



Fire Department

Mark Rohlfing
Chief

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

September 6, 2011

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

Dear Commissioners:

In response to your request, attached are the department's draft Workplace Safety Reporting and Grievance Procedure and the associated draft of the Workplace Safety Grievance form for department members.

After Commission approval, the procedure and form will be distributed to department personnel as a numbered notice. 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\Wrkplc Safety Griev Proc Cov Ltr 0911

Office of
MILWAUKEE FIRE DEPARTMENT

2011 - xx

September 16, 2011

TO: Department Personnel

RE: WORKPLACE SAFETY REPORTING AND GRIEVANCE PROCEDURE

I. PURPOSE

- A. This policy has been established per Wisconsin State Statute, 66.0509, which addresses the implementation of a workplace safety grievance procedure for civil service employees within the State of Wisconsin.
- B. The Milwaukee Fire Department is committed to providing a safe work environment for all department members. The department strives to provide a work environment that is free of hazards and that meets federal and state safety and health standards and regulations. This commitment relies on the expectation that it is the responsibility of all personnel to create and maintain a safe work environment.
- C. A safe work environment is dependent upon cooperation and communication between supervisors and department members. Clear communication allows for the identification of workplace hazards, implementation of effective and preventative solutions, and training programs to address safety needs.
- D. This procedure is designed to allow members to identify, document, and report safety related concerns, and for supervisors to address them in a timely and expeditious manner.

II. APPLICABILITY

- A. This policy will govern three (3) main areas:
 - 1. *The physical environment and conditions encountered by department members in performance of their assigned duties*, including facility work space, sanitation, air quality, temperature, signage, and lighting.

2. *The methods used in the performance of assigned duties*, including use and maintenance of equipment, tools, and materials.
3. *Administrative and/or operational policies and practices*, including posted signage of hazards, prevention and control policies and practices, and safety training, consisting of hazardous communication and procedures involving blood borne pathogens, emergency planning and preparedness policies, handling mail and incoming packages/deliveries, and transportation.

III. PROCEDURE

A. IDENTIFYING AND REPORTING

1. Safety issues or concerns that require immediate action shall not be delayed by the steps outlined in this procedure. It is department members' responsibility to immediately notify a company officer or division supervisor of a safety hazard in writing on a form F-105.
2. If an incident occurred, and exposure to a safety hazard resulted in department members suffering injuries, an F-149, "Report of Accident to Employee," is to be completed as well as associated forms.
3. If an incident occurred, but there were no injuries, or the hazard was identified before an incident occurred, the company officers/division supervisors are to report the situation on an F-105, highlighting the hazardous complaint and how the safety hazard was managed. The F-105 is to be directed as per normal chain-of-command. Safety hazards that are very minor in nature, and do not require removal of a permanent fixture or expense to the department, can usually be handled by company officers/division supervisors. In other situations, company officers/division supervisors may need to consult with the Battalion Chief/Bureau Assistant Chief to formulate a strategy for resolving the issue and implementing the appropriate risk controls. Whether resolved at the company officer/division supervisor level or at a higher level, the reporting F-105 must be submitted. Members who are the final destination of the F-105s are to forward them to the Health and Safety Officer (HSO) and the Incident Safety Officer (ISO).
4. *Supervisors may act immediately to deal with exigent circumstances when immediate threat of injury or illness exists if the safety hazard is not removed at once.*
5. When resolving the issue, take into account relevant risk factors, including, but not limited to:
 - a. Whether the concern or hazard can be isolated.
 - b. The number and location of members affected.
 - c. Whether appropriate temporary measures are possible or desirable.

- d. Whether environmental monitoring is desirable.
- e. The time that may elapse before the hazard or risk is permanently corrected.

B. INJURY OR ILLNESS

1. Supervisors whose members have experienced injury or illness due to safety hazards are to complete the F-149, "Report of Accident to Employee," F-149A, "Accountability Page," "Member/Witness Statement of Close Call/Incident," and F-149O, "Injury Classification." These reports are to be directed to the Administration Division within three (3) calendar days of complaint. Refer to the current numbered notice, "MFD Safety Program and Injury Leave Reporting," and the course on CentreLearn titled, "New Injury Review Process" for guidance on how to complete the forms.

Beginning October 1, 2011, the electronic injury report forms will be used throughout the department, replacing the paper forms. Except for the F-149, all other forms to complete will be accessed through department members' email accounts.

IV. APPEAL PROCESS

Department members who reported a hazard to their supervisor should receive a status report on the identified hazard within five (5) days. Depending on the complexity of the control measure, time periods for resolution may vary. Members must wait a reasonable amount of time for the situation to be resolved. If reporting members believe that the situation is not being resolved in a timely manner, those members have the right to inquire regarding the status of the complaint. If members are unsatisfied with the response from their supervisors regarding the complaint, then the following steps can be taken:

- A. Members may submit safety issue grievances in writing on a Form CC-234 WS-MFD Version (copy attached) to their respective Battalion Chief or Division Head.
- B. Within five (5) days of receipt of written safety grievances, Battalion Chiefs or Division Heads will provide members with written dispositions to these grievances.
- C. If safety issues are not resolved at the first step, members may forward, within five (5) days, through their respective Battalion Chief or Division Head, written appeals on the Form CC-234 WS to members' Bureau Assistant Chief.
- D. Within ten (10) days, the Bureau Assistant Chief will provide members with written grievance dispositions.

- E. If safety issues are not resolved at the second step, members may forward, within five (5) days, through their respective Bureau Assistant Chief, written appeals on the Form CC-234 WS to the Chief.
- F. Within ten (10) days, the Chief will provide members with written grievance dispositions.
- G. If safety issues are not resolved at the third step, members may forward, within five (5) days, through the Chief, written appeals to the Executive Director of the Fire and Police Commission.
- H. Within ten (10) days, the Executive Director of the Fire and Police Commission will provide members with written grievance dispositions.

NOTE: During each phase of the appeal process, the Battalion Chief, Division Head, Bureau Assistant Chief, Chief, and the Fire and Police Commission Executive Director may confer in person with members writing grievances and relevant department personnel as necessary.

V. REQUIREMENTS

- A. All grievance initiations, appeals, and dispositions will be conducted by utilizing Form CC-234 WS (MFD Version). Any safety issue grievance that is not appealed to the next step within the allotted time shall be considered resolved or abandoned, unless extended by management necessity or mutual agreement.
- B. Copies of all written grievances, appeals, and dispositions must be sent to the Assistant Chief of the Support Bureau within five days of complaint.
- C. The Support Bureau, Administration Division shall submit an annual report to the Fire and Police Commission of all grievances initiated, along with dispositions.

MARK ROHLFING
Chief

File No. _____

City of Milwaukee
FIRE DEPARTMENT

WORKPLACE SAFETY GRIEVANCE

Form: CC-234 WS (MFD Version) 9/16/11

INSTRUCTIONS

- I. GRIEVANCE INITIATION:
 - a. Complete the GRIEVANCE INITIATION portion below.
 - b. Deliver original to your Battalion Chief or Division Head.
 - c. After disposition, the Battalion Chief or Division Head will return the original to the grievant, forward one (1) copy to the City Labor Negotiator, and forward one (1) copy to the Support Bureau Assistant Chief.
- II. TO APPEAL GRIEVANCE DISPOSITION to BUREAU ASSISTANT CHIEF:
 - a. Complete the GRIEVANCE DISPOSITION APPEAL to BUREAU ASSISTANT CHIEF portion on back of your original grievance form.
 - b. Deliver original to the Assistant Chief of the appropriate bureau.
 - c. After disposition, the Assistant Chief will return the original to the grievant, forward one (1) copy to the City Labor Negotiator, and forward one (1) copy to the Support Bureau Assistant Chief.
- III. TO APPEAL GRIEVANCE DISPOSITION to FIRE CHIEF
 - a. Complete the GRIEVANCE DISPOSITION APPEAL to FIRE CHIEF portion on back of the original grievance form.
 - b. Deliver original to the Fire Chief.
 - c. After disposition, the Fire Chief will return the original to the grievant, forward one (1) copy to the City Labor Negotiator, and retain one (1) copy to the Support Bureau Assistant Chief.
- IV. TO APPEAL GRIEVANCE DISPOSITION to EXECUTIVE DIRECTOR OF THE FIRE AND POLICE COMMISSION:
 - a. Complete the GRIEVANCE DISPOSITION APPEAL TO EXECUTIVE DIRECTOR, FIRE AND POLICE COMMISSION portion on back of the original grievance form.
 - b. Deliver original to the Fire Chief, who will forward it to the Executive Director, Fire and Police Commission and keep one (1) copy for the Support Bureau Assistant Chief.

I. (a) WORKPLACE SAFETY GRIEVANCE INITIATION (print or type unless denoted as a "signature" block)

Name of Aggrieved Employee:	Title:	Date:
	Pension #/Employee ID:	

Statement of Safety Issue - Grievance:

Action Requested:

Employee Signature _____ Date _____

Grievance Disposition:

Battalion Chief/Division Head _____ Date _____

II. (a) GRIEVANCE DISPOSITION to BUREAU ASSISTANT CHIEF (print or type unless denoted as a "signature" block)

Grievant's Authorizing Signature:	Title:	Date:
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(only the Bureau Assistant Chief or appointed designee is to write in this space)

Received-Grievant	
Date	Initials

BUREAU ASSISTANT CHIEF/Designee Signature _____ Date _____

III. (a) GRIEVANCE DISPOSITION APPEAL to FIRE CHIEF (print or type unless denoted as a "signature" block)

Grievant's Authorizing Signature:	Title:	Date:
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(only the Fire Chief is to write in this space)

Received-Grievant	
Date	Initials

Fire Chief Signature: _____ Date _____

**IV. (a) GRIEVANCE DISPOSITION APPEAL TO EXECUTIVE DIRECTOR, FIRE AND POLICE COMMISSION
(print or type unless denoted as a "signature" block)**

Grievant's Authorizing Signature:	Title:	Date:
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Received-FPC	
Date	Initials

Grievance disposition by Executive Director, Fire and Police Commission, to be written here or attached to this form with the original being sent to the grievant, and one (1) copy sent to the Fire Chief.