



# *City of Barre, Vermont*

"GRANITE CENTER OF THE WORLD"

## **Policy Regarding Locker Searches and Inspections**

The City of Barre adopts the following policy with regard to inspections or searches of lockers provided by the City of Barre to its employees.

### **General Provisions**

The City of Barre may provide lockers to some or all of its employees, based on the City's determination that the provision of lockers is necessary or desirable for the convenience and security of the City and its employees. Unless otherwise negotiated, the decision to provide or not provide lockers is the sole prerogative of the City. Lockers or other storage facilities provided by the City to its employees are and shall remain the property of the City of Barre.

The City recognizes that its employees will use the lockers provided to them to store or secure personal property, and that its employees have a reasonable expectation of privacy and security when personal property is secured in the locker which is assigned to them. The City does not guarantee the security of valuables stored in any employee locker.

Employees may use the lockers assigned to them to store or secure personal belongings and appropriate work related materials. Employees shall not use the locker assigned to them to store or secure any hazardous substances, weapons (other than assigned gear), food which is subject to spoil, contraband, alcohol or illegal drugs, or any materials which if viewed by other employees might have the effect of creating a hostile work environment. Employees are responsible to keep their locker clean and orderly.

The Department Head or designee will retain a copy of the key for each locker assigned to an employee under the Department Head's supervision. Nothing in this policy will be deemed to prevent the City or any of its representatives from opening and inspecting any locker in the event of an emergency situation which might negatively affect the health or safety of any employee or member of the general public.

### **General Inspection of Lockers**

A Department Head may order a general inspection of all lockers assigned to employees within his other Department for any valid work related reason. In that event, the Department Head will post a Notice of the planned inspection at least one (1) week in advance. In the event that an employee is not available at the posted time of inspection, the employee may assign a union steward or other union member to represent said employee during the general inspection.

The absence of the employee or employee representative during the posted time of inspection shall not prevent the Department Head from conducting the general inspection.

#### Inspection of Employee Locker Based on Reasonable Suspicion (Non-Criminal)

When a Department Head or designee has reasonable grounds to suspect that an employee may be using his or her locker in a manner which violates this policy he or she may initiate a search or inspection of the employee's locker in accordance with the following procedure. The employee and a representative of the employee's union will be notified of the decision to inspect the locker at issue, and the business reasons for the City's decision to inspect. The employee will be given a reasonable opportunity to be present when the locker is inspected, and may be accompanied by a union steward at the time of the inspection. In those cases where it is difficult or impossible to contact the employee, the employee's union representative will be contacted, provided with the facts which the City relies on to conduct the inspection, and will be present to witness the inspection. In no event will the employee or employee representative be given less than a one hour notice of an inspection based upon reasonable suspicion. The absence of the employee or employee-representative during the properly noticed time of inspection shall not prevent an inspection from being conducted. At least one witness shall be present on behalf of the City Manager, Department Head or Designee while any inspection based upon non-criminal reasonable suspicion is being conducted.

#### Inspection of Employee Locker Based on Reasonable Suspicion (Criminal)

In the event the City of Barre, through its police department, desires to search or inspect an employee's locker for the purpose of gathering evidence to support a criminal charge or proceeding, it shall follow the statutory and constitutional procedures applicable to searches and seizures of criminal evidence, and shall first obtain a search warrant from a court of competent jurisdiction except in such cases where exigent circumstances permit an exception to the requirement of a search warrant.

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