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4/21/09

1.0 PURPOSE:

To describe the City’s policy with respect to work area searches.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all City of West Allis departments, divisions, offices, facilities, board members, commissioners, officials and employees.

3.0 POLICY:

All City lockers, desks, filing cabinets, vehicles, equipment or other storage areas, whether assigned to specific individuals or not, are the property of the City. At no time does the City relinquish its exclusive control of its lockers, desks, filing cabinets, vehicles, equipment or other storage areas. As such, board members, commissioners, officials and employees shall have no right or expectation of privacy in lockers, desks, filing cabinets, vehicles, equipment or other storage areas. Department Heads or their designees (in the case of board members, commissioners and officials, the City Administrative Officer or his/her designee) shall have custody of all combinations to all lockers or locks for said storage items/areas. Accordingly, Department Heads or their designees (in the case of board members, commissioners and officials, the City Administrative Officer or his/her designee) have the authority to search lockers, desks, filing cabinets, vehicles, equipment or other storage areas at any time, for legitimate business purposes, without prior notice and without the individual’s consent.

4.0 REFERENCES:

O’Connor v. Ortega, 480 U.S. 709 (1987)
U.S. Constitution, Amendment IV

5.0 PROCEDURES:

Any illegal, unauthorized, inappropriate, or prohibited materials found within a City locker, desk, filing cabinet, vehicle, equipment or other storage area may be seized and used as evidence against an individual in disciplinary and/or criminal proceedings.