prior to work which could result in personal injury if the equipment was to become energized. Keys must also be secured.
7. Lock box locations will be identified during training and clearly marked. Employees must use their own assigned locks and may not use or remove any other employees lock.

See form L-5 "Machine/Vehicle -Specific Procedures."

#### **XVI. OUTSIDE PERSONNEL – CONTRACTORS**

- A. Whenever outside servicing personnel are to be engaged in deenergization activities on City of Menasha property, the City of Menasha and the outside servicing personnel shall inform each other of their respective lockout or tagout procedures.
- B. The Department Head and/or designated employee will meet with the contractor to exchange information regarding their respective procedures for lockout and /or tagout.
- C. The Department Head and/or designated employee will inform the City of Menasha employees of the restrictions and prohibitions of the contractor's program.
- D. The Department Head and/or designated employee will later verify that the outside servicing personnel employees understand the City of Menasha's program, its restrictions, and its prohibitions.

#### **XVII. ANNUAL LOCKOUT PROGRAM REVIEW**

- A. To assure that this written Lockout/Tagout Program is being followed and to determine if the program is meeting its objectives, the Lockout/Tagout Program will be reviewed at least annually.
- B. Management will review the written program and the completed annual program review documentation. Service Records sorted by service code "04" shall be used to audit this program. Changes will be made to increase the level of employee protection as required.

**XVIII. AFFECTED AREAS**

Lockout/Tagout procedures will generally be used but not limited to the following areas/equipment:

- A. Maintenance Shops – Public Works Department and Parks Department;
- B. Vehicle Shops – Public Works Department (including garage door openers);
- C. Pool Maintenance.

# RESPIRATORY PROTECTION PROGRAM

## I. PURPOSE

The purpose of this written program is to protect the health and safety of City of Menasha employees who work in environments with air contaminants including harmful particulates, fumes, fogs, mists, gases, smokes, sprays, or vapors. This respiratory protection program is to be in compliance with the OSHA Respiratory Protection Standard 29CFR1910.134 inclusive of all referenced appendices. The primary objection shall be utilizing effective engineering controls and administrative controls to prevent unsafe atmospheric work conditions. This program shall be utilized when air contaminants cannot otherwise be controlled.

## II. APPLICATION

This program applies to:

- A. All Department of Public Works and Parks Department Staff
- B. All Health Department staff as needed (nurses, sanitarian)
- C. Any other employee who in the course of their job may be exposed to unsafe air borne contaminants.

## III. AUTHORITY AND RESPONSIBILITY

The Menasha Health Department shall administer the Respiratory Protection Program for all affected City of Menasha Employees. Menasha Health Department Safety Coordinator is responsible for:

- A. Ensuring appropriate respiratory protection is provided to all employees whose job duties may involve work in environments containing unsafe air contaminants.
- B. Conducting and maintaining hazard assessment of job tasks which required the use of respiratory protection.
- C. Reviewing jobs/tasks not previously identified related to unsafe air contaminants and applying respiratory protection as needed.
- D. Maintain documentation of all employee training, respiratory protection and filter assignment and annual fit testing records.

### Immediate Supervisor(s) Responsibility

- A. Ensuring PPE is available to affected employees
- B. Maintaining supply of replacement respirator filters
- C. Ensure employees are using respiratory protection during job tasks which require use.
- D. Take appropriate disciplinary action for employees who do not wear respirators as needed.

### Employee Responsibility

- A. Inspection and maintenance of assigned respirator
- B. Wearing respiratory protection when performing applicable job tasks
- C. Participate in mandatory training and fit tests
- D. Notify supervisor when changes in job task requires respiratory protection or different respirator filters.

## **Voluntary Use of Respirators**

The voluntary use of respirators when not required by the City of Menasha must be controlled in the same manner as under required circumstances. The City of Menasha may provide respirators at the request of employees or permit employees to use their own respirators, if the Program Administrator determines that the use of a private respirator is adequate for the environment and does not create an additional hazard. Information from Appendix D shall apply to employees choosing to voluntarily wear respiratory protection. In addition, the City of Menasha must ensure that any employee using a respirator voluntarily is medically able to use the respirator, and that the respirator is cleaned, stored and maintained so that it does not pose a health hazard to the user. This does not apply to the use of non-tight fitting face masks (dust masks).

## **Employee Training**

Employee training shall be provided by the Menasha Health Department Safety Coordinator. Training shall be conducted annually during the fit test. Training topics shall include:

- A. Fit test utilizing OSHA approved method as outlined in Respirator standard
- B. Limitations and capabilities of the respirator assigned
- C. Engineering controls which should be used in conjunction with the respirators.
- D. Determining if respirator use is required.
- E. Proper cleaning of respirators
- F. Proper care
- G. Fit check procedures
- H. Determining when filters need to be changed
- I. Familiarization with filter chart to determine the appropriate filter for job task.
- J. Location of replacement filters
- K. General program requirements

## **Basic Respiratory Protection Safety Procedures**

- A. Only authorized and trained employees may use respirators. Those employees may only use the respirator that they have been trained on and properly fit tested to use.
- B. Only physically qualified employees may be trained and authorized to use respirators (mandatory or voluntary). A pre-authorization certification by a qualified physician will be required and maintained. Any changes in an employee's health must be evaluated by a qualified physician prior to continued use of respiratory protection. Consult with Menasha Health Department case by case to determine if supplemental physician assessment would be required.
- C. Only a properly prescribed respirator or SCBA may be used for the job or work environment. Air purifying respirators may be used in work environments with oxygen levels of 19.5-23.5% as measured by available 4 gas meter. Appropriate air-purifying filter, as determined by the manufacturer and approved by NIOSH, for known hazardous substance is used. SCBA will be used in all oxygen deficient and oxygen rich environments below 19.5 or greater than 23.5%.
- D. Employees working in environments where a sudden release of a hazardous substance is possible shall have an appropriate respirator immediately available (no more than 1 step away).

- E. All respirators shall be stored in a clean, convenient and sanitary environment in stable temperatures 40F-90F. Extremes in temperature may damage or deteriorate respirator parts.
- F. Management will establish and maintain surveillance of jobs and work place conditions and degree of employee exposures. Personal air monitoring for hazardous environments may be conducted as needed to define necessity for respirator use.
- G. Disciplinary action shall be taken with employees who do not utilize respiratory protection while doing mandatory wear tasks or are in unsafe environments. Initial disciplinary action shall be taken as deemed necessary by the immediate supervisor. Subsequent disciplinary action shall be referred to the Department Head and Personnel Department as necessary.

### **Selection of Respirators**

The City of Menasha has evaluated the respiratory hazard(s) in each workplace, identified relevant workplace and user factors and has based respirator selection on these factors. Estimates of employee exposure, contaminant state and form have been used to determine the appropriate respirator and filter type.

#### **Filter Classifications**

- A. N – series Non Oil resistant
- B. R- series Oil resistant
- C. P-series oil proof

All respirator filters shall be P-series unless specific circumstances require other series.

### **Respirators for IDLH environments**

City of Menasha Employees (with the exception of N-M Fire Dept.) shall not enter any environment which contains IDLH level air contaminants.

### **Respirators for use in non-IDLH environments**

The respirators/filters shall be adequate to protect the health of the employee and ensure compliance with all other OSHA requirements, under routine and reasonably foreseeable emergency situations. The respirator shall be appropriate for the chemical and physical state of the contaminant.

### **Identification of Filters and Cartridges**

All filters and cartridges shall be labeled and color-coded with the NIOSH approval label and that the label is not removed and remains legible. All filters and cartridges used by employees shall be approved by the Safety Coordinator.

### **Respirator Filter & Canister Replacement**

An important part of the respirator protection program includes identifying the useful life of canisters and filters used on air-purifying respirators. Canisters and filters shall be changed as follows:

- A. Prior to expiration date
- B. When resistance to breathing is noticed
- C. When any damage to filter is noted
- D. Per manufacturers recommendation

### **Respiratory Protection Program Medical Evaluations**

Records of medical evaluations must be retained and made available in accordance with 29 CFR 1910.1020.

### **Medical Evaluation Required**

Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used and the medical status of the employee. The City of Menasha provides a medical evaluation to determine the employee's ability to use a respirator before the employee is fit tested or required to use the respirator in the workplace.

### **Medical Evaluation Procedures**

The employee will be provided a medical questionnaire by the medical provider. Appendix A.

### **Follow-up Medical Examination**

The City of Menasha shall ensure that a follow-up medical examination is provided for an employee who gives a positive response to any question among questions in Part B of the questionnaire or whose initial medical examination demonstrates the need for a follow-up medical examination. The follow-up medical examination shall include any medical tests (mandatory pulmonary function), consultations or diagnostic procedures as deemed necessary by the physician to make a final determination.

### **Administration of Medical Questionnaire and Examinations**

The medical questionnaire and examinations shall be administered confidentially during the employee's normal working hours or at a time and place convenient to the employee. The medical questionnaire shall be administered in a manner that ensures that the employee understands its content. The City of Menasha shall provide the employee with an opportunity to discuss the questionnaire and examination results with the physician.

## **Supplemental Information for the Physician**

The physician must be provided with the following information before the physician can make a final determination concerning an employee's ability to use a respirator:

- A. The type and weight of the respirator
- B. Duration and frequency of respirator use
- C. Physical exertion involved in task requiring respirator
- D. Additional PPE which will be used at the same time
- E. Temperatures and humidity extremes
- F. Supplemental information as deemed necessary by the physician

The City of Menasha has provided the physician with a copy of the written program and a copy of OSHA Standard 1910.134.

## **Medical Determination**

In determining the employee's ability to use a respirator, the City of Menasha shall:

- A. Obtain a written clearance from a physician regarding the employee's ability to wear the respirator. Including the following:
  - 1. limitations on respirator use of any kind
  - 2. need for follow-up examinations including time frame
  - 3. A statement that the employee has been provided a copy of the physician's recommendations.
  - 4. If a medical condition is found which would put an employee at risk using a negative pressure respirator – an air supplying respirator shall be provided if the employee can safely wear one. Supplied air would include PAPR or SCBA.

## **Additional Medical Examinations**

At a minimum, the City of Menasha shall provide additional medical evaluations that comply with the requirements of this section if:

- B. An employee exhibits or reports signs or symptoms that are related to the ability to wear a respirator.
- C. A physician, supervisor or program administrator reports any condition which would indicate that an employee would need to be reevaluated.
- D. Information from the respiratory protection program including observations made during the fit test and program evaluation which would necessitate reevaluation.
- E. A change in task or workplace condition which may pose a substantial increase in the physiological burden placed on an employee.

## **Respirator Fit Testing**

Before an employee uses any respirator with a negative pressure or positive pressure tight fitting face piece, the employee must be fit tested with the respirator that they will use. The City of Menasha shall ensure that the employee is fit tested prior to initial use of the respirator, whenever a different respirator type is used (not filter), at least once annually and with any significant changes in employee weight or facial feature.

Employees with facial hair which will affect the seal of the respirator will not be fit tested.

The City of Menasha has established a record of the qualitative and quantitative fit tests administered to employees including:

- A. Employee's name
- B. Type of fit test
- C. Make model and size of respirator
- D. Date of test
- E. Results of the fit test including fit tester comments

### **Types of Fit Tests**

The fit test shall be administered using an OSHA approved QLFT or QNFT protocol. Protocols are contained in Appendix A of the OSHA Standard 1910.134.

### **Respirator Operation and Use**

Respirators will only be used following the respiratory protection safety procedures established in this program. The Operations and Use Manuals for each type of respirator will be maintained by the Program Administrator and be available to all qualified users.

Surveillance by the direct supervisor shall be maintained of work area conditions and degree of employee exposure or stress. When there is a change in work area conditions or degree of employee exposure or stress that may affect respirator effectiveness, the City of Menasha shall reevaluate the continued effectiveness of the respirator.

For continued protection of respirator users, the following general rules apply:

- A. Users shall not remove respirators while in a hazardous environment
- B. Respirators are to be stored in sealed containers out of hazardous atmospheres, temperature extremes and direct sunlight.
- C. Store away from heat and moisture
- D. Store so shape integrity of the respirator seals are not compromised
- E. Store respirator so the face piece is protected

### **Face Seal Protection**

The City of Menasha does not permit respirators with tight fitting face pieces to be worn by employees who have:

- A. Facial hair that comes between the sealing surface of the face piece and the face or that interferes with the valve function
- B. Any condition that interferes with the face-to-face piece or valve function.

### **Continuing Effectiveness of Respirators**

The City of Menasha shall ensure that employees leave the work area in the event of:

- A. If skin irritation is noted during use of the respirator
- B. If they detect vapor, odor or gas breakthrough, changes in breathing resistance, or leakage of the face piece.
- C. If canisters / filters need to be changed per manufacturer's time exposure recommendations.

The City of Menasha shall ensure that respirators are repaired, replaced, filters / cartridges are changed or other necessary corrections prior to allowing the employee to return to the work area.

### **Cleaning and Disinfecting Respirators**

The City of Menasha shall provide each respirator user with a respirator that is clean, sanitary and in good working condition.

- A. Respirators used exclusively by an employee shall be cleaned as necessary to maintain it in a sanitary condition.
- B. Emergency use respirators shall be cleaned following each use.

Standard cleaning of respirators should be done using soap and warm water.

### **Respirator Inspection**

All respirators / SCBA shall be inspected after each use and at least monthly. Should any defects be noted, the respirator / SCBA will be taken to the Program Administrator. Damaged respirators will be either repaired or taken out of service. Replacement of respirator will require that the employee be fit tested prior to using the new respirator.

Respirator inspections include the following:

- A. A check of respirator function, tightness of connections and the condition of various parts including, but not limited to, face piece, head straps, valves, diaphragms, connecting tubes and filters or cartridges.
- B. Check for any signs of deterioration
- C. SCBA shall be inspected monthly, including face piece, hose, regulator, alarm, gauges.

For Emergency Use Respirators the additional requirements apply:

- A. Certify the respirator by documenting the date the inspection was performed, the name (signature) of the person conducting the inspection, findings, remedial actions if necessary and serial number or other identifier of the respirator.
- B. Information should be on a tag on the respirator storage container. The information shall also be kept with the Program Administrator.

## Respirator Storage

Respirators are to be stored as follows:

- A. All respirators shall be stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excess moisture and damaging chemicals. They should be packed or stored in a way that protects the shape of the face piece.

Emergency Respirators shall be:

- A. Kept immediately accessible to the work area
- B. Stored in compartments or in covers that are clearly marked as containing emergency respirators; and
- C. Stored in accordance with any applicable manufacturer instructions.

## Repair of Respirators

Respirators that fail inspection or are otherwise found to be defective will be removed from service to be discarded, repaired or adjusted in accordance with the following procedures:

- A. Repairs are to be conducted by an individual appropriately trained to perform such operations and shall use only the respirator manufacturers NIOSH – approved parts designed for the respirator.
- B. Repairs shall be made according to the manufacturer's recommendations and specifications for the type and extent of repairs to be performed;
- C. Reducing and admission valves, regulators and alarms shall be adjusted or repaired only by the manufacturer or a technician trained by the manufacturer.

## Appendix B-1 User Seal Check Procedures (Mandatory)

The individual who uses a tight-fitting respirator is to perform a user seal check to ensure that an adequate seal is achieved each time the respirator is put on. The positive and negative fit checks shall be conducted immediately prior to entering a hazardous environment.

### Face Piece Positive and/or Negative Pressure Checks

- A. *Positive Pressure Check.* Close off the exhalation valve and exhale gently into the face piece. The face fit is considered satisfactory if a slight positive pressure can be built up inside the face piece without any evidence of outward leakage of air at the seal. For most respirators this method of leak testing requires the wearer to first remove the exhalation valve cover before closing off the exhalation valve and then carefully replacing it after the test.
- B. *Negative Pressure Check.* Close off the inlet opening of the canister or cartridge/filter by covering with the palm of the hands or by replacing the filter seal(s), inhale gently so that the face piece collapses slightly, and hold breath for 10 seconds. The design of the inlet opening of some cartridges/filters cannot be effectively covered with the palm of the hand. The test can be performed by covering the inlet opening of the cartridge/filter with a thin latex or nitrile glove. If the face piece remains in its slightly collapsed condition and no inward leakage of air is detected, the tightness of the respirator is considered satisfactory.

## **Manufacturer's Recommended User Seal Check Procedures**

The respirator manufacturer's recommended procedures for performing a user seal check may be used instead of the positive/negative pressure check procedures provided that the employer demonstrates that the manufacturer's procedures are equally effective.

## **Appendix B-2 Respiratory Cleaning Procedures (Mandatory)**

These procedures are provided for employee use when cleaning respirators. Consult with manufacturers recommendations for cleaning. The following are good general practices when cleaning and maintaining sanitary respirators.

### **Procedures for Cleaning Respirators**

- A. Remove filters, cartridges, or canisters. Disassemble face pieces by removing speaking diaphragms, demand and pressure-demand valve diaphragms.
- B. Wash components with warm water with a mild detergent. A stiff nylon bristle brush may be used to remove dirt. Do not use metal bristles.
- C. Rinse components with warm water to remove detergent.
- D. Optional – immerse components in a mild sanitizing solution for two minutes as follows – 1 milliliter of bleach into 1 liter of water (50ppm)
- E. Rinse components thoroughly in clean, warm water preferably running water. Drain. The importance of thorough rinsing cannot be overemphasized. Detergents and sanitizers that dry on face pieces may result in dermatitis. In addition, some disinfectants may cause deterioration of rubber or corrosion of metal parts if not completely removed.
- F. Components should be thoroughly hand dried.
- G. Reassemble respirator
- H. Test respirator to make sure all components work properly.

## **Appendix D – Information for Employees Using Respirators When Not Required Under the Standard (Non-mandatory) OSHA Standard 1910.134**

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use is encouraged, even when exposures are below the exposure limit, to provide an additional level of comfort and protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirators to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA Standards. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

- A. Read and heed all instructions provided by the manufacturer on use, maintenance, cleaning, care and warnings regarding the respirators limitations.
- B. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the US Department of Health and Human Services, certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.
- C. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designed to protect you against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors, or very small solid particles of fumes or smoke.
- D. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

*Note: The City of Menasha will provide respirators to all employees who can demonstrate a need even voluntary. Employees who choose to wear respirators shall be required to participate in medical assessment and fit testing.*

**Appendix A  
CITY OF MENASHA  
RESPIRATOR MEDICAL EVALUATION QUESTIONNAIRE**

Can you read

yes  No

Your supervisor must allow you to answer this questionnaire during normal working hours, or at a time and place that is convenient to you. To maintain your confidentiality, your supervisor must not look at or review your answers, and your supervisor/ Department Head must tell you how to deliver or send this questionnaire to the health care professional who will review it.

Part A. Section 1 (Mandatory) The following information must be provided by every employee who has selected to use any type of respirator (please print):

<b>Today's Date</b>		
<b>Your name</b>		
<b>Your age</b>		
<b>Sex</b>	<input type="checkbox"/> Male	<input type="checkbox"/> Female
<b>Your height</b>	Ft.	In.
<b>Your weight</b>	Lbs.	
<b>Job Title</b>		
<b>Phone # (home)</b>	(       )	
<b>Best time to reach at phone #</b>		
<b>Have you been informed how to contact health care provider regarding this questionnaire?</b>	<input type="checkbox"/> yes <input type="checkbox"/> no	
<b>Check respirator type</b>	<input type="checkbox"/> N,R,P disposable respirator	<input type="checkbox"/> half or full face negative pressure
<b>Prior respirator use</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If yes what type of respirator:</b>		

Part A Section 2. (Mandatory) Questions 1 through 9 below must be answered by every employee who has been selected to use any type of respirator (please x yes or no).

<b>1. Do you smoke tobacco or have you in the last month</b>	<input type="checkbox"/> yes	<input type="checkbox"/> No
<b>2. Have you ever had any of the following conditions?</b>		
Seizures (fits)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Diabetes (sugar disease)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Allergic Reactions that interfere with breathing	<input type="checkbox"/> yes	<input type="checkbox"/> No
Claustrophobia (fear of closed places)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Trouble smelling odors	<input type="checkbox"/> yes	<input type="checkbox"/> No

3. Have you ever had any of the following pulmonary or lung problems?		
Asbestosis	<input type="checkbox"/> yes	<input type="checkbox"/> No
Asthma	<input type="checkbox"/> yes	<input type="checkbox"/> No
Chronic Bronchitis	<input type="checkbox"/> yes	<input type="checkbox"/> No
Emphysema	<input type="checkbox"/> yes	<input type="checkbox"/> No
Pneumonia	<input type="checkbox"/> yes	<input type="checkbox"/> No
Tuberculosis	<input type="checkbox"/> yes	<input type="checkbox"/> No
Silicosis	<input type="checkbox"/> yes	<input type="checkbox"/> No
Pneumothorax	<input type="checkbox"/> yes	<input type="checkbox"/> No
Lung Cancer	<input type="checkbox"/> yes	<input type="checkbox"/> No
Broken Ribs	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any chest injuries or surgeries	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other lung problem you have been told about	<input type="checkbox"/> yes	<input type="checkbox"/> No

4. Do you currently have any of the following symptoms of pulmonary or lung illness?		
Shortness of breath	<input type="checkbox"/> yes	<input type="checkbox"/> No
Shortness of breath walking level or slightly inclined	<input type="checkbox"/> yes	<input type="checkbox"/> No
Shortness of breath when walking on level ground at an ordinary pace.	<input type="checkbox"/> yes	<input type="checkbox"/> No
Have to stop for breath when walking on level ground at normal pace.	<input type="checkbox"/> yes	<input type="checkbox"/> No
Shortness of breath when washing or dressing yourself	<input type="checkbox"/> yes	<input type="checkbox"/> No
Shortness of breath that interferes with your job	<input type="checkbox"/> yes	<input type="checkbox"/> No
Coughing that produces phlegm	<input type="checkbox"/> yes	<input type="checkbox"/> No
Coughing that wakes you early in the morning	<input type="checkbox"/> yes	<input type="checkbox"/> No
Coughing which occurs mainly when lying down	<input type="checkbox"/> yes	<input type="checkbox"/> No
Coughing up blood in the last month	<input type="checkbox"/> yes	<input type="checkbox"/> No
Wheezing	<input type="checkbox"/> yes	<input type="checkbox"/> No
Wheezing that interferes with your job	<input type="checkbox"/> yes	<input type="checkbox"/> No
Chest pain when you breathe deeply	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other symptoms that you think may be related to lung problems	<input type="checkbox"/> yes	<input type="checkbox"/> No

5. Have you ever had any of the following cardiovascular or heart problems?		
Heart attack	<input type="checkbox"/> yes	<input type="checkbox"/> No
Stroke	<input type="checkbox"/> yes	<input type="checkbox"/> No
Angina	<input type="checkbox"/> yes	<input type="checkbox"/> No
Heart failure	<input type="checkbox"/> yes	<input type="checkbox"/> No
Swelling in your legs or feet (not from walking)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Heart arrhythmia (irregular heart beat)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Chest pain when you breathe deeply	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other heart problem that you have been told about	<input type="checkbox"/> yes	<input type="checkbox"/> No

6. Have you ever had any of the following cardiovascular or heart symptoms?		
Frequent pain or tightness in your chest	<input type="checkbox"/> yes	<input type="checkbox"/> No
Pain or tightness in your chest during physical activity	<input type="checkbox"/> yes	<input type="checkbox"/> No
Pain or tightness in your chest that interferes with your job	<input type="checkbox"/> yes	<input type="checkbox"/> No
In the past 2 years have you noticed your heart skip a beat	<input type="checkbox"/> yes	<input type="checkbox"/> No
Heartburn or indigestion that is not related to eating	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other symptoms that you think may be related to heart or circulation problems	<input type="checkbox"/> yes	<input type="checkbox"/> No

7. Do you currently take medication for any of the following problems?		
Breathing or lung problems	<input type="checkbox"/> yes	<input type="checkbox"/> No
Heart trouble	<input type="checkbox"/> yes	<input type="checkbox"/> No
Blood pressure	<input type="checkbox"/> yes	<input type="checkbox"/> No
Seizures	<input type="checkbox"/> yes	<input type="checkbox"/> No

**8. If you've used a respirator, have you ever had any of the following problems? (If you've never used a respirator, check the following space and go to the next section).**

Eye irritation	<input type="checkbox"/> yes	<input type="checkbox"/> No
Skin allergies or rashes	<input type="checkbox"/> yes	<input type="checkbox"/> No
Anxiety	<input type="checkbox"/> yes	<input type="checkbox"/> No
General weakness or fatigue	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other problem that interferes with your use of a respirator	<input type="checkbox"/> yes	<input type="checkbox"/> No

9. Would you like to talk to the health care professional who will review this questionnaire about your answers to this questionnaire?  yes  No

Questions 10-15 below must be answered by every employee who has been selected to use either a full-face piece respirator or a self-contained breathing apparatus (SCBA). For employees who have been selected to use other types of respirators, answering these questions is voluntary.

10. Have you ever lost vision in either eye (temporarily or permanently)  yes  No

<b>11. Do you currently have any of the following vision problems?</b>		
Wear contact lenses	<input type="checkbox"/> yes	<input type="checkbox"/> No
Wear glasses	<input type="checkbox"/> yes	<input type="checkbox"/> No
Color blind	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other eye or vision problem	<input type="checkbox"/> yes	<input type="checkbox"/> No

12. Have you ever had an injury to your ears, including a broken ear drum?  yes  No

<b>13. Do you currently have any of the following hearing problems?</b>		
Difficulty hearing	<input type="checkbox"/> yes	<input type="checkbox"/> No
Wear a hearing aid	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other hearing or ear problem	<input type="checkbox"/> yes	<input type="checkbox"/> No

14. Have you ever had a back injury?  yes  No

<b>15. Do you currently have any of the following musculoskeletal problems?</b>		
Weakness in any of your hands, arms, legs or feet	<input type="checkbox"/> yes	<input type="checkbox"/> No
Back pain	<input type="checkbox"/> yes	<input type="checkbox"/> No
Difficulty fully moving your arms and legs	<input type="checkbox"/> yes	<input type="checkbox"/> No
Pain or stiffness when you lean forward or backward at the waist	<input type="checkbox"/> yes	<input type="checkbox"/> No
Difficulty moving your head up or down	<input type="checkbox"/> yes	<input type="checkbox"/> No
Difficulty bending at your knees	<input type="checkbox"/> yes	<input type="checkbox"/> No
Difficulty squatting to the ground	<input type="checkbox"/> yes	<input type="checkbox"/> No
Climbing a flight of stairs or a ladder carrying more than 25 lbs	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other musculoskeletal problem that interferes with you using a respirator.	<input type="checkbox"/> yes	<input type="checkbox"/> No

**Part B** Any of these questions, and any other questions not listed, may be added to the questionnaire at the discretion of the health care professional who will review the questionnaire.

1. In your present job, are you working at high altitudes (over 5000 feet) or in a place that has lower than normal amounts of oxygen?  
 yes  No

If "yes" do you have feelings of dizziness, shortness of breath, pounding in your chest, or other symptoms when you are working under these conditions?

yes  No

2. At work or at home, have you ever been exposed to hazardous solvents, hazardous airborne chemicals (gases, fumes or dusts), or have you come in skin contact with hazardous chemicals

yes  No

If "yes" name the chemicals if you know them

3. Have you ever worked with any of the materials, or under any of the conditions, listed below		
Asbestos	<input type="checkbox"/> yes	<input type="checkbox"/> No
Silica	<input type="checkbox"/> yes	<input type="checkbox"/> No
Tungsten/cobalt	<input type="checkbox"/> yes	<input type="checkbox"/> No
Beryllium	<input type="checkbox"/> yes	<input type="checkbox"/> No
Aluminum	<input type="checkbox"/> yes	<input type="checkbox"/> No
Coal	<input type="checkbox"/> yes	<input type="checkbox"/> No
Iron	<input type="checkbox"/> yes	<input type="checkbox"/> No
Tin	<input type="checkbox"/> yes	<input type="checkbox"/> No
Dusty environments	<input type="checkbox"/> yes	<input type="checkbox"/> No
Any other hazardous environments	<input type="checkbox"/> yes	<input type="checkbox"/> No

If "yes" describe these exposures:

---



---

4. List any second jobs or side businesses you have:

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5. List your previous occupations:

---

6. List your current and previous hobbies:

---

7. Have you ever been in the military services?  yes  No

8. Have you ever worked on a HAZ MAT team?  yes  No

9. Other than medications for breathing and lung problems, heart trouble, blood pressure, and seizures mentioned earlier in this questionnaire, are you taking any other medications for any reason (including over-the-counter medications)

yes  No

If "yes", name the medications if you know them:

---

10. Will you be using any of the following items with your respirator(s)?		
HEPA Filters	<input type="checkbox"/> yes	<input type="checkbox"/> No
Canisters (for example gas masks)	<input type="checkbox"/> yes	<input type="checkbox"/> No
Cartridges	<input type="checkbox"/> yes	<input type="checkbox"/> No

11. How often are you expected to use the respirator(s) (circle "yes" or "no" for all answers that apply to you)

Escape only (no rescue)  yes  No

Emergency rescue only	<input type="checkbox"/> yes	<input type="checkbox"/> No
Less than 5 hours per week	<input type="checkbox"/> yes	<input type="checkbox"/> No
Less than 2 hours per day	<input type="checkbox"/> yes	<input type="checkbox"/> No
2 to 4 hours per day	<input type="checkbox"/> yes	<input type="checkbox"/> No
Over 4 hours per day	<input type="checkbox"/> yes	<input type="checkbox"/> No

12. During the period you are using the respirator(s), is your work effort:  
 a. Light (less than 200 kcal per hour)  yes  No

If "yes" how long does this period last during the average shift:  
 \_\_\_\_\_ hrs \_\_\_\_\_ mins

Examples of light work effort are sitting while writing, typing, drafting or performing light assembly work; or standing while operating a drill press (1-3 lbs.) or controlling machines.  
 b. Moderate (200 to 350 kcal per hour): Yes/No

If "yes," how long does this period last during the average shift: \_\_\_\_\_ hrs. \_\_\_\_\_ mins.

Examples of moderate work efforts are sitting while nailing or filing; driving a truck or bus in urban traffic; standing while drilling, nailing, performing assembly work, or transferring a moderate load (about 35 lbs.) at trunk level; waling on a level surface about 2 mph or down a 5-degree grade about 3 mph; or pushing a wheelbarrow with a heavy load (about 100 lbs.) on a level surface.

3. Heavy (above 350 kcal per hour): Yes/No

If "yes," how long does this period last during the average Shift: \_\_\_\_\_ hrs. \_\_\_\_\_ min.

Examples of heavy work are lifting a heavy load (about 50 lbs.) from the floor to your waist or shoulder; working on a loading dock; shoveling; standing while bricklaying or chipping castings; walking up an 8-degree grade about 2 mph; climbing stairs with a heavy load (about 50 lbs.).

13. Will you be wearing protective clothing and/or equipment (other than the respirator) when you're using your respirator; Yes/No

If "yes," describe this protective clothing and/or equipment;

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14. Will you be working under hot conditions (temperature exceeding 77 deg. F): Yes/No

15. Will you be working under humid conditions; Yes/No

16. Describe the work you'll be doing while you're using your respirator(s):

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17. Describe any special or hazardous conditions you might encounter when you're using your respirator(s) (for example, confined spaces, life-threatening gases):

18. Provide the following information, if you know it, for each toxic substance that you'll be exposed to when you're using your respirator(s):

Name of the first toxic substance: \_\_\_\_\_

Estimated maximum exposure level per shift: \_\_\_\_\_

Duration of exposure per shift: \_\_\_\_\_

Name of the second toxic substance: \_\_\_\_\_

Estimated maximum exposure level per shift: \_\_\_\_\_

Duration of exposure per shift: \_\_\_\_\_

Name of the third toxic substance: \_\_\_\_\_

Estimated maximum exposure level per shift: \_\_\_\_\_

Duration of exposure per shift: \_\_\_\_\_

The name of any other toxic substances that you'll be exposed to while using your respirator:

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19. Describe any special responsibilities you'll have while using your respirator(s) that may affect the safety and well-being of others (for example, rescue, and security):

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# CITY OF MENASHA

## Personnel Policy Handbook

Effective October 20, 1992

Revised November 1, 1993

Revised October 16, 1995 to be effective January 1, 1996

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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE</b>	
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: <b>Anti-Harassment</b>	
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:	

## 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 6<sup>th</sup> 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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: Code of Conduct</b>	
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 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 ~~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.~~

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: DRUG FREE WORK PLACE</b>	
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:	
Reviewed by Attorney's Office	Personnel Committee Approval Date:	Council Approval Date:	

### 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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: Electronic Communications &amp; Information Technology Policy</b>	
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 the 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 administrator. 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 confidentiality 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 record. (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 properly 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 or 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 an 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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: EMPLOYEE ASSISTANCE PROGRAM</b>	
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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: Environmental Procurement Policies</b>	
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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, recycled, 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. RESPONSIBILITIES 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.

<b>CITY OF MENASHA POLICY</b>		<b>TITLE: Social Network Policy</b>	
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 PRESERVATION**

- 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 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 within 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;~~
- ba. The employee left the scene to obtain necessary medical care (for himself, herself, or others); or,
- eb. 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 mental 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 test 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

S:\HR\_secure\FORMS and policies\Policies\Alcohol and Controlled Substance Testing Procedure.docx

#### **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.

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

- 1.800.622.2255  
and Drug Dependence Hopeline
- National Institute on Alcohol Abuse and Alcoholism www.niaaa.nih.gov
- Workplace Helpline workplace.samhsa.gov  
1.800.WORKPLACE

**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
<ul style="list-style-type: none"> <li>-Use to relieve tension</li> <li>-Tolerance increases</li> <li>-Don't feel like yourself</li> <li>-Have memory blackouts</li> <li>-Lie about use</li> </ul> <p><b>Visible signs</b> <i>General behavior:</i></p> <ul style="list-style-type: none"> <li>-Overreact to real or imagined criticism</li> <li>-Complain of not feeling well</li> <li>-Lie about use</li> <li>-Family and coworkers complain about you</li> </ul> <p><i>Job performance:</i></p> <ul style="list-style-type: none"> <li>-Miss deadlines</li> <li>-Arrive late</li> <li>-Leave job early</li> <li>-Often absent from work</li> <li>-Make mistakes because of inattention or poor judgment</li> <li>-Experience decreased efficiency</li> </ul>	<ul style="list-style-type: none"> <li>-Sneak drinks or drugs</li> <li>-Feel guilty about using the substance</li> <li>-Experience tremors when not using</li> <li>-Experience general loss of interest</li> </ul> <p><b>Visible signs</b> <i>General behavior:</i></p> <ul style="list-style-type: none"> <li>-Family, coworkers, supervisors, friends not able to depend on your word</li> <li>-Begin to avoid associates - Borrow money from coworkers</li> <li>-Exaggerate work accomplishments</li> <li>-Need to go to hospital more than average</li> <li>-Have repeated minor injuries on and off the job</li> <li>-Feel unreasonable resentment</li> </ul> <p><i>Job performance:</i></p> <ul style="list-style-type: none"> <li>-Take frequent days off for vague ailments</li> <li>-Work deteriorates</li> <li>-Experience irregular work pace</li> <li>-Find it difficult to concentrate</li> </ul>	<ul style="list-style-type: none"> <li>-Avoid discussion of problems</li> <li>-Fail in efforts at control</li> <li>-Experience a lack of appetite</li> <li>-Prefer to use alone</li> </ul> <p><b>Visible signs</b> <i>General behavior:</i></p> <ul style="list-style-type: none"> <li>-With some substances, such as alcohol, can become grandiose, aggressive, or belligerent</li> <li>-Relationship issues interfere with work</li> <li>-Have an apparent loss of ethical values</li> <li>-Experience loss of money</li> <li>-Hospitalization increases</li> <li>-Have trouble with the law</li> </ul> <p><i>Job performance:</i></p> <ul style="list-style-type: none"> <li>-Perform below expected level</li> <li>-Take frequent time off, sometimes for several days</li> <li>-Fail to return from lunch</li> </ul>	<ul style="list-style-type: none"> <li>-Believe that other activities interfere with drinking or other substance use</li> </ul> <p><b>Visible signs</b> <i>General behavior:</i></p> <ul style="list-style-type: none"> <li>-Use on the job</li> <li>-Become totally dependable. -Have repeated hospitalizations. - Show visible physical deterioration</li> <li>-Financial problems worsen</li> <li>-Have serious family problems or divorce</li> </ul> <p><i>Job performance:</i></p> <ul style="list-style-type: none"> <li>-Have prolonged and unpredictable absences</li> <li>-Work is very uneven</li> <li>-Become generally incompetent</li> </ul>

[http://www.workplace.samhsa.gov/WPWorkit/pdf/effects\\_of\\_alcohol\\_and%20other\\_drugs\\_on\\_job\\_fs.pdf](http://www.workplace.samhsa.gov/WPWorkit/pdf/effects_of_alcohol_and%20other_drugs_on_job_fs.pdf)



To: Members of the Common Council

From: Police Chief Tim Styka 

Date: March 12, 2012

RE: Police Organizational Structure Change

In a review of the organizational structure of the Police Department, we have identified an opportunity to provide services in a more efficient and effective manner. The current organizational structure was established through the 1990's and did serve us well. However, as the issues we deal with have become more complex and job responsibilities have changed, we also need to adapt.

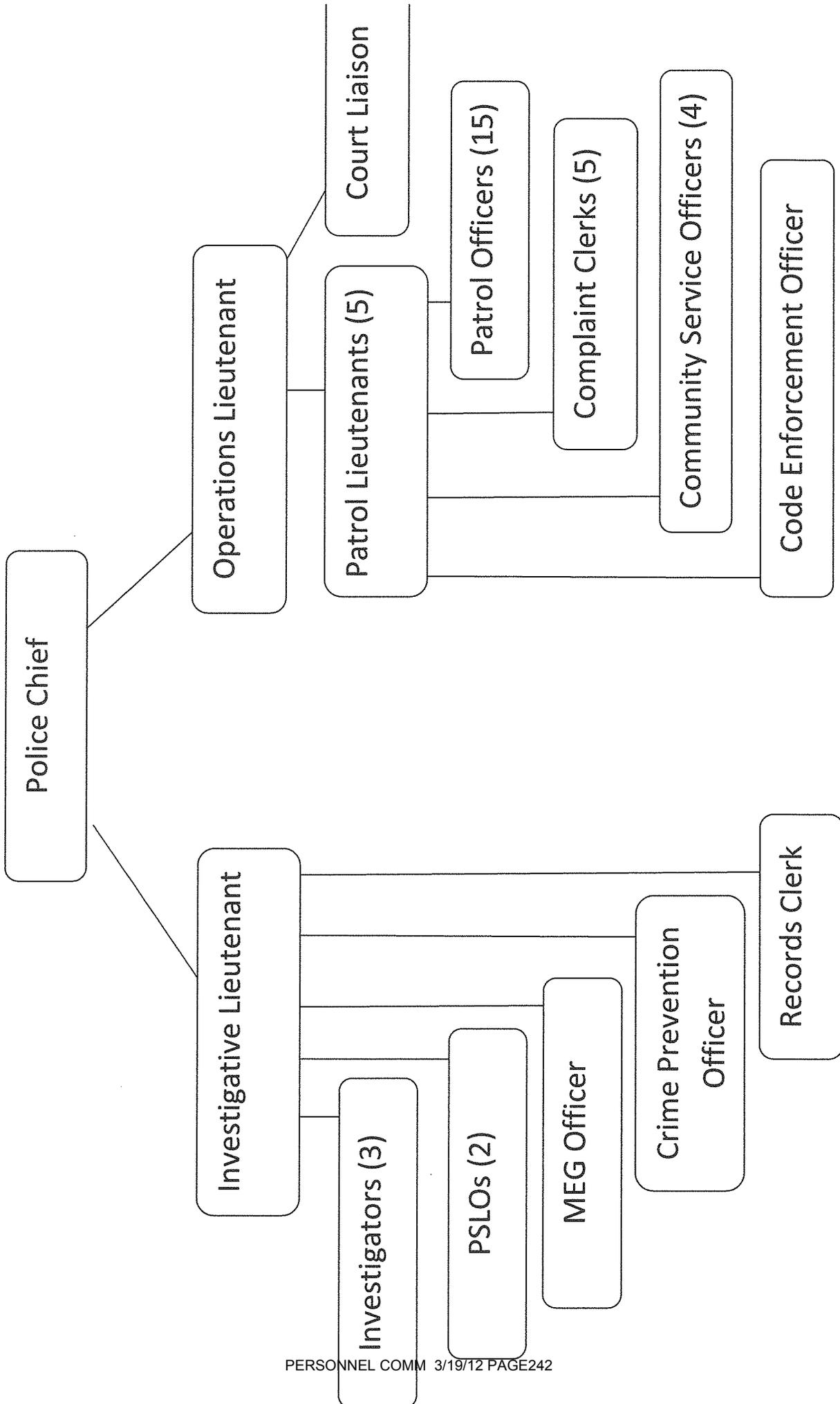
I have attached copies of the current and future organizational charts for the Police Department. While there are a number of reasons for this change, the most important one is the lack of a clearly designated person in charge in my absence. This has been identified as a weakness which needs to be addressed. The solution to this problem is the creation of an Operations Captain position, which will replace the positional formally known as the Operations Lieutenant.

The structural changes have been discussed and approved by the Police Commission on a conceptual basis. However, the removal of the Operations Lieutenant position and creation of an Operations Captain does require the approval of the Common Council. In my discussions with the City Attorney, we would recommend this position be placed at pay grade level 8. There will be no effect on the 2012 budget. In fact this position will be at a lower rate than of Lt. Michael Brunn, who retired at the beginning of this year.

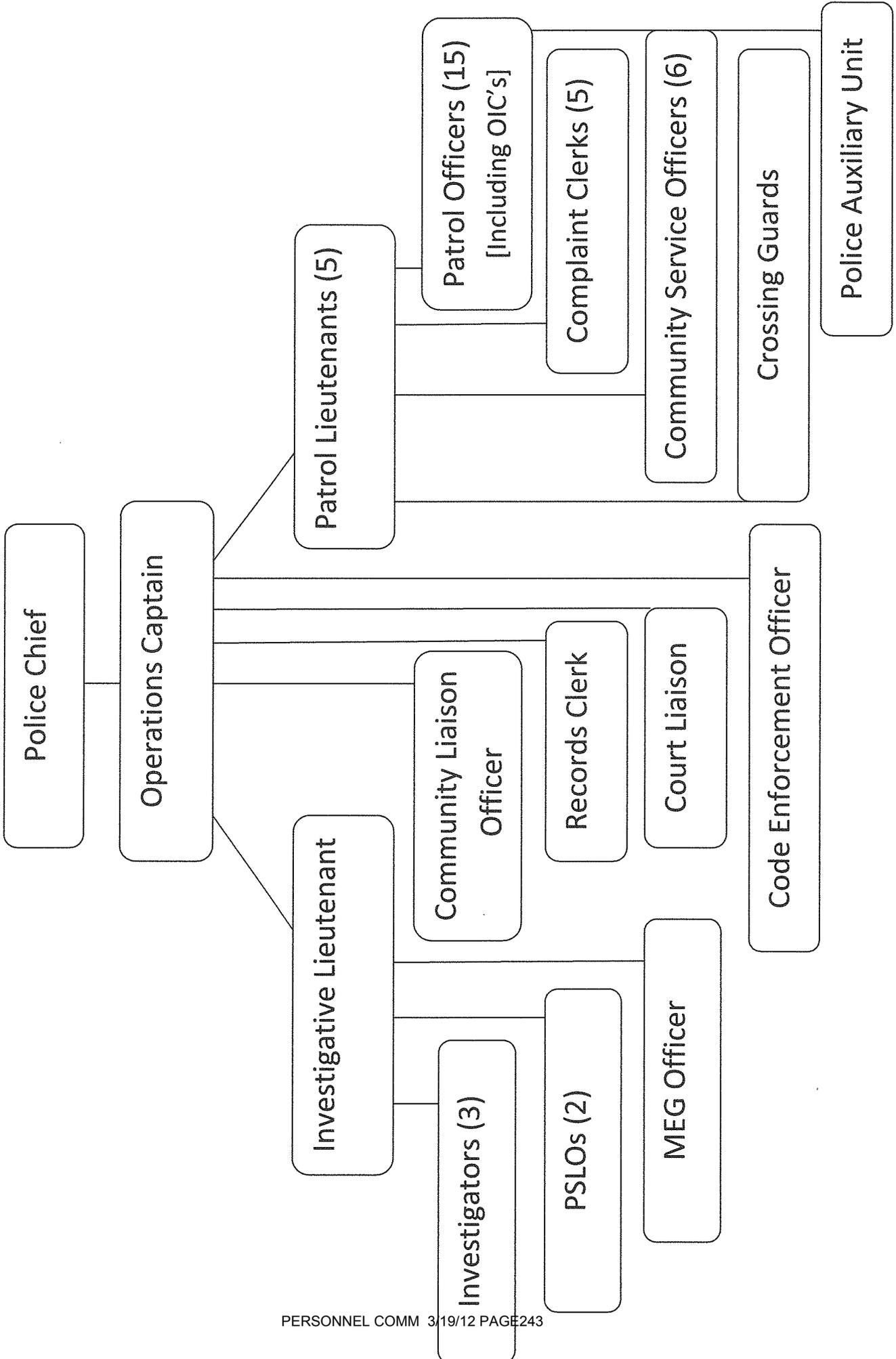
In summary, I am requesting that the Council take action to remove the position of Operations Lieutenant and authorize the creation of the new position of Operations Captain at pay grade level 8.

Thank you in advance for your support in making this important change. If you have any questions, please feel free to contact me.

# Current Organizational Chart



# Proposed Organizational Chart 2012





## MEMORANDUM

Date: March 15, 2012

To: Personnel Committee

From: Pamela A. Captain, City Attorney/HR Director  
*PA*

RE: Police Union Contract (Local 603) & Educational Incentive Program

As a result of a combination of the settlement of the Police Union contract and the resignation of the Human Resources Specialist, I, along with other city staff set up new payroll parameters. For example, on each payroll check we have added a line item identifying the amount of which is paid by each police officer towards WRS (1.9% gross income). We also added a line item on each payroll check identifying the educational incentive amount paid to those officers who hold college degrees.

According to ARTICLE IV – WAGES AND WAGE BENEFIT, paragraph H: “Any such officer who receives or holds a degree from an accredited college or university and presents such certification to the Chief of Police and has attained Step IV shall receive the following monthly compensation not to be pyramided:

Bachelors Degree	\$100.00
Masters Degree	\$125.00
Doctorate	\$150.00

The Union president brought to my attention that certain officers who had Associates Degrees had been receiving \$75.00 per month extra compensation. He asked why these payments were being stopped. I responded that I was following the contract language and that if additional compensation had been paid in the past that it was a mistake and should not have been paid since it was not in the union contract.

A historical review of past contracts shows language indicating that \$75.00 per month had been paid as extra compensation to officers who had associate degrees/credits. In the early 1990's contract language changes began, reflective of the change in the law that mandated educational requirements for law enforcement personnel. The January 1, 1995 – December 31, 1997 contract contained language providing for \$75.00 per month extra compensation to officers with an associates degree or equivalent college credits. That provision was dropped beginning with the January 1, 1998 – December 31, 2000 union contract. That language has not been in the contract since 2000.

The Union is requesting that such payments continue to those officers who were receiving the \$75.00 per month extra compensation. This will apply to 3 officers.

care coverage and otherwise meets the eligibility requirements of the plan.

H. Life Insurance

Police officers shall be entitled to subscribe to, or to continue to participate in, the State Group Life Insurance Program provided by the City and in accordance with the provisions of that program. The City shall continue to pay the City's share of the premiums for such life insurance.

I. Educational Incentive Program

1. When it has been certified that a police officer employed after January 1, 1976 has received credits for Police Science courses his/her monthly compensation shall be increased according to the following schedule:

a. Each employee's compensation shall be increased \$5 per month for each three (3) credits earned up to \$50 for 30 credits.

b. The monthly maximum amounts listed below shall be paid to officers for attaining these described degrees:

Associate Degree .....	\$ 75.00
Bachelors Degree .....	\$100.00
Masters Degree .....	\$125.00
Doctorate Degree .....	\$150.00

c. Any employee who earns in excess of 30 credits shall receive an increase in compensation only upon reaching the 65 credits required in sub-section b above.

d. No payment shall be paid for school credits while an employee is a probationary employee.

2. When it has been certified that a police officer employed prior to January 1, 1976 has received credits for police science courses, his/her monthly compensation shall be increased \$5 per month for each three (3) credits earned up to a maximum of 69 credits. Sixty-five (65) of those credits must be earned in accordance with the requirements for the Associate's Degree in police science, or Bachelor's Degree in criminal justice.

The following credits will be allowed for those having qualified on or before December 31, 1982 up to a maximum of four (4):

a. Advanced first aid certification 1 credit

# Local 603 Union Contract Jan. 1, 1995 - Dec 31, 1997

- b. Latent fingerprinting school  
taught by the FBI 1 credit
- c. Police management course 1 credit

Subsequent credits will be allowed as follows with limitations as stated:

- a. Breathalyzer Technician:  
one maximum 3 credits
- b. Polygraph Operator:  
one maximum 3 credits
- c. Certified Scuba Diver:  
three maximum 3 credits
- d. Emergency Medical Technician:  
Credits in this category will be applicable only to  
and when a total of five (5) such technicians are  
qualified and available for scheduling.
- e. Breathalyzer certification 1 credit
- f. Arson Investigation 3 credits

All employees hired prior to January 1, 1976 who have attained more than 69 credits shall receive as maximum payment the compensation received for credits earned prior to January 1, 1976 at a rate of \$5 per month for each three (3) credits earned.

3. It is understood that credits referred to herein are the credits taken at any Education Institution approved by the Police Chief, applying toward an Associate's Degree in Police Science, or a Bachelor's Degree in Criminal Justice, at a university or college approved by the Police Chief.
4. In order to receive payment for school credits applying toward the Associate's Degree but earned prior to employment by the Menasha Police Department, at least 25% of such credits must be in courses relating directly to law enforcement as determined by the Police Chief. Payment for credits applying toward and including an Associate Degree will only apply to officers hired prior to commencement of Wisconsin mandated educational requirements for law enforcement personnel.
5. A monthly remuneration for those credits shall commence on the February 1 or August 1 next following certification. Certification shall be by the Chief and Mayor to the City Clerk.

# Local 603 Union Contract Jan. 1, 1998 - Dec 31, 2000

## H. Life Insurance

Police officers shall be entitled to subscribe to, or to continue to participate in, the State Group Life Insurance Program provided by the City and in accordance with the provisions of that program. The City shall continue to pay the City's share of the premiums for such life insurance.

## I. Educational Incentive Program

Any such officer who receives or holds a degree from an accredited college or university and presents such certification to the Chief of Police and has attained Step IV shall receive the following monthly compensation not to be pyramided:

Bachelors Degree	\$100.00
Masters Degree	\$125.00
Doctorate	\$150.00

## J. Retirement

1. Aside from contributing the employer's contribution to the Wisconsin Retirement System, the City shall also pay up to 7% of each eligible employee's gross compensation to offset the employee's contribution to the fund.

## K. Section 125 Plan

Install a Section 125 Plan and allow employees to participate as soon as administratively possible upon settlement of this Agreement. At least 25% of the bargaining unit employees must agree to participate for the plan to be offered. The Section 125 Plan will be offered so long as the Internal Revenue Service offers this tax break.

## ARTICLE V - WORKING CONDITIONS

### A. Work Hours

1. The normal work day shall consist of an eight-hour, twenty-minute shift for shift work officers. The normal work day shall consist of eight hours for non-shift working officers.
2. The work week will provide a work schedule no less than five working days, two days off, five working days, three days off, five working days, three days off, on a repeating cycle.
3. Officers assigned to various investigative assignments as described in Article IV who normally work a Monday through Friday work schedule, will receive one (1) kelly day every four weeks.