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City of Milwaukee – Department of Public Works
Standard Work Rules – Reissued November 2020 ✓

1.26 Ethical Standards

All employees are expected to adhere to the City of Milwaukee Chapter 303 Code of Ethics. Employment by the City carries with it a responsibility to be constantly aware of the importance of ethical conduct. You must refrain from taking part in or exerting influence in any transaction in which your interests may conflict with the best interests of the City.

Gifts and Gratuities

Employees shall not accept gifts or gratuities in any form including money, merchandise, food or beverages from individuals or companies with whom the City does business. The acceptance of such gifts is unprofessional and can place employees in a compromising position that is not in the best interest of the City (City Service Rule XIV, Section 12, Letter N). In addition, employees shall not take any fee, gift or other valuables in connection with performing their job duties when such gratuity is given in expectation of receiving preferential treatment.

City Property

Employees shall not use any City-owned property or equipment for private purposes.

Theft

Theft of City property or services with intent to deprive the City of the property or services permanently, theft of currency of any value, felonious conduct connected with an employee's employment with the City, or intentional or negligent conduct by an employee that causes substantial damage to City property. Claims of pay for time not worked can be considered theft. Use of City property for personal reasons can be considered theft. This includes converting to personal use any material that may be discarded or sold by the City as salvage material. Private property taken without authorization will also be considered as theft regardless of the value of the property taken.

Vandalism

Intentionally causing damage to or being reckless and displaying irresponsibility to the care of City property is unacceptable.

Junking – The removal or arranging to remove at another time of any material for personal use, gain or profit is prohibited. Searching through discarded material is also prohibited.

1.27 Alcohol and Controlled Substances

DPW employees shall not report to work "under the influence" of or "impaired" by alcoholic beverages or controlled substances of any kind. DPW employees shall not drink alcoholic beverages or take non-prescribed controlled substances during work hours. Being "under the influence" or "impaired" by prescribed medications is also prohibited.

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All employees are subject to "Reasonable Suspicion" testing protocol as it relates to impairment.

"Under the influence" is defined as any diminished ability to work, drive, or operate machinery/equipment in a safe, efficient and effective manner due to the use of any substance.

DPW employees who drive City vehicles or operate power equipment are prohibited from drinking alcoholic beverages or using non-prescribed controlled substances during working hours, including any lunch period or break, paid or unpaid.

The possession of alcoholic beverages or non-prescribed controlled substances in City vehicles or at the work site is prohibited.

* The first violation of this rule will result in a ten day suspension and a formal referral to the City's Employee Assistance Program.

* The second violation of this rule will result in discharge.

NOTE: There may be some extraordinary circumstances where a first violation would result in discharge (including but not limited to, possessing and selling controlled substances). The consequences for testing positive for the presence of drugs or alcohol shall be consistent with Title 49, Code of Federal Regulations, Part 382. The threshold for positive alcohol BAC without objective evidence of intoxication is .04% BAC (Random Testing for CDL holders). Reasonable Suspicion Testing (CDL and Non-CDL holders): .02-.039, 1-day suspension, .04 and above 10-day suspension. The testing result uniformity between the CDL and Non-CDL policies does not negate the prohibition against consuming or possessing prohibited substances while at work.

This rule reflects the department's concern for a safe work place and a productive work force and has been in place since December 9, 1983.

It is each employee's responsibility to comply with this work rule. If assistance in dealing with use of substances that impact your ability to work is required employees may contact the Employee Assistance Coordinator at (414) 286-3145.

NOTE: This document is intended as a "guideline" as to how the Non CDL Drug Testing policy will be administered. It is acknowledged that many cases will be unique as to employees, facts, documentation and timeframes, etc. Therefore, management reserves the right to make decisions that may deviate from these guidelines as necessary on a case-by-case basis. In addition, management reserves the right to make changes to these guidelines as needed. Every attempt will be made to notify employees in advance of any changes to these guidelines.

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