



Fire Department

**Mark Rohlfing**  
Chief

**Gerard Washington**  
Assistant Chief  
**Michael Payne**  
Assistant Chief  
**Paul Conway**  
Assistant Chief

February 6, 2012

To the Honorable  
The Board of Fire and Police Commissioners  
200 East Wells Street, Room 706  
Milwaukee, Wisconsin 53202

Dear Commissioners:

For your review, attached are the department's draft civilian work rules, as well as additional information on work schedules/overtime, vacation, and holidays for dispatch personnel.

All affected employees will be receiving an individual copy of the work rules after Commission approval. The information will also be posted on the department's home page. I look forward to discussing any questions or concerns you may have at the next meeting of your Honorable Board.

Respectfully,



**MARK ROHLFING**  
Chief

MR/jlb  
Attachments  
FPC\Civilian Employees\Work Rules 0212



MILWAUKEE FIRE DEPARTMENT  
MAJOR WORK RULES  
for  
CIVILIAN PERSONNEL

Mark Rohlfing  
Chief

Gerard Washington  
Assistant Chief  
Michael Payne  
Assistant Chief  
Paul Conway  
Assistant Chief

All civilian MFD employees are expected to be familiar with and follow the major work rules as described in this publication. These work rules summarize the standards of behavior expected of all civilian MFD employees at time of hire and throughout employment. Since these are “major” work rules, they do not cover every situation that may conceivably arise. These rules may be modified from time to time. When this occurs, employees will be notified of the changes and will be expected to follow the amended rules.

These work rules are not intended to supplant City Ordinances or Fire and Police Commission rules. They are intended to supplement these ordinances and rules, and if there is a conflict, the City Ordinances or Fire and Police Commission rules will prevail.

## I. NORMAL WORKDAY

- a. **Working Hours** – Employees are expected to be at their work areas prepared for work at their starting time and to remain until quitting time.
  - The three shifts of TSD dispatch staff are 0730-1530 / 1530-2330 / 2330-0730.
  - Normal business hours for all civilian staff other than dispatch is 0730-1600 hours.
  - Construction and Maintenance Division also staffs a watch desk from 1600 hours until midnight Monday-Friday, and 0800-1600 hours on Saturday and Sunday.

Managers may grant (if it does not unduly place hardship on the services rendered, or co-workers) alternate work hours; however, work hours must always be 8.5 hours of time to include a 30 minute lunch period (with the exception of dispatchers as they are paid for their lunch and work 8.0 hours). Employees wishing to make-up time for occasional personal appointments may do so if granted permission from their direct manager. Make-up time will be scheduled with their direct manager.

FLSA-exempt employees are eligible to work flexible schedules that are different from the normal 0730-1600 hour schedule in accordance with the guidelines set forth under chapter 350-5 of the Milwaukee Code of Ordinances.

- b. **Attendance** – All employees are to report for duty at the time designated by their direct manager. All employees are expected to be regular in their attendance.
- c. **Break Periods** – Employees are allowed a fifteen-minute break period in the morning and a fifteen-minute break period in the afternoon. Breaks are paid, and lunch periods are not; therefore, breaks may never be combined to replace a lunch break in order to only be at work for 8.0 hours. Dispatchers are allowed breaks as identified by the Fire Dispatch Manager based on activity levels.
- d. **Lunch** – Employees are allowed a 30 minute unpaid lunch (with the exception of dispatchers as they are paid for their lunch). Employees are to coordinate their regularly scheduled lunch period with their direct manager. Lunch periods will be coordinated in a way that service to the general public is not interrupted. Employees are not allowed to work during their lunch periods.
- e. **Medical/Dental Appointments** – Employees may schedule and charge up to three (3) two-hour medical or dental appointments per calendar year to “Miscellaneous – Unapplied Time,” O69, which is paid time off. Medical/dental appointments exceeding two hours in length must be charged to sick leave or some other accrued credit; unpaid time or other credits may not be added to the two-hour O69 time to accommodate an appointment that exceeds two hours. (This section [1e] does not apply to dispatchers.)

- f. **Emergency Leave** – Dispatchers receive 2.0 hours paid emergency leave/occurrence charged to “Miscellaneous - Unapplied Time,” earn code 069.
- g. **Work Assignments** – Employees are required to work in a safe, efficient, professional manner using their best efforts to complete assigned tasks. Employees may be assigned individually or as part of a team based on need as determined by management.
- h. **Work Limitations** - Work assignments are not to be performed at home or away from the workstation unless approved by the bureau Assistant Chief or his designee.

## II. PRE-APPROVED/SCHEDULED OVERTIME and EMERGENCY OVERTIME

- a. **Overtime** – Employees may only work overtime if pre-approved by the bureau- or division-head. **Overtime is defined as authorized work hours in excess of 40 hours in one week. One week is defined as 12:01 am Sunday through 11:59 pm Saturday. Time worked is defined as hours worked during scheduled work periods, all holiday hours paid but not worked, and all furlough hours not worked.**

Overtime is compensated, whether as cash or compensatory time, at a rate of time and one half. Work performed on a city-defined holiday is compensated at time and one-half.

**Example:** An employee works 32.0 hours in the week and takes 8.0 hours of vacation. That employee working up to 8.0 extra hours that week will only be paid straight time for those up to 8.0 hours. That employee would only earn time and one-half for actual hours worked over 40 during the week.

The Fire Chief or his designee will determine whether employees are compensated with pay or compensatory time, upon review of each individual circumstance, **and PRIOR to the overtime time being assigned.**

Overtime for Construction and Maintenance staff will be administered by the division-head or his designee.

Overtime for dispatchers is governed by the attached policy.

- b. **Emergency Scheduling** – Generally does not affect clerical staff.

Emergency scheduling for dispatchers is governed by the attached policy.

Emergency scheduling for Construction and Maintenance staff will be administered by the division-head or his designee.

## III. ABSENCES

**Reporting Unscheduled/Unplanned Absences** – Employees themselves are to report their absences to their direct manager at least one half hour prior to the regularly scheduled workday (and each concurrent day of their absence unless excused from doing so by their manager). An agent of the employee may notify on behalf of the employee in situations in which the employee is incapacitated or unable to make notification. “Personal business” is not a valid reason for absence; the reason for the absence must be satisfactorily explained to the manager. **Notification of an absence does not necessarily constitute an excused absence; there must be a communicated response from the direct manager indicating approval.**

Employees may in some circumstances be allowed to make up time at the discretion of their direct manager for an absence of less than one work shift for a professional appointment (i.e., doctor, dentist, therapist). Make-up time is made up at straight time, hour for hour, and is to be scheduled with their direct manager.

Absences reported to the manager are to include:

1. the reason
  2. the expected duration of the absence
  3. how the time is expected to be charged (Paid FMLA, Unpaid FMLA, sick leave, vacation, etc.)
  4. a telephone number where the employee can be reached if necessary
- a. **Sick Leave** – The City’s Sick Leave Ordinance and regulations will govern the use of sick leave. The use of sick leave is only for illness or other legitimate purposes covered by the Ordinance and the privilege of taking sick leave must not be abused. Employees with chronic medical conditions may want to consider applying for family leave if the situation meets the guidelines and restrictions of the Family and Medical Leave Act.

A medical certificate for sick leave may, at management’s discretion, be required for any absence. The medical certificate must provide enough detail from the doctor to substantiate the employee’s inability to work. Medical certificates that do not substantiate an employee’s inability to work will not be accepted. The medical certificate must include a beginning and ending date, reason, and the doctor’s signature. The use of sick leave may not be approved if proper documentation is not supplied within the pay period of the employee’s return.

Employees who exhaust their sick leave must utilize all other accrued credits (i.e., vacation, compensatory time) prior to requesting the use of unpaid time off (unless employee qualifies for unpaid FMLA which may be requested without exhausting all other credits).

*Refer to the MFD’s current numbered notice “Sick/Injury/Funeral & Family Leaves” for more rules and regulations.*

- b. **FMLA** – *Refer to the MFD’s current numbered notice “Family and Medical Leave Acts” for rules and regulations.*
- c. **Funeral Leave** – *Refer to the MFD’s current numbered notice “Sick/Injury/Funeral & Family Leaves” for rules and regulations.*
- d. **Jury Duty** – *Refer to the MFD’s current numbered notice “Jury Duty” for rules and regulations.*
- e. **Absence with Leave** - Employees may request a “leave of absence” in writing to the Chief of the department. Requests for unpaid time will not be granted when an employee has any unused paid leave balances that would qualify for use in the circumstances. Unpaid leaves of absences are not to be a substitute for lack of vacation accrual, but for unforeseen medical issues, educational purposes, or other exigent personal situations.
- f. **Absence without Leave** – Absence without permission may be subject to disciplinary action.

#### IV. VACATIONS and SICK LEAVE INCENTIVE DAYS (and HOLIDAYS for dispatch staff)

- a. Vacation and holiday scheduling for dispatchers is governed by the attached policy.
- b. Vacation and sick leave incentive day scheduling for Construction and Maintenance staff will be administered by the division-head or his designee.
- c. Employees not under the control of a prescribed MFD vacation selection process are to submit an MFD Vacation Request Form to their direct manager in advance of date(s) requesting to be taken. Managers will approve vacation requests in the order in which they are received, ensuring basic bureau/division needs can still be met with the remaining employees. In addition to bureau/division staffing needs, vacation requests within the first six-months of employment may be denied if it unduly interrupts employees’ training.

- d. Managers will determine the number of employees who can be off on vacation at any given time.
- e. Sick Leave Incentive earned by dispatchers will be paid. Sick Leave Incentive for all other non-sworn personnel can either be paid or treated as an additional day off at the discretion of the employee. Employees requesting days off are to schedule said days through their direct manager.
- f. Vacation is earned on a pay period accrual basis. Employees will cease earning vacation if/when the maximum hours allowed is reached (refer to current MFD numbered notice entitled "*Vacation, Holiday, and Paid-Off Entitlement*" for maximums). Employees who wish to use vacation and find themselves at a zero vacation balance must use TVA hours, if available, before being allowed to go negative in their vacation account. Employees with a zero vacation balance and a zero TVA balance may be allowed to go negative in their vacation account by as much as 80 hours providing they have prior approval from the Fire Chief or his designee. It is at each manager's discretion, based on employees' job training requirements, if employees new to the department will be allowed to use vacation prior to their 6-month anniversary in that position.
- g. Holidays for Fire Equipment Dispatchers and Fire Dispatch Supervisors are earned at a rate of .9167 per month.

## V. SAFETY and CONTROLLED SUBSTANCES

- a. **Safety** – It is the responsibility of each employee to be familiar with and follow safe work procedures. Employees are to report any unsafe conditions, actions, or equipment to their direct manager. Refer to MFD current numbered notice "*Workplace Safety Reporting & Grievance Procedure*" for reporting and grievance procedures.
- b. **Weapons** – Refer to "*Policy Prohibiting Firearms and Dangerous Weapons in the Workplace*" found on the City of Milwaukee's website (at this printing <http://city.milwaukee.gov/der/policies>).
- c. **Personal Items/Property** – The City does not reimburse employees for personal items that are damaged or stolen with the exception of the personal tools some Construction and Maintenance employees are required to provide.
- d. **Smoking** is prohibited in all city buildings and vehicles per City Ordinance.
- e. **Alcohol and Controlled Substances** – Employees are not to report to work under the influence of alcoholic beverages or non-prescribed controlled substances or any other medication that prohibits them from safely and effectively performing their job duties.

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

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

Violation of this rule will result in disciplinary action up to, and including, discharge.

Refer also to "*Drug Free Workplace Act of 1988*" found on the City of Milwaukee's website (at this printing <http://city.milwaukee.gov/der/policies>).

- f. **Employee Assistance Program** is available to all City employees, families, and friends. If needed, call 286-3145.

## VI. RULES OF CONDUCT

a. **Personal Conduct** – Members of the public and fellow employees are to be treated in a courteous and professional manner, abiding by all mission and diversity statements of the department and the City of Milwaukee. Conduct that is deemed offensive will not be tolerated. (Refer to i. Anti-harrasment for specifics.) Employees who do not adhere to the rules of personal conduct will be subject to disciplinary action. In matters of general conduct not within the scope of department rules, members shall be governed by the ordinary rules of good behavior expected of all law-abiding citizens. Conduct which brings reproach or unfavorable reflection on the department, failure to respect the proper orders of any agent of the law, untruthfulness, insubordination, misconduct, or resisting lawful arrest, shall be considered a violation of these rules, and subject to disciplinary action.

b. **Appearance** - Employees are expected to use good judgment in choosing their attire, taking into consideration their position, work location, contact with the public, and health and safety standards.

Clothing, whether uniform, or personal attire, is to be neat, clean, and in good repair at all times, and should not create a safety hazard in the work environment.

Personal cleanliness and good grooming habits must be observed. Hair, including facial hair, is to be clean and neatly trimmed or arranged.

Clothing which may be appropriate for recreational, social, or leisure time is not suitable work attire. This includes, but is not limited to, evening attire, revealing attire, halter-tops/midriff baring tops, sweats, T-shirts, blue jeans, and shorts. Further, items of clothing with messages on them are not considered appropriate for a business environment.

Exceptions are: 1) On Fridays, employees assigned to desk jobs are allowed to wear neat jeans without holes, rips, or tears and MFD-associated/sanctioned T-shirts or sweatshirts.  
2) Shop floor personnel may wear shorts during work days of extreme heat as determined by the division-head or his designee.

c. **Radios** – Radios are to be kept at a level as to not disturb other employees or the public. For reasons of safety and public image, employees are not to wear headphones or earphones during work hours; however, usage is allowed during break periods, in break areas not in public view.

d. **Gratuities** – As outlined in the *City Ethics Code*, city employees should not accept anything of value which could appear to influence their public duties, or be a reward for action taken. Employees should not use their public position for personal gain or for the gain of immediate family members or for organizations in which they have an interest. Employees should not use workplace information, which is unavailable to the public, for personal gain. *For additional information refer to the Ethics Board at 414-286-8641 or send an email to ethics@milwaukee.gov.*

e. **City Property** – Employees are not to use any City-owned property or equipment for private purposes.

f. **Telephone Usage** – Office and MFD-issued cell phones are for business purposes. Occasional personal telephone calls may be necessary; such calls should be kept to a minimum and their duration limited. Calls on personal cell phones are to be handled during breaks/lunch periods.

g. **Email** - Users may not send messages that can be construed as scandalous, defamatory, libelous, obscene, immoral, or in violation of any intellectual property rights.

Due to public records laws, and because email administrators sometimes have no choice but to view messages in performing regular maintenance, users should not assume any privacy or confidentiality

for any messages they transmit or receive via email. Employees should choose a different mode of communication for sensitive or confidential matters.

All email and/or Internet transmissions sent from or received through city computers (including any incidental personal messages either sent or received) are considered city property. City and departmental management reserve the right to examine, at any time and without prior notice, all e-mail, directories, files and other information stored on data disks, computers, and/or other media.

Email with attachments which may interfere with the efficient operation of individual workstations or the division's network may be removed by email administrators.

*Refer also to current MFD numbered notice "Computer/Internet/E-mail Usage Guidelines."  
See also "Web and Email Policies," and "Internet Use Guidelines" found on the City of Milwaukee's website (at this printing <http://city.milwaukee.gov/der/policies>).*

- h. **Computers** - All computers, software and data are considered city property. City and departmental management reserve the right to examine, at any time and without prior notice, all directories, files and other information stored on data disks, computers, and/or other media. Animated files, pictures, wallpaper, screen savers and/or other software that interfere with the efficient operation of individual workstations or the division's network may be removed by network administrators.

*Refer also to current MFD numbered notice "Computer/Internet/E-mail Usage Guidelines."  
See also "Web and Email Policies," and "Internet Use Guidelines" found on the City of Milwaukee's website (at this printing <http://city.milwaukee.gov/der/policies>).*

- i. **Anti-Harassment** – It is the policy of the City of Milwaukee to provide a work environment that is free from employment discrimination, harassment, improper treatment, or inappropriate conduct based on race, sex, religion, national origin, ancestry, color, creed, age, sexual orientation, gender expression, marital status, disability, military status, or any other protected characteristic as defined by federal, state, or local regulations.

- 1.) **Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

- 2.) **Harassment Based Upon Other Protected Categories** – Harassment may also include, but is not limited to, ethnic slurs and other verbal or physical conduct when the conduct:

- has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

- 3.) **Workplace Violence** – The City has a zero tolerance policy regarding workplace violence. Workplace violence includes, but is not limited to, threats by employees at any level, harassment, intimidation, or bullying.

All must treat others with dignity and respect. Those employees whose unacceptable behavior continues will not be tolerated and will face discipline, including removal from their positions.

Employees who believe they have been the victim of harassment are to immediately inform their direct manager, bureau/division manager or the Department of Employee Relations at 286-3335.

Refer also to "Workplace Violence Prevention Policy" found on the City of Milwaukee's website (at this printing <http://city.milwaukee.gov/der/policies>).

- j. **Conflict Resolution/Grievance Procedure** – Refer to current "MFD Disciplinary Grievance Procedure for Non-exempt Civilian Personnel," and MFD numbered notice entitled "MFD Mediation Program."
- k. **Confidentiality** – It is the responsibility of every employee to respect and protect the confidentiality of information used in the performance of assigned responsibilities in accordance with applicable federal and state employment laws, including but not limited to, the ADA, the FMLA, and HIPAA. MFD managers are responsible for instructing employees on proper handling, storage, and retention of confidential information. This entails ensuring that proper procedures are followed as part of the employees' orientation and ongoing supervision.

Employees are not to furnish information relative to the business or affairs of the department, except as required by law or as authorized by the Chief. Requests for information are to be referred to the Office of the Chief for clearance, through the chain-of-command. The release of information, or discussion detrimental to the welfare of the department, is considered a violation of department rules.

Members are not to request opinions of the City Attorney for personal use or for organizations not directly under the control of the department or the City of Milwaukee.

Any abuse, misuse, or dissemination of confidential information may result in disciplinary action. Deliberate efforts to disclose confidential information or to access information not required by an employee's assignment and associated job responsibilities will be considered a violation of this work rule.

To protect confidentiality, all employees must adhere to the following standards:

- Confidential information must be stored in appropriate files or secured area when not in use.
- Confidential information must not be displayed or left in a place where it can be easily observed by others (i.e., fax machine, printer, copier, desktop, or computer screens).
- Employees are strictly prohibited from sharing passwords or user-IDs with others.
- Employees must never transmit confidential information via email.
- Employees are not to discuss confidential or sensitive information in public areas in which the confidentiality of the information cannot be assured.
- Employees are not to discuss personal, sensitive, and confidential information about City of Milwaukee employees with others who do not have a need to know.

## VII. GENERAL REGULATIONS

- a. **ADA Accommodations** – The MFD complies with the Americans with Disabilities Act of 1990. Employees requiring special work accommodations are to detail the specific needs in writing to the Fire Chief.
- b. **Building Access** – Employees are only allowed building access outside of normal business hours with the permission of their direct manager.
- c. **Safety Shoe Allowances** – City Ordinance 350-94 allows a \$130.00 annual safety shoe allowance for employees working in a classification which management has determined requires the wearing of approved safety shoes. Division-heads with affected employees will govern procedural policies for reimbursement, staying within parameters required by City reimbursement policies.

- d. **Eye Protection** – Eye protection is provided by the department per Federal Occupation Safety and Health Association standards.
- e. **Uniform Allowance** – The department will provide employees working in a classification which management determines requires a specific uniform be worn, with the appropriate uniform.
- f. **Driving Record** – If employee's job description requires a valid State of Wisconsin Drivers License, the employee is responsible for notifying the Chief of the department if the license is suspended or revoked. The department reserves the right to audit and take disciplinary action for violations.
- g. **Department Issued Equipment/Supplies** – Department-issued equipment and supplies remain the property of the department and employees furnished such equipment are responsible for its care and for reporting repairs needed to their direct manager.
- h. **Job Description/Job Assignments** – The department will regularly review and update job descriptions as is necessary. Employees' job descriptions are available upon request to the Fire Personnel Officer.
- i. **Just Cause Standard for Discipline** – The Chief of the department or his designee will determine, based on investigation of each circumstance and the employees' record, the level of discipline to be imposed for violation of rules, policies, and ordinances. Refer also to Fire and Police Commission Rule XVI, Section 12, "The Board must find a preponderance of the evidence exists to sustain the charges."
- j. **Leaving the Work Area during Working Hours** – Employees are allowed to leave their work area within the guidelines of their direct manager, taking into consideration the scope of their job duties/location.
- k. **Media Inquiries** – Employees are to forward all media inquiries to the Chief of the department or his designee.
- l. **Parking** – Parking is currently provided for all employees at lots near their assigned work location.
- m. **Performance Reviews** – Performance reviews will be performed annually.
- n. **Reasonable Suspicion Drug and Alcohol Testing** – The Chief of the department has the authority to have an employee drug- or alcohol-tested if reasonable suspicion is determined.
- o. **Secondary/Outside Employment** – Allowed as long as it does not negatively impact or interrupt employees' performance, and does not create a conflict of interest with their MFD position.
- p. **Solicitation** – It is prohibited unless approved by the division-head.
- q. **Training/Travel** – Allowed as per approval from the Fire Chief or his designee.
- r. **Use of City Vehicles/Personal Vehicles** – Personal vehicles are not to be used for City business. Employees may use unmarked City vehicles for City business with permission from the Fire Chief or his designee.
- s. **Injury Pay** – Refer to City Ordinance 350-37 (8).
- t. **Residency** – Fire and Police Commission Rule XIV, Section 5, details the procedure to follow for extension or exemption from residency within the City of Milwaukee.

When employees confront situations that are so unique that no policy or procedure can guide them, their decision and interventions must always be consistent with our core values and guiding principles. Any questions regarding civilian work rules are to be directed to the MFD Fire Personnel Officer.