



*** All present are expected to conduct themselves in accordance with our City's Core Values ***

OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or sub-unit thereof.

REVISED

Meeting of: **COMMITTEE OF THE WHOLE**

Members Bill Nagle, Romey Wagner, David Nutting, Tom Neal, Gary Gisselman, Keene Winters, Lisa Rasmussen, Karen Kellbach, Dave Oberbeck, Sherry Abitz, Robert Mielke (C) and Mayor Tipple, ex-officio

Date/Time: **Tuesday, July 21, 2015 at 6:00 PM**

Location: **City Hall 407 Grant Street - Council Chambers**

Presentation(s): Hite - Overview of City's Policies: Violence in the Workplace, Core Values/Behaviors and Code of Ethics for Public Officials/Employees

- 1) Discussion of and possible action regarding the results of the advisory referendum and the establishment of the position of city administrator
 - 2) Discussion of and possible action of Standing Committee structure and frequency of meetings.
- Adjourn

Robert Mielke
City Council President

**This notice was posted at City Hall and faxed to the Wausau Daily Herald on
07/14/2015 at 4:30 pm**

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For information or to request this service, contact the Clerk's Office at 715-261-6620, Wausau City Hall, Wausau, WI 54403



Human Resources Department
407 Grant Street · Wausau WI 54403
Phone 715-261-6630
email: Myla.Hite@ci.wausau.wi.us
Myla Hite
Human Resources Director

POLICY

DATE: 10/28/2011
EFFECTIVE DATE: Immediately
TITLE: Violence in the Workplace Policy
ISSUER: Human Resources
COVERAGE: All employees
AUTHORITY: Common Council, Resolution File Number 08-0719
DURATION: Indefinite
SYNOPSIS: Provides updated language necessitated by Wisconsin's new concealed carry law effective November 1st, 2011.

Special Instructions: Initial implementation is to be conducted by the respective manager, who is to review the changes to this policy with all their staff, on or before November 1st, 2011. Managers are to review this policy with all new employees at the time of new employee orientation. Managers are responsible for annual review of this policy with all employees.

I. PURPOSE

The City of Wausau is committed to providing a safe workplace for its employees and a safe environment for the citizens of the community, and has a zero tolerance policy toward any intimidating, threatening or violent behavior at the workplace. This policy applies to any form of workplace violence occurring on the worksite, or involving City employees engaged in the performance of their work duties whether on or off the worksite. Violence occurring at other locations involving City employees will come under this policy if it adversely affects the interests of the City. In addition, this policy applies to domestic violence situations when physical harm, threat of harm or fear of harm creates a safety issue for any employee while performing their job. Domestic violence threats at work must be met with the same level of response as any other kind of threat. Managers will work to the extent reasonably possible to ensure that employees are free from intimidating, threatening and violent behavior while at work.

II. POLICY

Employees who display intimidating, threatening and/or violent behavior will be held accountable under City policy and work rules, as well as local, state and federal law. An employee who harasses, threatens, bullies, humiliates, coerces, calls names, makes offensive jokes/comments, disrespects, isolates, ignores, attempts to or inflicts bodily harm to co-workers, representatives of other agencies, or members of the general public; or damages/messes with another's property/personal items, is in violation of this policy. All City employees are responsible for committing to and becoming involved in the prevention of workplace violence and promotion of a safe work environment. This policy must be followed as minimum by all employees. However, departments may implement a more strict policy, provided that department puts the policy in writing and adds it as an appendix to this document.

A. Prevention Techniques

Often violence occurs in the workplace after a series of unheeded warning signs. A troubled employee may make overt threats, exhibit personality changes, or show signs of severe depression. If an employee feels these signs are being ignored, they may feel justified in moving to the next level. Prevention starts with these early warning signs and making those in authority aware of employee behavior which could signal a potentially violent act.

1. Early Warning Signs

There is not one single profile that identifies a potentially violent individual. However, based on historical incidents in the United States, the following identifying factors have been recognized:

- History of violence;
- Romantic obsession that is ignored or rejected;
- Chemical dependence;
- Severe depression due to personal problems;
- Pathological blaming of others;
- High frustration with an individual's work or personal environment;
- Fascination with guns or other weapons;
- Fascination with violence or terrorism;
- Substitution of work for family or friends;
- Paranoia or belief that the system is unfair;
- Inability to accept criticism;
- Does not accept responsibility for their actions;
- Intimidating, harassing or threatening behavior;
- Uneven job performance and large mood swings;
- Moral or political intolerance;
- Social isolation to low self-esteem;
- Chronic disputes with co-workers or supervisors.

2. Sequence of Workplace Violence

Acts of violence are often preceded by the following sequence of events:

- a. The perpetrator suffers some type of trauma that creates extreme tension or anxiety. This may result from a single major event (actual or perceived) or a series of cumulative minor events.
- b. The perpetrator perceives that their problems cannot be resolved.
- c. The perpetrator blames someone else (i.e. supervisor, co-worker, spouse, etc.) for the situation or problem.
- d. The perpetrator's frame of reference becomes increasingly egocentric.
- e. Self-preservation and self-protection gradually become the person's sole objective.
- f. A violent act is perceived as the only way to resolve the situation.
- g. A violent act is attempted or committed.

B. Responsibilities and Reporting Procedures

1. Employee Responsibilities

- a. All City employees have a responsibility to notify their immediate supervisor, or in the absence of their supervisor, another supervisor, of any intimidating, threatening or violent behavior that they witness, receive or have been told that another person has witnessed or received. In addition to notifying a supervisor, the appropriate authorities should be contacted, which include, but are not limited to: the appropriate City police department, fire department or emergency ambulance services.
- b. Employee involvement entails understanding and complying with the prevention program and security measures; making suggestions for improving safety and security issues;

participating in problem solving sessions; conducting inspections and making recommendations for corrective strategies; and participating in training and education programs that cover techniques to recognize escalating agitation, assaultive behavior or criminal intent, and discussing appropriate responses.

2. Management Responsibilities

- a. All managers have a responsibility to review this policy with new employees and periodically review this policy with all employees within their department. Additionally, they are responsible for maintaining a working environment that is as safe as reasonably possible for City employees. Supervisors can help prevent workplace violence and threats by: knowing the early behavior pattern warning signs, knowing the sequence of workplace violence, and reducing the risk of violence. Periodic employee surveys should be conducted for ideas on the potential for violence, holes in security and other risk factors.
- b. If information received determines there may be potential for a threatening or violent situation, it is the manager's responsibility to immediately notify the Department Head and the City Attorney/Human Resources Director, in addition to advising the employee what authorities to contact, and to notify the appropriate authorities if the employee involved in the incident cannot. Managers are required to maintain a written record that documents the incident until such time as that information is turned over to the Human Resources Director.

C. Retaliation

1. Retaliation against any employee for filing a complaint of workplace violence, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the City and by federal laws.
2. 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 workplace violence complaints.
3. Monitoring to ensure that retaliation does not occur is the responsibility of the Department Head, Human Resources Director, manager, and supervisors.

D. Restraining Orders

1. Individuals who apply for and obtain a protective or restraining order must provide to their manager:
 - a. A copy of the petition and declaration used to seek the order.
 - b. A copy of any temporary protective restraining order and/or
 - c. A copy of a protective restraining order that is made permanent.
2. In cases of potential discrimination and/or sexual harassment allegations or charges, managers are obligated to notify Human Resources and to begin the investigatory process.

III. DEFINITIONS

A. Intimidation or Threat

1. Implication or expression of intent to inflict physical or emotional harm and/or actions that a reasonable person would perceive as a threat to personal safety or property.
2. Words or actions which cause a person to avoid social contact or to do or refrain from doing an act, including supervisory discipline, by inducing fear.
3. Threatening behaviors include, but are not limited to:
 - a. Non-verbal threats (i.e. glaring, staring with the intent to intimidate, or insulting gestures).

- b. Mail, facsimile, messages, phone calls, e-mail or any correspondence deemed by a reasonable person to be intimidating, threatening or coercing.
- c. Intimidating, stalking or coercing fellow employees on or off premises at any time, for any purpose, that in the employer's judgment affects the interest of the City.

B. Violence

- 1. Any direct, conditional or implied threat, intentional act or other conduct which reasonably arouses fear, hostility, intimidation or the apprehension of harm in its target or witnesses, regardless of the location of such acts.
- 2. Workplace violence: Includes vandalism or the destruction of property at the worksite belonging to an employee, citizen, vendor or the City. The City property includes all items owned or leased.
- 3. Prohibitions: the City prohibits employees from entering City buildings carrying a firearm or weapon of any kind regardless of whether that person is licensed to carry the weapon or not. Further, the City prohibits employees from carrying a weapon in City-owned vehicles. The only exception to this policy is for sworn law enforcement officers, or other persons who act in the interest of the City and have written consent by the Police Chief to carry a weapon in City buildings. Nothing in this policy prohibits an individual from keeping a weapon in his/her vehicle to the extent required by law.

C. Weapon

Weapon means any device which is designed, used, or intended to be used in a manner that is calculated or likely to produce property damage, personal injury, or death. Weapons are further defined in 939.22(10), "dangerous weapon", Wisconsin State Statutes.

D. Workplace/Worksite

Any location where employees are carrying out their job duties or are contacted for reasons related to their job duties.

ASSAULT/THREAT REPORT

EMPLOYEE	
Name	Telephone Number: Work: Home:
Work Office Address (street, city, state, zip)	Employee Classification
Manager's Name	Manager's Telephone Number;
INCIDENT	
Name of Assaulter/Threatener:	Are they an employee? <i>Yes No</i>
Date of Assault/Threat:	Location:
Assault/Threat was from: Personal Confrontation Telephone Conversation Other Please Explain:	
Were there witnesses? <i>Y N</i> If yes, how many?_____. Provide information below and attach their statements. Determine if witnesses prefer to remain anonymous due to the concern of retaliation by the aggressor.	
WITNESSES <i>(If additional witnesses, provide information on attached sheet of paper.)</i>	
Witness 1 – Name	Telephone Number Work: Home:
Address (street, city, state, zip)	Witness Role (employee, customer)
Witness 2 – Name	Telephone Number: Work: Home:
Address (street, city, state, zip)	Witness Role (employee, customer)
IF ASSAULTED , answer the following questions:	
1. What started the assault?	
2. What did the person say when you were assaulted?	
3. What was used to hit/strike/injure you?	
4. What injuries did you sustain? Was medical treatment necessary?	
5. How did the assault end?	
6. How did you leave the assault site?	

IF THREATENED , answer the following questions:		
1. As closely as possible, what were the exact words used?		
2. Was the person in a position to carry out the threat immediately?		
3. How serious do you believe the threat was, and why?		
EMPLOYEE RELATED ACTIONS (<i>Employee must complete</i>)		
1. What actions did the employee take? (<i>i.e. filed worker's compensation, obtained medical treatment, used sick leave, vacation, etc.</i>)		
2. What specific actions from the City does the employee request related to assault/threat? If none, so indicate.		
LAW ENFORCEMENT INFORMATION (<i>Attach copy of police report when possible</i>)		
Law Enforcement Agency Contacted Name of Person/Officer	Date Contacted	Telephone Number
Was a written report completed? <i>YES NO</i> What action was taken/promised?		
MANAGER ACTIONS		
Directions given to employee (<i>i.e. go home, go to hospital, etc.</i>)		
Manager Recommendations: Prosecution Restraining Order Letter to Threatener Other (<i>specify</i>):		
NOTIFICATION DATES		
Date report was received:	Was employee notified of chosen action? <i>YES NO</i>	Was the Safety Coordinator notified of the incident? <i>YES NO</i>
Was management notified? <i>YES NO</i>	Was the EAP Officer notified? <i>YES NO</i>	Was the employee/management notified of other options that can be pursued personally? <i>YES NO</i>

**CITY OF WAUSAU
VIOLENCE IN THE WORKPLACE POLICY
EMPLOYEE ACKNOWLEDGEMENT NOTICE**

I acknowledge that I have received, that I have read, that I understand, and that I have been afforded an opportunity to ask questions regarding the City of Wausau's VIOLENCE IN THE WORKPLACE POLICY. I also acknowledge that I have read and that I understand this notice.

PRINT EMPLOYEE NAME

Signature of Employee

Date

Signature of Supervisor

Date

Copy for Employee's Personnel File



Mission Statement of the City of Wausau

In response to our citizens, we will provide services in the most effective and efficient manner in order to promote and enhance our living environment. Plan and encourage positive growth. Promote a positive community image by encouraging citizen involvement and civic pride.

Core Values

Professionalism

We choose to take pride in our work, communicate effectively, project a positive image, and deliver service at the highest standards every time, in every situation.

Accountability

We accept responsibility and take ownership for our actions.

Integrity

We act ethically, honestly, and lead by example by having our actions reflect our word.

Respect

We choose to treat everyone the way we would like to be treated.

**CITY OF WAUSAU
CORE VALUES AND BEHAVIORS
EMPLOYEE ACKNOWLEDGEMENT NOTICE**

I acknowledge that I have received, that I have read, that I understand, and that I have been afforded an opportunity to ask questions regarding the City of Wausau's CORE VALUES AND BEHAVIORS, which have been unanimously passed as a resolution by the Common Council of the City of Wausau. I further understand that, as employees, we are all one workforce focused on providing service to our citizens. I recognize it is incumbent upon me to first hold myself accountable for living by these values / behaviors and secondly, for all of us as employees, to then do our part to respectfully hold each other accountable. Through these efforts, we will create and maintain a more positive and vibrant work environment. I agree to do my best in living out these core values and behaviors as an empowered employee for the City of Wausau. I also acknowledge that I have read and that I understand this notice.

PRINT EMPLOYEE NAME

Signature of Employee

Date

Signature of Supervisor

Date

Copy for Employee's Personnel File

*Code of
Ethics
for
Public
Officials
and
Employees*



Chapter 2.03

CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES

Sections:

2.03.010	Declaration of policy.
2.03.020	Definitions.
2.03.030	Standards of conduct.
2.03.040	Organization and composition of the board.
2.03.050	Duties of the board.
2.03.060	Investigation of complaints.
2.03.070	Probable cause of violation.
2.03.080	Hearing procedure.
2.03.090	Findings of fact and conclusionsCOOrders and recommendations.
2.03.100	Removal, suspension and censure.
2.03.110	Costs.

2.03.010 Declaration of policy. (a) Moral and ethical standards among city public officials and employees are essential to the conduct of representative government; and, the common council believes that a code of ethics, to establish standards of conduct for government officials and employees by setting forth those acts or actions that are incompatible with the impartial and responsible exercise of the public trust and avoid conflicts between personal interests and public responsibilities, will improve the quality and integrity of public service and promote, strengthen and nurture the faith and confidence of the citizens of this community in their public officials and employees.

(b) This code does not prevent any official/employee from accepting other employment or following any pursuit, which in no way interferes with the full and faithful discharge of his or her public duties. The common council recognizes that citizens who serve the city as public officials/employees retain their rights as citizens to interest of a personal or economic nature; that standards of ethical conduct for public officials/employees of the city need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and, that city officials/employee may need to engage in employment, professional or business activities, other than official duties, in order to support themselves and/or their families, to maintain a continuity of professional or business activity or may need to maintain investments, when activities or investments do not conflict with the specific provisions of this section. (Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

2.03.020 Definitions. For the purpose of this chapter, the words set out in this section shall have the following meanings:

(a) AAnything of value@:

- (1) Means any money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan or promise of future employment;
- (2) Includes, without restriction by enumeration, tickets, passes, admission offered and provided by sponsors or organizations doing business with the city;
- (3) Shall not preclude an official/employee from attending programs or events sponsored by an agency of city government to which an official/employee shall attend or participate in the course of official/employee duty, and it shall not include political contributions which are reported under Chapter 111 of the Wisconsin Statutes, or hospitality extended for a purpose unrelated to city business by a person other than an organization;
- (4) Shall not include fees, honorariums, compensation or reimbursement of expenses, provided reimbursement does not exceed one hundred dollars for a published work, meeting, presentation of a paper, talk or demonstration. If the value of the above exceeds one hundred dollars, the official/employee shall report such receipt to the board, with a brief report of the event concerned. The report shall be made within sixty days of its receipt.

(b) AAssociated,@ when used with reference to an organization, means any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, at least ten percent of the outstanding equity, voting rights or indebtedness, whether individually or in the aggregate.

(c) ABoard@ means the ethics board.

(d) ACity@ means the city of Wausau.

(e) AEmployee@ means any person excluded from the definition of an official who is employed by the city.

(f) AFinancial interest@ means any interest, which yields a monetary or other material benefit to the official/employee or to any person employing or retaining the services of the official/employee.

(g) AGift@ means the payment or receipt of anything of value without valuable consideration.

(h) AImmediate family@ means:

(1) An individual's spouse;

(2) An individual's relative by marriage, lineal descent or adoption, who receives, directly or indirectly, more than fifty percent of his or her support from such individual or from whom such individual receives, directly or indirectly, more than fifty percent of his or her support.

(i) **Income@** has the meaning given under Section 61 of the Federal Internal Revenue Code.

(j) **Internal Revenue Code@** has the meaning given under Section 71.02(1) (a) and (2) (b) of the Wisconsin Statutes.

(k) **Ministerial action@** means an action performed in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of judgment as to the propriety of the action being taken.

(l) **Official@** means any official holding an elected city office, any candidate for elected city office and all members of boards, commissions or committees appointed by the mayor or common council.

(m) **Organization@** means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, unincorporated association, receivership, trust or any legal entity organized for profit, other than an individual or government entity.

(n) **Payor@** means any person providing anything of value to the official/employee, and his or her spouse.

(o) **Person@** means any individual, person or organization. (Ord. 61-4706 ' 1(Exh. A) (part), 1990.)

2.03.030 Standards of conduct. (a) No official/employee shall use his or her public position or office to obtain financial gain or anything of value for the private benefit of himself or herself or his or her immediate family, or for an organization with which the official/employee is associated.

(b) No official/employee shall solicit or accept from any person, directly or indirectly, anything of value, if it could reasonably be expected to influence the official's vote, official/employee actions or judgments, or could reasonably be considered as reward for any official/employee action or inaction on the part of the official/employee. This subsection does not prohibit an official/employee from engaging in outside employment or his or her normal course of business.

(c) No official/employee shall intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any

other person, if the information has not been communicated to the public or is not public information.

(d) No official/official shall use or attempt to use his or her public position to influence or gain unlawful benefits, advantages or privileges for himself, herself or other person.

(e) No official/employee and no organization in which an official/employee or a member of his or her immediate family is associated shall enter into a contract with the city, for more than three thousand dollars per year, without first disclosing it at and entering it into the minutes of the meeting of the appropriate governmental body. Any contract or lease entered into in violation of this subsection may be voided by the city in an action commenced within three years of the date on which the board or the department or official/employee acting for the city, in regard to the allocation of city funds from which payment is derived, knew or should have known that a violation of this subsection occurred. This subsection does not affect the application of Section 946.13 of the Wisconsin Statutes.

(f) An official/employee may appear on behalf of and may make inquiries for information for a person before any city employee, department, board, commission or other agency, only if the official/employee receives no compensation therefor beyond the salary and other compensation or other reimbursement due which the official/employee is entitled by law.

(g) No official/employee shall engage in or accept private employment or act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his or her official/employee duties, if it could reasonably be expected to influence the official's vote, official/employee actions or judgment or could reasonably be expected to influence the official's vote, official/employee actions or judgment or could reasonably be considered as a reward for any official/employee action or inaction on the part of the official/employee, unless otherwise permitted by law and unless disclosure is made, as hereinafter provided.

(h) No official/employee shall, for compensation, act on behalf of any person other than the city, in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the official/employee has at any time participated personally in his official/employee capacity.

(i) No official shall vote on any matter when the official or the official's immediate family has a personal financial interest.

(j) No official/employee shall in his or her official capacity do any act which he or she knows is in excess of his or her lawful authority or which he or she knows he or she is forbidden by law to do in his or her official capacity.

(k) No official/employee, without common council authorization, shall use or permit the use of any city property for personal convenience, use or profit.

(l) No former official shall, for compensation, for twelve months following the date

on which he or she ceases to be an official, act on behalf of any person other than the city in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a city official.

(m) No official/employee shall grant special consideration, treatment or advantage to any person, beyond that which is available to every other person.

(n) This section does not prohibit an official/employee of the city from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual necessary expenses, or prohibit an official/employee from taking official action with respect to any proposal to modify city ordinances or resolutions. (Ord. 61-4706 '1(Exh. A)(part), 1990.)

2.03.040 Organization and composition of the board. (a) There is created a board with five members appointed by the mayor and subject to confirmation by the common council. Members should be from diverse segments of the community. Each board member shall be a resident of the city and shall serve without compensation. The term of office shall be five years. On the first appointment of the board, board members shall be appointed for terms of one, two, three, four, and five years respectively.

(b) The members of the board shall select their own chairperson annually and shall adopt such rules as may be necessary to carry out the duties and responsibilities of the board under this chapter. Any rules adopted shall be subject to the approval of the common council.

(c) The city attorney shall furnish the board whatever legal assistance is necessary and proper to carry out its functions. The board or the city attorney may request the common council to authorize special counsel for the board. The board shall be furnished with whatever staff assistance is required to fulfill its duties. (Ord. 61-4706 '1(Exh. A)(part) , 1990.)

2.03.050 Duties of the board. Duties of the board are set out as follows:

- (a) Prescribe and make available forms for use under this chapter;
- (b) Accept and file any information related to the purposes of or required by this chapter;
- (c) Investigate any violation of this chapter on its own motion or upon complaint properly filed with it;
- (d) Maintain a record of its investigation, inquiries and proceedings. The findings of the board shall be public records;
- (e) Any person who is involved or about to be involved in any matter than could involve conduct prohibited by this chapter, or could result in a material conflict of interest on his

or her part, may apply to the board for an advisory opinion. The board will not issue any opinion on conduct which may, in the judgment of the board, involve a violation of state or federal law. Such person may be guided by the opinion rendered by the board and the board is prohibited from issuing any complaint against any such person who acts in accordance with the opinion. Such person shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of this chapter before the advisory opinion is rendered. A material conflict of interest on the part of any person is deemed to exist whenever the person's action or failure to act could reasonably be expected to produce or assist in producing a substantial benefit, directly or indirectly, for the person or his or her immediate family or an organization with which he or she is associated or the matter in question is one in which the official/employee, in his or her private capacity, or a member of his or her immediate family or an organization with which he or she is associated, has a substantial interest;

(f) Records obtained in connection with a request for an advisory opinion, other than summaries of advisory opinions that do not disclose the identity of individuals requesting such opinions, or organizations on whose behalf they are requested, are not open for public inspection. The board may, however, make such records public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested. A person who makes or reports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person is deemed to have waived the confidentiality of the request for an advisory opinion and any of the records obtained or prepared by the board, in connection with the request for an advisory opinion.

(g) Records obtained or prepared by the board, in connection with an investigation, are not open for public inspection, except that the board shall permit inspection of records that are made public in the course of hearing by the board to determine if a violation of this chapter has occurred. Whenever the board refers such investigation and hearing records to the city or a district attorney, they may be made public in the course of a prosecution;

(h) Maintain a current list of persons doing business in or engaged in transaction with or affecting the city for use by officials/employees. (Ord. 61-4706 '1(Exh. A)(part), 1990.)

2.03.060 Investigation of complaints. (a) The board shall accept from any individual, either personally or on behalf of an organization or governmental body, a verified complaint, in writing, signed and sworn to under oath, which states the name of any person alleged to have committed a violation of this chapter and which sets forth the particulars thereof. The board shall forward to the accused, within ten days, a copy of the complaint and a general statement of the applicable ordinances with respect to such verified complaint. If the board determines that

the verified complaint alleges facts sufficient to constitute a violation of this chapter, it may make an investigation with respect to any alleged violation. If the board determines that the verified complaint was brought for harassment purposes, the board shall so state.

(b) The board shall investigate any complaint properly filed with it. Pursuant to any investigation conducted under this section, the board has the power:

(1) To require any person to submit in writing such reports and answers to questions relevant to the proceedings conducted under this section, as the board may prescribe, such submission to be made within such period and under oath, or otherwise, as the board may determine;

(2) To administer oaths and require, by subpoena issued by it, the attendance and testimony of witnesses and the production of any documentary evidence relating to the investigation or hearing being conducted;

(3) To order testimony to be taken by deposition before any person, who is designated by the board, and has the power to administer oaths, and, in such instances, to compel testimony and the production of evidence in the same manner as authorized by subsection (b)(2) of this section;

(4) To pay witnesses the same fees and mileage as are paid in like circumstances by the courts of Wisconsin.

(c) Following the receipt of a verified complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis for the belief that a violation of this chapter has been committed, or that an investigation of a possible violation is warranted, the board may investigate the circumstances concerning the possible violation. No investigation of any person may be commenced until it has been authorized by the board, by a majority vote, and until the person, who is the subject of the investigation, has been notified of the investigation, pursuant to subsection (c)(3) of this section. During the course of an investigation, if the board finds probable cause to believe that a violation of this chapter has occurred, it may:

(1) If no verified complaint has been filed, upon its own motion, make a verified complaint, which shall be in writing, shall state the name of the person who is alleged to have committed a violation of this chapter and shall set forth the particulars thereof. Within ten days, the board shall forward to the accused a copy of the complaint and a specific statement enumerating the source or sources of information on which the complaint is based.

(2) If a verified complaint has been filed and the board finds probable cause to believe that a violation of this chapter, other than one contained in the complaint,

has occurred, it may amend the complaint upon its own motion, to include such violations. If the complaint is so amended by the board, a copy of the amendment shall be sent to the person complained of within forty-eight hours.

(3) As soon as it becomes apparent to the board that there exists probable cause for the belief that a particular person has committed a violation of this chapter, the board shall notify the alleged violator, by mailing a copy of a notice

informing the alleged violator that such person is the subject of the investigation authorized by the board, and a general statement of the applicable ordinances with respect to such investigation. Service of the notice is complete upon mailing.

(4) No action may be taken on any complaint, which is filed later than three years after a violation of this chapter is alleged to have occurred.

(Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

2.03.070 Probable cause of violation. At the conclusion of this investigation, the board shall, in preliminary written findings of fact and conclusions based thereof, make a determination of whether or not probable cause exists to believe that a violation of this chapter has occurred. If the board determines that no probable cause exists, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that there is probable cause for believing that a violation of this chapter has been committed, the preliminary findings and fact and conclusions may contain:

(a) A recommendation for prosecution, which shall be referred to the city attorney or district attorney, as appropriate;

(b) An order setting a date for hearing before the board to determine whether a violation of this chapter occurred. Such order shall be served upon the accused. A hearing ordered under this subsection shall be commenced within thirty days of the date it is ordered, unless the accused petitions for and the board consents to a later date. (Ord. 61-4706 ' 1 (Exh. A)(part), 1990.)

2.03.080 Hearing procedure. During any investigation and during any hearing which is conducted to determine whether a violation of this chapter has occurred, the person under investigation or the accused may be represented by counsel of his or her choosing and the accused or his or her representative, if any, shall have an opportunity to challenge the sufficiency of any complaint, which has been filed against him or her, to examine all documents and records obtained or prepared by the board in connection with the matter heard, to bring witness, to establish all pertinent facts and circumstances, to question or refute testimony or evidence, including the opportunity to confront and cross examine adverse witnesses. During any hearing conducted by the board to determine whether a violation of this chapter has occurred, all evidence, including certified copies or records, which the board considers, shall be fully offered and made a part of the record in the proceedings. Upon request of the accused, the board shall issue subpoenas to compel the attendance of necessary witnesses. The standards of evidence and the burden of proof applicable to civil forfeiture actions shall apply to hearings under this section. A hearing shall not be held with less than four members in attendance for the entire hearing. The board shall make a determination upon such evidence submitted by an affirmative vote of at least three members present at the hearing. (Ord. 61-4759 ' 1(part), 1991; Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

2.03.090 Findings of fact and conclusionsCOOrders and recommendations. If the board determines that no violation of this chapter has occurred, it shall immediately send written notice

of such determination to the accused and to the party who made the complaint. If the board determines that violation of this chapter has occurred, its findings of fact and conclusions may contain one or more of the following orders or recommendations:

(a) In the case of any appointed officer or employee, a recommendation that he or she be censured, suspended or removed from office or employment. Such recommendation shall be made to the appropriate authority which may censure, suspend or take action to remove the official/employee from office or employment;

(b) In the case of an elected city officer, a recommendation that the officer be censured, suspended or removed from office. Such recommendation shall be made to the common council;

(c) In the case of a municipal justice, a recommendation that the justice be reprimanded, censured, suspended or removed from office. Such recommendation shall be sent to the Wisconsin Supreme Court and to the city of Wausau common council;

(d) An order requiring the official/employee to conform his or her conduct to this chapter;

(e) An order requiring the official/employee to forfeit not less than one hundred dollars or more than one thousand dollars, for each violation of this chapter. The city attorney, when so requested by the board, shall institute proceedings to prosecute and recover any forfeiture incurred under this section, which is not paid by the person against whom it is assessed;

(f) Such other recommendation or order as may be necessary and appropriate and as consistent with the intent and purposes of this chapter. (Ord. 61-4759 ' 1(part), 1991; Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

2.03.100 Removal, suspension and censure. Upon receipt of a recommendation from the board that an officer be censured, suspended or removed from office, the appropriate appointing authority or common council, as the case may be, may proceed in accordance with procedures outlined in the municipal code and/or state statutes; but no officer subject to a civil service or to a police and fire commission law, or whose removal is governed by such law, shall be censured, suspended or removed otherwise than as therein provided. (Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

2.03.110 Costs. (a) If the board finds that a complaint filed under this chapter was wilful and malicious and without probable cause, the expenses of investigation and hearing of any such complaint by the board shall be paid by the person making the complaint. In all other cases such expenses shall be paid by the city.

(b) If any board proceedings are discontinued or dismissed or are determined favorably to an official/employee the city shall pay all reasonable expenses which the official/employee necessarily expended by reason of such proceedings. (Ord. 61-4706 ' 1(Exh. A)(part), 1990.)

Code of Ethics for Public Officials and Employees
Signature Form

I acknowledge that I have received the *Code of Ethics for Public Officials and Employees* on the date indicated below. Terms described in this Policy may be altered, amended, or changed by the City of Wausau, with or without prior notice. I understand that any violation of the City of Wausau *Code of Ethics for Public Officials and Employees* may subject me to discipline, up to and including termination.

Print Employee Name: _____

Employee Signature: _____

Date Signed: _____

Please return completed form to the Human Resources Department

Policy Overview

Core Values

Violence in the Workplace

Ethics

Mission Statement

In response to our citizens, we will provide services in the most effective and efficient manner in order to promote and enhance our living environment. Plan and encourage positive growth. Promote a positive community image by encouraging citizen involvement and civic pride.

PURPOSE

Lead by Example

**Create and Maintain a Positive,
Vibrant Workforce**

**Affirm Support & Intent to Comply
(by signature)**

Mitigate Risk



Core Values



Professionalism

We choose to take pride in our work, communicate effectively, project a positive image, and deliver service at the highest standards every time, in every situation.

Accountability

We accept responsibility and take ownership for our actions.

Integrity

We act ethically, honestly, and lead by example by having our actions reflect our word.

Respect

We choose to treat everyone the way we would like to be treated.

Workplace Violence

Zero Tolerance

Intimidating, threatening or violent behavior

Accountability

Everyone is responsible and accountable

Prevention Techniques

- Early Warning Signs
- Sequence of Workplace Violence

Responsibilities and Reporting

- Employee – Know and Report
- Manager – Know, Inform, Report, Act, Document

Retaliation

- Prohibited Conduct (unlawful)
- Monitored by Department Head, HR and supervisory chain



Prevention: Early Warning Signs

- History
- Ignored or rejected obsession
- Chemical dependence
- Severe depression
- Pathological blaming
- High frustration
- Fascinated with weapons and/or violence
- Can't accept criticism
- Social isolation
- Chronic disputes
- Intolerance
- Paranoia – “it's unfair!”
- Intimidating behavior
- Mood swings
- Refuses responsibility for actions

Workplace Violence

Prevention: Perpetrator Sequence

Trigger

Something creates extreme trauma or anxiety

Perception

- Not resolvable
- Blame
- Egocentric

Sole Objective

- Self-preservation and self-protection
- Violence is the only resolve

Violence

An act is attempted or committed

Workplace Violence



Definitions

Intimidation or Threat

- Implication, expression, verbal or non (includes stalking)
- Physical or mental harm to person or property
- Eye of the Beholder – reasonable person
- Anytime it affects interests of the City

Violence

- Anything reasonably designed to create fear
- Includes vandalism and property destruction

Prohibitions

- Weapons
- Firearms

Workplace Violence

Code of Ethics



Policy Purpose

- Essential to representative government
- Establishes a code of conduct
- Builds public trust
- Avoids conflict between personal and public responsibilities
- Distinguish between unavoidable, minor and inconsequential conflicts and those that are substantial and material

Not designed to prevent -

Seeking other opportunities to make \$\$\$

Performing job duties

Reimbursement for actual expenses

That do not conflict with the ethics code

Standards of Conduct

Cannot use ones position or office for:

- Financial gain or anything of value
- For private self, family or associated organization
- Representing others for pay within the City

• Cannot trade: (*illustrative*)

- Votes
- Information
- Unlawful benefits
- Contracts
- Access
- Testimony
- Use of City property

For something of value

Code of Ethics

Standards of Conduct



Prohibitions

- Cannot use or disclose information gained through position for personal value;
- Cannot be part of an organization that contracts with the City for more than \$3,000 per year without first disclosing it and entering it into the minutes of the appropriate government body.
- Personally participate in (quasi)judicial proceedings for \$\$\$ if prior official capacity participation
- Act in excess of lawful authority
- Twelve month waiting period after office/employment

Code of Ethics



Ethics Board

- 5 Members - 5 year term
- Mayoral Appointment Confirmed by Council

Duties

- Prescribe forms
- Accept and file information related to ethics code
- Investigate violations
- Maintain investigative record
- Issue advisory opinions upon request
- Issues Complaint findings
- Conducts hearings

Board Members

- Joseph Hoppa
- Peter Hessert
- Steve Immell
- Chet Suski
- Sherri Brager

Code of Ethics

Questions?



City of Wausau Policy Overview