

**INTRODUCTION:
ADMINISTRATIVE Rules and PROCEDURES
OF THE
STEVENS POINT POLICE AND FIRE COMMISSION**

The Stevens Point Police and Fire Commission (“PFC”) exists pursuant to Wis. Stats. § 62.13 and provides oversight of the Stevens Point Police Department (“SPPD”) and Stevens Point Fire Department (“SPFD”). The PFC has created these Rules and Administrative Procedures (“PFC Rules”) pursuant to the authority granted to it under Wisconsin Law and Chapter 3 of the Stevens Point Revised Municipal Code. Additionally, the PFC is an “optional powers” commission as identified under Wis. Stats. § 62.13(6). Under that statute, the PFC has the additional authority to do the following:

- To organize and supervise the fire and police, or combined protective services, departments and to prescribe rules and regulations for their control and management.
- To contract for and purchase all necessary apparatus and supplies for the use of the departments under their supervision, exclusive of the erection and control of the police station, fire station, and combined protective services station buildings.
- To audit all bills, claims and expenses of the fire, police, and combined protective services departments before the same are paid by the city treasurer.

The Stevens Point Common Council (“Common Council”) has enacted administrative policies (“City Administrative Policies”) which generally apply to city employees. Those policies relate to employee benefits, fair employment practices, personnel selection and other personnel procedures.

Certain City Administrative Policies regarding personnel selection and hiring, related personnel matters, may not apply to protective service employees because personnel recruitment and selection are the responsibility of the Police and Fire Commission (Commission) under ss. 62.13 Wis. Stats. Suspension, reduction in rank, dismissal, layoffs and recalls are governed by statute and case law.

The Fire and Police Chiefs have statutory authority to operate their departments. Department directives and standard operating procedures are established by the Chiefs.

When a Chief finds that a department policy is impeding the efficient operation of the department, the Chief will review the issue, develop an appropriate response or course of corrective action, implement the plan, monitor for effect, and/or if necessary bring the issue before the Commission for proper authorization to make the necessary change.

All Police and Fire Department employees are encouraged to bring concerns and suggestions to their respective Chiefs through each Department’s established chain of command according to published protocol based on the nature of the concern. Personnel wishing to pursue further on an issue that has been reviewed within their Department may contact the PFC President to arrange for presentation to the Police and Fire Commission.

A copy of these policies will be provided to the Mayor, the City Clerk, the City Personnel Office and other persons upon request. These PFC Rules shall be provided to the City’s Community Media Department for

publication on the City’s website.

These policies will be part of the orientation and ongoing training of all Police and Fire Department employees. Verification of training will be recorded in each Department’s training records.

The job positions and policies in this document are established based on the statutory authority granted to the City of Stevens Point and the Stevens Point Police and Fire Commission by Wis. Stats. § 62.13. Policies may be added, revised or repealed by a majority of the Commission members present and voting at a legally-noticed public meeting.

ADMINISTRATIVE PROCEDURES

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Introduction through section 3.03 recodified 11-13-01
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**ADMINISTRATIVE PROCEDURES
STEVENS POINT FIRE AND POLICE COMMISSION**

SECTION 1: Policies Relating Directly to the Police and Fire Commission

**SECTION 1.01
Officers of the Commission**

The Commission will elect a President and a Secretary, who shall not be one and the same person, at the properly noticed commission meeting in May of each year. If no properly noticed commission meeting is held in May, the election will be held at the next special or properly noticed commission meeting.

The President will set meeting agendas, ensure public meeting notice is given, and preside at Commission meetings. In the President's absence, the Secretary will handle the President's responsibilities. If neither officer is available, the President will designate a member of the Commission to act on their behalf.

If either officer resigns from office, or becomes ineligible to serve prior to May of the year following election, the Commission will elect a replacement at its next special or properly noticed Commission meeting. Alternatively, the Commission may elect an interim president or secretary to serve at its pleasure or until the next May election.

The Commission may elect additional officers or assign special responsibilities as deemed appropriate.

The Secretary will notify the Mayor, the City Personnel Office and the City Clerk of the names of the officers.

**SECTION 1.02
Commission Meetings**

The Commission will typically hold its properly noticed meeting on the first Tuesday of each month. The President may call special meetings as needed and in accordance with Chapter 19, Wisconsin

Statutes. A special meeting will be held at the request of any member.

The Commission may change its meeting day and time and/or eliminate any properly noticed Commission meeting at its discretion.

SECTION 1.03

Compensation of Police and Fire Commission Members

The PFC is a public governmental body subject to the Wisconsin Open Meeting Law, Wis. Stats. § 19.81 et. seq. An “official noticed meeting” means a gathering of a quorum of the members of the Commission for the purpose of exercising Commission authority, responsibilities or duties. Any gathering involving a quorum of the members of the Commission and other city officials or employees, including personnel of the Police and Fire Departments, for the purposes of discussing matter related to the PFC constitutes a meeting even if notice of the meeting is not given under the provisions of the state’s Open Meetings Law. A chance gathering, attendance at social events or attendance at conferences and educational programs does not constitute a meeting.

For purposes of determining entitlement for compensation and reimbursement of expenses incurred, participation in the following are compensable activities: properly noticed regular monthly or scheduled special Commission meetings, individually scheduled meetings with personnel of the Fire and/or Police Departments, or when representing the Commission at other approved meetings. Pay per meeting will be as set by City Council. Compensation is paid based upon the per-meeting amount, with any meeting or Commission activity under 4 hours in length being compensated at that amount. Any meeting or activity lasting longer than 4 hours shall be compensated with an additional per-meeting amount for each 4 hours or portion of 4 hours beyond the first 4-hour period. Commission members attending two meetings on the same day will be entitled to receive compensation and reimbursement for expenses incurred for two meetings.

The President will approve all meeting and other expense vouchers, except that the Secretary will approve the President’s.

SECTION 1.04

New Members of the Commission

At a minimum, the Commission will provide each new member with the following; a copy of these procedures, and any authoritative Handbook for Police and Fire Commissions. New members shall be provided a City email account to use for Commission-related communications, information on how to report their Commission activities for compensation purposes, and the necessary paperwork and setup for receiving their pay for service on the Commission.

SECTION 1.05

Records of the Commission - Custodian of Records

The Commission will record and retain a record of its meetings.

The Commission will retain its records in the office of the Police Records Bureau Supervisor. The custodian of the records for purposes of the Wisconsin Open Records Law will be the President of the Commission.

SECTION 1.06 Department Liaisons

Each public safety department will have an assigned liaison from the Police and Fire Commission. The liaison is a resource for the Chief to utilize to discuss things such as strategic plans, capital improvement projects, organizational changes, etc. The liaison should develop a solid understanding of the assigned department's operational mission, budget, staffing, goals and objectives in order to support the assigned Chief as needed. The liaison will be available to relay relevant information to the Commission which they deem necessary.

The Department Liaison will be expected to perform the following:

- Communicate with the Chief at least monthly.
- Review the Chief's written goals from his/her evaluation.
- Determine with him or her departmental priorities and how the liaison can assist.
- Discuss the Chief's professional and personal goals and how they relate to his or her duties.
- Become familiar with policies and procedures.
- Explore practices, policies, procedures, technology or equipment that have become outdated and need to be addressed.
- Review the staff evaluation format.

SECTION 2: Fiscal Policies

SECTION 2.01 Budget Accountability

Each Chief will prepare a first draft of his or her department's budget in the format required by the

Comptroller/Treasurer (C/T). The original budget request from each Chief will be presented at a scheduled Commission meeting for discussion. The Police Records Bureau Supervisor will develop the Commission's administrative budget and follow the same procedure for Commission discussion.

After discussion each Department's final budget requests must be supported by affirmative motion of the Commission for recommendation to the Mayor and the Common Council. The Commission's recommended budgets will be presented to the Mayor and C/T, by the Chiefs following this Commission process.

Any reallocation of capital budget funding requires such changes to be submitted to the Finance Committee and Common Council.

The Chiefs will comply with budget management requirements and procedures established by the Comptroller/Treasurer. Current guidance is to manage funds within the overall budget. The Chiefs will inform the Commission of any budget issues.

SECTION 2.02 Contract Accountability

In General:

One of the optional powers granted to this Commission is the power to contract for, and purchase, all necessary apparatus and supplies for the use by the Police and Fire Departments, except for the erection and control of department buildings. The appropriate Chief will represent the Police and Fire Commission in all such matters.

A member of the PFC may attend negotiation sessions regarding the EMS contract with Portage County, but no quorum of the PFC shall attend such meetings.

Contracts are generally ratified by three parties: the buyer(s) or seller(s), the Commission, and the Common Council.

SECTION 3: Personnel Administration (Pertains to non-represented employees)

SECTION 3.01 Original Appointment - Police and Fire Chiefs

By law, the Police and the Fire chief are appointed solely by the Police and Fire Commission. When a vacancy occurs in the position of Police Chief or Fire Chief, the Commission may appoint any member of the Police Department as the Police Chief or any member of the Fire Department as the Fire Chief. If the Commission does not appoint an internal candidate, the Commission will conduct a search for a chief and may obtain the assistance of the City Human Resource Manager, the City

Attorney, any other relevant city employee, or any outside agency or consultant. If the PFC does not appoint an internal candidate prior to conducting a search, any internal candidate may apply for the position in the same manner as external candidates.

Procedures:

When a vacancy in either chief position occurs, the PFC may appoint a member of the affected department to serve as the Acting Chief during the process of selecting a new Chief.

The Commission will review and, if necessary, update the position description, salary based on the City pay plan, and qualifications and requirements an applicant must satisfy. The PFC shall adopt a screening process for determining how final candidates will be chosen, a suggested geographic recruitment/advertising plan, an application packet, and a deadline for the recruiting process. The City Human resources manager can assist the PFC with the process of developing such recruitment process and advertising the availability of the position.

The application packet will include all pre and post selection examination requirements and relevant information and include an option by which the applicant may request that his/her name not be released publicly unless and until such candidate becomes a final candidate per Wis. Stats. § 19.36(7).

The Commission will appoint a screening committee to screen candidates and determine who will proceed to the interview phase of the process.

The PFC will determine the appropriate interview process and participating interview panel members by majority vote. Interview panels may include local officials and community members, however all interview panels shall be proctored by at least one commissioner. Upon completion of the interview phase up to three finalists will be recommended for the open position. If the panel feels there are no appropriate candidates they will recommend the Commission re-start the process.

The Commission will rank the successful candidates and offer the position to the top ranked person, contingent upon his/her successfully completing a background investigation, a medical evaluation, a psychological evaluation, and any other required evaluations. PFC members shall have a reasonable opportunity to inspect background check documentation prior to the position being offered to any candidate, although members will not be provided their own copies of such documentation due to their confidential and sensitive nature. The Commission will obtain all required written authorizations and waivers from the candidates prior to their participating in any of these activities.

If the candidate fails any requirement or decides not to accept appointment, the Commission may offer the position to the next ranked candidate under the same contingencies. If no candidate satisfies all of the requirements, or if none accepts the appointment, the Commission may reopen the search utilizing the previous described procedure.

When an individual has accepted the appointment and completed all screening steps, the President of

the Commission will notify the Mayor, the President of the Common Council and issue a press release announcing the appointment of the new Chief.

SECTION 3.02

Complaints by Third Parties

Third party, non-criminal complaints against the Chiefs will be referred to the President of the Commission, who will notify the City Attorney as soon as practicable. The City Attorney shall review the contents of the complaint and advise the President as to the appropriate process for addressing the matter. Complaints that are frivolous or indicative of conduct which does not violate any rule or policy may be addressed without investigation or action by the Commission. Complaints which require investigation may be investigated by the Commission or its designee, as appropriate, and adjudicated by the Commission. All proceedings of this type shall be conducted in accordance with Wis. Stats. § 62.13 and any other applicable rules or laws.

Third party non-criminal complaints against employees of either Department, including complaints by co-workers, will be investigated utilizing established procedures in each Department's directive system for conduct of an internal investigation.

If the Commission or a Chief imposes discipline against a member of either Department, and the Department member wishes to appeal that discipline, as is their right, the procedures outlined under "Disciplinary Hearings" will be followed for sworn and non-represented Department members. Civilian Department members must take their appeal to the Common Council Personnel Committee through the City Personnel Department. The civilian employee appeal procedure is detailed in the City Administrative Policies, the Stevens Point Revised Municipal Code, and all other applicable rules and law. Appeals by sworn members of either Department shall be conducted in accordance with Wis. Stats. § 62.13 any other applicable rules or laws.

[Revised: February 4, 2014]

SECTION 3.03

Compensation - Chiefs and Other Non Represented Personnel

The Commission will notify the Mayor, the City Treasurer, and the City Personnel Office of any recommendations for changes in compensation if such compensation differs from the City's pay plan. The Common Council has the sole authority to establish pay rates; as such, the Commission's authority is strictly limited with regards to employee compensation.

SECTION 3.04

Compensatory and Overtime for Non-Represented Personnel

Hourly employees fall under City Policies for hours of work and overtime pay.

Chiefs and Assistant Chiefs are considered to be in exempt positions and do not receive overtime/credit for hours worked beyond a normal 40 hour work week. The Chiefs are expected to manage the schedules of their personnel to comply with the Fair Labor Standards Act (FLSA) and applicable state laws.

[Revised: February 4, 2014]

SECTION 3.05 Residency- All Personnel

Represented employees must comply with residency requirements in their contracts, if any are included. Chiefs and Assistant Chiefs must comply with Wisconsin State Statute 66.0502 and any ordinance or rule created by the Common Council pursuant to that Section.

SECTION 4: Personnel Administration (Pertains to Union Employees)

SECTION 4.01 Original Appointment of Police Officers and Firefighter Paramedics

As employment openings or vacancies occur they will be filled only with approval of the Commission.

The Commission may establish hiring eligibility lists in accordance with current state law. If a list is retained, the Chief must utilize that list to fill vacancies or openings. Eligibility lists are retained until exhausted, or for a period of one year from the date of enactment. However, the Commission, at its discretion, may extend the expiration of an eligibility list for a period of up to one additional year beyond its original expiration date. The Commission may remove any person(s) from an eligibility list by affirmative motion if deemed appropriate.

Procedures:

The Commission shall instruct the affected Chief to serve as its designee in carrying out the specific hiring procedure approved by the Commission. The affected Chief will ensure that the affected Department's hiring process is properly outlined on a hiring time line and followed accordingly.

The Chief will ensure that the recruitment practice complies with any applicable affirmative action policy.

Application packets sent to interested applicants will include relevant information regarding the current position description and any necessary information regarding the Wisconsin Open Records Law.

Veteran's points will be awarded to applicants in accordance to Wisconsin law.

The affected Department will retain records in regard to each applicant for a period of three (3) years, or for the period required by the Wisconsin Open Records Law, whichever is greater.

The affected Chief will notify each successful candidate as to placement onto the hiring eligibility list. The Chief will not advise the candidate as to a rank order of eligibility for hiring

The Chief will establish an eligibility list, and as vacancies occur, will present the candidate to the Commission for an interview as part of the hiring protocols. Police and firefighter/paramedic applicants who meet the required qualifications must pass a medical and psychological exam provided by a third party administrator. The process will be supervised by the Chief or his/her designee of the affected Department.

Each chief is required to ensure that any information in regard to psychological or medical testing be kept in a separate file to eliminate any inappropriate viewing or disclosure when either an open records request for applicant information is received or when another agency conducts an employment background on the affected applicant.

SECTION 4.02

Promotions in the Fire and Police Departments

Wisconsin Statutes authorize Police and Fire Chiefs to recommend subordinates for promotion subject to approval by the Police and Fire Commission. Chiefs shall submit any recommended promotions to the PFC which shall act upon them at its regularly scheduled meeting in the month following the month in which the promotion request is submitted to the PFC Secretary.

Promotions among represented employees will be governed by the relevant language from the applicable Collective Bargaining Agreement, unless a represented employee is being promoted to a non-represented position.

SECTION 4.03

Probationary Periods in the Fire and Police Departments

Probationary periods, whether as a condition of employment for a newly hired employee, or as a requirement of promotion, are established through labor agreements or by Commission policy.

Chiefs shall prepare a written review of each probationary employee during their final two months of probationary status. and submit it to the Commission for action prior to the expiration date of the affected probationary employee's probation. Such review shall contain a recommendation to the PFC regarding the employee's probationary status. The Commission will act to either move the employee to regular status, extend the probationary status for an additional period of time, or terminate the employee for failure to meet expectations during the probationary period. The Commission will have full access to review all data generated in support of the recommendation and to conduct an oral interview of the affected probationary employee before acting on the employee's

employment status.

Should unique circumstances occur which preclude the Commission from acting prior to the expiration of an employee's probationary period, the Chief will explain the circumstances to the President of the Commission and request an extension of the employee's probation to the next scheduled Commission meeting during which the above process will be completed. The PFC shall act on such requests for extensions, but if it is unable to do so prior to the expiration of the probationary period such period shall be extended one month.

SECTION 4.04

Collective Bargaining Agreements

The City Attorney shall serve as the lead negotiator for purposes of CBA matters with police and fire unions unless the PFC and Common Council have approved the hiring of outside legal counsel for such purposes.

The City's Personnel Committee has the authority to recommend ratification of a labor contract to the Common Council. Labor agreements must be approved by the Common Council. Until ratified by the affected union and by the City, contract negotiations are considered to be confidential.

Settlement of an issue related to contract language interpretation or resolution of a grievance may create the need for a side letter of agreement setting forth the parties' intentions. When an issue is resolved the side letter shall be signed by the affected Chief, authorized union representatives, the Mayor and the City Clerk.

SECTION 4.05

Union Grievances

The Chiefs, Commission, and the police and fire unions are required to follow the grievance procedures outlined in the current labor contract between the affected union and the City, relevant state statutes, and any other applicable laws and regulations. Grievance hearings shall be held in open session unless required by law to be held in closed session due to statutory requirements or other appropriate reasons.

SECTION 5: Personnel Administration

(Pertains to Chiefs, Non-Represented Employees and Union Employees)

SECTION 5.01

Disciplinary Actions

Disciplinary actions are based upon the requirements of Section 62.13(5) (a) through (j), Wis. Stats.

Where the State Statutes do not specifically prescribe the specifics regarding discipline, the Commission has the authority to establish the guidelines in accordance to subsection (g).

The Police and Fire Commission may from time to time, at or after the filing of the charges, promulgate rules and procedures relating to the hearing of such charges.

The PFC or its designee will serve as the investigator for complaints against a Chief. The Commission may use members of the Police Department Investigation Bureau for support or may use an outside law enforcement agency for investigation support.

SECTION 5.02

Fair Employment Practices

Non-discrimination:

No employee or applicant for employment shall be discriminated against based on age, race, color, creed, sex, religion, national origin, marital status, disability, ancestry, sexual orientation, or veteran, military or union status, as provided by applicable federal and state statutes.

Sexual Harassment:

Sexual harassment is a form of discrimination prohibited by Title VII of the Civil Rights Act of 1964, as well as the State's Fair Employment Act. Sexual harassment is defined as any unwanted, deliberate or repeated unsolicited comments, gestures, graphic materials, physical contacts or solicitation of favors when:

- Submission of such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Any employee under the Commission's jurisdiction who engages in these types of misconduct will have appropriate disciplinary action taken against him/her up to and including termination. Any member of the Commission who engages in this type of misconduct may be subject to removal from office.

Any harassing actions taken by any person employed under the Commission's jurisdiction may be reported to and investigated by the affected Department according to its existing internal procedures. The Commission shall be notified of the existence of all complaints of harassment and the final results of investigations of these complaints at the next properly noticed commission meeting following the receipt of a complaint and completion of the investigation.

Affirmative Action:

The Commission adopts the Affirmative Action Plan of the City of Stevens Point and designates the City Affirmative Action Officer as its affirmative action officer.

SECTION 5.03

Performance Evaluations

Performance evaluations are conducted to improve individual performance, set goals, strengthens supervisor-employee communications and to recognize employee accomplishments.

An evaluation must be based on job related criteria and the individual's ability to do the job in accordance with the official job description.

Each Chief is responsible to ensure that all employees are trained in the job description which accurately reflects the duties performed. The Commission recommends that the employee sign an understanding of the job description prior to starting the position assigned. Revisiting the job description should be part of the annual evaluation process.

Employees may respond in writing to an evaluation. Written responses will be attached to, and filed with, the evaluation. A copy of the completed evaluation will be provided to the employee. The original will be filed in the employee's personnel file.

Police and Fire Chiefs

The Commission's designated representative(s) will serve as the evaluators. The evaluators will complete and administer the annual written performance evaluation. The process will be in accordance with the schedule published by the Human Resource Manager. The evaluators are responsible to obtain input from all commission members and the affected chief as part of the evaluation process. The Commission will utilize the City's standard evaluation system for evaluating the Chiefs' annual performance.

The completed performance evaluation will be signed and dated by the authorized evaluators and the President of the Commission. A copy of the evaluation will be provided to the affected chief. The original will be placed in the affected chief's personnel file.

Evaluation of Subordinate employees within each Department:

Each Chief has the responsibility for completion of an annual performance evaluation for all subordinates and may delegate completion of evaluations as appropriate. Specific evaluation practices and procedures are outlined in each Department's directives, procedures, and collective bargaining agreements. However, the Commission enumerates the following minimal standards the Chiefs will follow when conducting performance reviews. Compliance with the standards is subject to inspection by the Department Liaison to ensure the Commission's intent is both understood and followed.

Non-Represented Employees

Evaluations of non-represented employees will be conducted annually using the evaluation form provided by the City Human Resource Manager. Upon completion, the Chiefs are

required to submit a copy of the evaluation to the Human Resource Manager in accordance with the schedule promulgated by the Human Resource Manager.

Probationary Employees

Probationary employees must be evaluated in writing a minimum of every six months during the probationary period. More frequent evaluations are recommended. Evaluations will be conducted in accordance with the procedures prescribed by the affected Chief.

SECTION 5.04 Exit Interviews

Employees leaving employment with the PD or FD for any reason other than termination for cause will be invited to complete a voluntary exit interview. Such interviews will be conducted by the City Human Resources Manager, the PFC liaison to the relevant department, and one other member of the PFC. The interview will be conducted during duty time for the exiting employee prior to the end of their employment with the City.

Exit interviews should be documented by the persons conducting them, and a summary of the results prepared in written form. Results of the exit interviews will be provided to the Chief of the relevant department for their use in staff planning, process improvement, staff retention, and any other purpose in furtherance of department goals.

SECTION 5.05 Personnel and Payroll Records

Personnel Records:

The Police and Fire Chiefs are assigned to be the custodian of, and properly retain, the personnel and medical files for all assigned employees.

The Human Resources Manager retains, and is the custodian of, employee benefit files. The law requires that only one personnel file exist for an employee. Therefore, it is policy that personnel records shall not be retained in, or with, the employee benefit file.

Inspection of Personnel Files:

By Wisconsin Statute an employee has the right to request to schedule a review of their personnel file in the presence of the affected Chief, or designee. Such requests shall be fulfilled within a reasonable timetable. If the employee makes a request for duplicate copies of any materials in the personnel file, the employee is responsible for the appropriate duplicating cost.

Correction of Personnel Records:

An employee may request the removal or correction of any record or information within their personnel file. However, if the Chief does not agree to correct or remove the information or record, the employee should be directed to submit a written statement explaining the employee's position and objection. The affected Chief will ensure that the statement is attached to the disputed information or record and retained as part of the employee's personnel file.

Release of Personnel and Medical File Information:

Unless ordered by a court of law, in accordance with state or federal statutes or the open records requests process, personnel file information can not be disclosed to anyone other than an employee's direct supervisor, management staff, or the Commission without the written authorization of the employee. Open records requests for documents contained in a personnel file shall be reviewed by the City Attorney and may be subject to denial or redaction according to applicable law.

Medical files shall be kept and stored separate from personnel files. Medical file information is strictly confidential and access is restricted to the affected Chief, or Chief's designee. Release of medical file information, to include release to the individual concerned, must be processed through a written open records request.

Payroll Records:

The administration of Police and Fire Departments will process and retain the payroll record information of all Department employees. The Departments work directly with the City's Finance Department to produce the bi-weekly payroll information. The Finance Department retains the master payroll records for all city employees.

SECTION 5.05

Requests for New Positions and to Re-fill Existing Positions

The Fire and Police Department must follow the current procedure set forth by City policy to request a new position or to re-fill an existing position. The Chief of the affected Department shall submit requests for new positions to the PFC. If approved by the PFC, the request for a new position will then be provided to the Human Resources Manager for placement on the Personnel Committee agenda. Final approval must be granted by the Common Council to create a new position.

SECTION 6: GENERAL POLICIES

SECTION 6.01

City-Owned Vehicles; Mileage Reimbursement

The purpose of this policy is to outline the permitted use of any city-owned vehicle(s) and to specify

mileage reimbursement for personal vehicle use.

Police Chief and Fire Chief

City-owned Vehicles

Business Use

A city-owned vehicle assigned to a Chief may be used for all business purposes. “Business purposes” are defined as being related to the person’s employment including professional services to other law enforcement or fire service/emergency medical service related agencies, and attendance at professional meetings, seminars and workshops. If external mileage reimbursement is received the Chief will reimburse the City the same amount.

Personal Use

Within Portage County the Chiefs are allowed to use their city-owned assigned vehicles for personal use. Personal use should be limited but is available at the discretion of these individuals. If a Chief intends to take his or her assigned vehicle outside Portage County for personal use, the Chief must obtain permission from the Commission President and reimburse the City for all mileage incurred, at the City’s current mileage rate.

Except for an emergency, only the person assigned a vehicle is authorized to operate that vehicle for personal use. No personal equipment will be added to an assigned vehicle without written permission from the Commission.

Personal Vehicle - Mileage Reimbursement

If a city-owned vehicle is not assigned to the Police Chief or Fire Chief, they will be reimbursed for business mileage at the current City rate.

All Other Personnel:

1. Personnel who are assigned a take home vehicle by either the Police Chief or Fire Chief to perform work activities and to facilitate a rapid response to after hour emergency situations may use the vehicle for official business only.
2. Each Department Chief may at their discretion, at any time assign, change or revoke assignments of take home vehicles to employees under their command.
3. Employees assigned a take-home vehicle may use the assigned vehicle to commute to and from work. Only essential personal or business stops while en route to, or from, work are authorized. If the affected employee resides outside of the city limits, the employee can use the vehicle to commute to and from work as long as the employee’s residence location allows rapid and emergent response to the city.
4. The affected Chief has the authority to assign and reassign all police or fire fleet vehicles as deemed necessary and appropriate by the Chief.
5. Under IRS Regulations, non law enforcement personnel may be required to report the use of a City owned vehicle for the purpose of commuting to or from work as

income. Each individual is responsible to ensure compliance with all IRS rules and regulations.

SECTION 6.02

Donations to the Police and Fire Departments

The purpose of this policy is to establish a procedure for evaluating, accepting or rejecting donations to the Police or Fire Departments.

1. General Considerations

The Police and Fire Departments may, from time to time, be offered monetary donations or equipment from various sources. All donations are made to the City of Stevens Point, not specifically to the Commission or the affected Department. The donation becomes the property of the City of Stevens Point. Sources for donations could include businesses, charitable organizations, service clubs or individuals. The primary concern in accepting donations from any of these sources is the potential for a conflict of interest. A conflict of interest could arise out of donations from any source, and each proposed donation must be carefully evaluated.

2. Procedures

If a donation of any type is offered to the Police Department or Fire Department, the affected Chief shall evaluate the following:

- The motive of the donor
- If a consequence of accepting this donation will pose a conflict of interest to the receiving Department
- Whether the donation is consistent with the Department's Mission statement and professional objectives and will be of value in advancing a specific cause or Department activity
- Whether accepting the donation will cause the Department to incur additional expenses in order to utilize the donation

After evaluation, the affected Chief may decide to not accept the donation. If his or her recommendation is to accept the donation, the Chief will place the item on the agenda of the next properly noticed Commission meeting for affirmative motion to confirm the recommendation and accept the donation.

SECTION 6.03

Driver's License – Duty to Notify Department and Chief of Restricted Operating status

Sworn or civilian employees of either Department whose position involves operation of a Department motor vehicle will notify the Chief in writing any time the Department of Transportation (D.O.T.) acts to restrict their driving privileges by suspension or revocation. Sworn employees or civilian employees who, while working, operate a Department motor vehicle are also required to notify the Department if arrested for, charged with, or convicted of a charge relating to operating a

motor vehicle while under the influence of drugs or alcohol. The state or jurisdiction where such charge is made is irrelevant to the duty to notify Chief of the Department through a written memo.

The purpose of this policy is to ensure that the Chief, Commission, and the City of Stevens Point are always aware of any restriction against an employee's motor vehicle operating privileges. The Chief will follow through upon notification to initiate appropriate action when an employee cannot perform the essential functions of their position as listed in their current position description. The Chief shall take appropriate and immediate action upon notification to ensure that any employee whose driving privilege is suspended or revoked does not operate a city-owned vehicle.

The unique facts of the situation will be investigated by the Chief from the affected Department. The investigating Chief will work with the City Attorney and Human Resource Manager to decide an appropriate course of action for each case. The decision on an appropriate course of action will be based in part on the then current state of administrative rules, court decisions and laws affecting police, fire or emergency medical service personnel who are required to operate a motor vehicle as an essential part of their position description.

The affected Chief shall report the results of the investigation and recommendations to the Commission at a closed session during a properly noticed Commission meeting. The Commission will decide in open session if further investigation or discipline is warranted by affirmative motion.

SECTION 6.04

Property

1. The storing of items belonging to the respective bargaining units of the Police and Fire Departments are governed by the following:
 - a. Police and Fire Department Work, Living and Storage Areas
 - i. Use of interior and exterior space on the property assigned by the City to the Police or Fire Departments shall be limited to departmental equipment and vehicles; however, the affected Chief may use discretion as needed.
 - ii. Any previous commitment to house property belonging to the S.P.P.O.O. or IAFF, Local 484, so long as space is available, will continue unless such privilege is revoked or amended by the affected Chief.
 - b. Liability for Loss

The affected Department Chief, the Commission, or any other agency of government shall not assume any liability for any loss or damage to any stored property.
 - c. Additional Requests for Storage

Any request for storage or housing of a bargaining unit's property must be submitted in writing to the Chief of the affected Department. The Chief may consult with the PFC on this issue before making a determination as to the appropriateness of the request to store the property.

2. Employees of the Police and Fire Departments are not permitted to use city-owned facilities or equipment for their own personal use, nor shall city-owned equipment be removed from the normal work environment for the employee's personal use, except as otherwise provided within these administrative policies or by written approval from the Chief of the affected employee's Department.
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