

6.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2009-0118 Resolution In Committee

Resolution relative to adopting a Work Area Searches Policy for all City Departments for inclusion in the City of West Allis Policies & Procedures Manual.

Introduced: 4/21/2009

Controlling Body: Administration & Finance Committee

Sponsor(s): Administration & Finance Committee

COMMITTEE RECOMMENDATION

adopt

(4-1)

ACTION DATE:
APR 21 2009

MOVER	SECONDER	
_____	_____	Barczak
_____	_____	Czaplewski
<i>X</i>	_____	Kopplin
_____	_____	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Sengstock
_____	<i>X</i>	Vitale
_____	_____	Weigel
TOTAL		

AYE	NO	PRESENT	EXCUSED
<i>✓</i>			
<i>✓</i>			
	<i>X</i>		
<i>✓</i>			
<i>✓</i>			
<i>4</i>	<i>1</i>		

SIGNATURE OF COMMITTEE MEMBER

Just Kopplin

Chair Vice-Chair Member

COMMON COUNCIL ACTION

adopt

ACTION DATE:
4-21-09

MOVER	SECONDER	
_____	_____	Barczak
_____	_____	Czaplewski
_____	_____	Kopplin
_____	<i>✓</i>	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Roadt
<i>✓</i>	_____	Sengstock
_____	_____	Vitale
_____	_____	Weigel
_____	_____	<i>Kopplin</i>
TOTAL		

AYE	NO	PRESENT	EXCUSED
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
	<i>✓</i>		
<i>✓</i>			
<i>✓</i>			
			<i>✓</i>
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>8</i>	<i>1</i>		<i>1</i>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2009-0118

Final Action:

Sponsor(s): Administration & Finance Committee

APR 21 2009

Resolution relative to adopting a Work Area Searches Policy for all City Departments for inclusion in the City of West Allis Policies & Procedures Manual.

WHEREAS, the City of West Allis has developed a policy for work area searches for the City of West Allis; and

WHEREAS, said policy shall apply to all City of West Allis departments; and

WHEREAS, said policy was never previously adopted for inclusion in the City's Policies & Procedures Manual; and

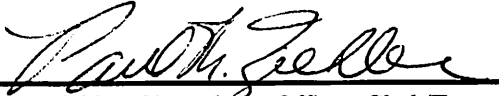
WHEREAS, it is beneficial for said policy to be included in the City's Policies & Procedures Manual; and

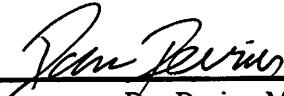
WHEREAS, said policy was reviewed by the City's Executive Safety Committee and recommended for approval.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the attached Work Area Searches Policy be and is hereby approved for inclusion in the City's Policies & Procedures Manual.

BE IT FURTHER RESOLVED that the City Administrative Officer is authorized and directed to include such policy in the City of West Allis Policies & Procedures Manual and distribute said policy to all departments, divisions, and offices.

ADM\ORDRES\ADMR375

ADOPTED APR 21 2009

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED 4/27/09

Dan Devine, Mayor

Work Area Searches

Human Resources

1400

1480

1

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.