R U L E S

of the

BOARD OF FIRE AND POLICE COMMISSIONERS

CITY OF MILWAUKEE

Milwaukee, Wisconsin

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RULE I.

DEFINITION OF TERMS

Section 1. (a) The word "Board" when used in these Rules means the Board of Fire and Police Commissioners. (Rev. 7/26/01)

(b) The "Executive Director" is the chief administrator for the Board. (Rev. 7/26/01)

(c) The "Hearing Examiner" acts as presiding officer in disciplinary appeal and citizen complaint trials. At its discretion, the Board may designate one of its members or may appoint an attorney to act as Hearing Examiner. (Rev. 12/8/08)

(d) The term "Exempt" in these Rules refers to positions not subject to competitive examination, unless the Board determines otherwise. (Rev. 12/8/08)

(e) The term "Non-Exempt" in these Rules refers to positions subject to competitive examination, unless the Board determines otherwise. (Rev. 12/8/08)

(f) The term "Transfer Officer" in these Rules refers to a Police Officer who has prior law enforcement experience with another jurisdiction and who is hired through the lateral transfer process. Transfer Officers include former sworn members of the Police Department who have been employed as a police officer with another jurisdiction since leaving the Police Department. (Added 10/24/24)

RULE II.

SCOPE OF AUTHORITY

Section 1. These Rules shall apply to all positions in the Fire and Police Departments and the Department of Emergency Communications in the City of Milwaukee which are under the jurisdiction of the Board of Fire and Police Commissioners, and to the conduct of all business relating to the functions and responsibilities of the Board. (Rev. 6/15/23)

Section 2. These Rules shall become effective immediately upon adoption by the Board and shall be published and distributed. (Rev. 9/7/23)

Section 3. (a) The Board shall, on an ongoing basis, review all aspects of the operations of the Fire and Police Departments and Department of Emergency Communications, including, but not limited to, a consideration of discipline, promotion, work rules, standard operating procedures, standard operating guidelines, and other procedures/directives relating to the conduct of employees of the Fire and Police Departments and Department of Emergency Communications. The Commission, and Commission members or staff when authorized by the Commission, shall have full access to observe and review all department activities. (Rev. 6/15/23)

(b) The Chief or Director of each department shall establish policies for the governance of each department, subject to the following requirements: (Rev. 9/7/23)

1. The Fire Chief and Emergency Communications Director Shall provide a copy of any new or amended policy to the Board within 48 hours of the policy's creation or amendment.

2. Any policy established by the Emergency Communications Director shall be subject to review by the Board. The Board may suspend or modify any such policy. The Board may also prescribe policies for the governance of the Department of Emergency Communications.

3. The Chief of Police shall provide a copy of any new or amended policy to the Board within 48 hours of the policy's creation or amendment, and no less than 30 calendar days prior to the policy's effective date, except that the Chief may immediately implement policy changes if the change is necessary to avoid a direct conflict with the laws of the State of Wisconsin or applicable federal law. (Rev. 6/15/23)

Section 4. The Chief or Director of each department upon request shall provide the Board with current standard operating procedures, standard operating instruction, standard operating guidelines, or other directives. (Rev. 9/7/23)

Section 5. When the Chief of Police, Fire Chief, or Emergency Communications Director will be absent from office for more than one week or will be leaving the state for more than 48 hours, the Chief or Director shall, in advance, in writing, notify the Executive Director of the Fire and Police Commission. Such notification shall include notice of who will be in command of the department during the Chief's or Director's absence. (Rev. 6/15/23)

RULE III.

ADMINISTRATION

Section 1. (a) Regular meetings of the Board shall be held on the first and third Thursday of each month at a date, time, and place as determined by the Board, except for a one-month recess as determined by the Board. The public shall be notified of all Board meetings pursuant to Section 19.84 Wis. Stats. (Rev. 10/1/2020)

(b) Special meetings may be called at any time at the request of the Chair, upon notice as required by law. A majority of seated members of the Board may call a special meeting with at least seventy-two (72) hours advance notice to the Executive Director, each member of the Board and the public, subject to Section 19.84 Wis. Stats. Any member of the Board may request a special meeting by submitting a written request to the Executive Director. Upon receipt of such a request, the Executive Director shall poll all the members of the Board to determine if a majority approves of the request for a special meeting. If a majority of the members approve the request, the Executive Director shall schedule a special meeting with at least seventy-two (72) hours advance notice to each member and the public. (Rev. 6/15/23)

(c) The Board, upon motion duly made and carried in open session, may meet in closed session under one or more of the exemptions provided for in Section 19.85 Wis. Stats. No one attending any closed meeting, including Board members and those invited or allowed to attend the closed meeting, shall be permitted to record that meeting through the utilization of audiotape, videotape, stenographic reporter or by any other means. (Rev. 5/8/03)

Section 2. A majority of the seated members of the Board or a Board committee shall constitute a quorum for the purpose of conducting business and making decisions, provided, however, that pursuant to section 62.50(1h) Wis. Stats., a 3-member panel of the Board may conduct and decide by majority vote disciplinary appeal trials and citizen complaint trials as described in section 62.50 Wis. Stats. and elsewhere in these Fire and Police Commission rules. A 3-member panel, as provided for in these rules, may also conduct and decide by majority vote appeals from psychological examination results, background investigation results, and dismissals of citizen complaints by the Executive Director. (Rev. 6/15/23)

Section 3. At the last regular meeting of July, the Board shall elect one of its members to act as Chair and one to act as Vice-Chair for a term of one year or until a successor is duly elected. In the case of a vacancy of the Chair, the Vice-Chair shall assume

the role of Chair for the remainder of the term. In the case of a vacancy of the Vice-Chair, a successor shall be elected at the next regular Board meeting to serve the remainder of the term. (Rev. 6/15/23)

Section 4. (a) The following shall constitute standing committees of the Board, each of which shall have three or more members assigned: (Rev. 9/19/23)

Oversight and Accountability Committee
Testing and Recruiting Committee

(b) The Chair shall appoint Board members and designate a Chair and Vice-Chair for each standing committee, and may appoint himself or herself as a member of a standing committee. Each member shall be assigned to serve on at least one standing committee. The assigned Chair of each standing committee shall determine the business of the committee meeting and run the meeting according to these Rules and Robert's Rules of Order. (Rev. 9/5/23)

(c) The standing committees shall meet every other month at a date, time, and place as determined by the Board. The Chair of a standing committee may call a special meeting of the committee with the concurrence of the Board Chair or approval of a motion of the Board at a regular meeting. Special meetings may not be scheduled sooner than seventy-two (72) hours from the date of approval. (Added 6/15/23)

(d) Special committees may be formed by motion of the Board at a regular meeting to delegate a task or carry out some function not covered by the existing standing committees. The Board Chair shall appoint at least three Board members, and designate a Chair and Vice-Chair, to serve on any special committees, and may appoint himself or herself as a member. The Chair of a special committee shall have the same authority as the Chair of a standing committee. A special committee shall continue until it is dissolved by a majority vote of the Board at a regular meeting. A designated meeting schedule of a special committee shall be determined by the Board. (Added 6/15/23)

Section 5. Upon appointment and confirmation to the Board of Fire and Police Commissioners, members are bound by the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics and Chapter 303 of the Milwaukee City Code. (Rev. 6/15/23)

Section 6. The Executive Director or designee shall attend all meetings and shall record all official actions. (Rev. 7/26/01)

Section 7. The regular meeting agenda of the Fire and Police Commission shall be as determined by the Chair. (Rev. 7/26/01)

Section 8. A consent agenda may be presented by the Executive Director as an item on the regular meeting agenda. Items may be removed from the consent agenda upon the request of any one Commissioner. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the regular meeting agenda at the discretion of the Chair. (Rev. 3/3/16)

Section 9. A duplicate copy of the official minutes of the proceedings of the Board shall be filed with the Legislative Reference Bureau. (Rev. 3/3/16)

RULE IV.

BOARD PROCEDURE

Section 1. Rules of the Board may be prescribed, amended, or repealed by a majority vote of the Board pursuant to the following procedure: Notice of the proposed rule, amendment, or repeal shall be given and recorded in the minutes of a regular or special meeting, and action shall be deferred to at least the next regular or special meeting, provided that at least ten (10) calendar days have elapsed before final action is taken. (Rev. 6/15/23)

Section 2. The Board shall be provided with any changes to the Rules of the Board proposed by a Chief or the Emergency Communications Director at least thirty (30) calendar days prior to its anticipated effective date. All proposed rule changes provided to the Board shall be in writing. The Board shall then follow the procedure outlined in Section 1. (Rev. 6/15/23)

Section 3. The Board shall be provided with any adoption or modification of a standard operating procedure, standard operating instruction, standard operating guideline, or other directive or rule affecting the policies and standards of the Fire or Police Departments or Department of Emergency Communications, in writing and in accordance with FPC Rule II, Section 3(b). The Board may provide notice to the public of any adopted policy change through a communication file on the Board's regular agenda. At any such meeting, the Board may hear public comment regarding the policy change, request information from the department, and recommend to the Fire Chief or Chief of Police that he or she amend or suspend the policy. If a Chief, in his or her discretion, declines to implement the Board's recommended policy change, the Board may recommend to the Common Council that it modify or suspend the policy. (Rev. 9/7/23)

Section 5. The Board may, by a vote of two-thirds of those present and voting, but in no event by less than a majority of the Board, vote to suspend or waive any of its Rules or provisions contained herein. (Rev. 5/20/10)

Section 6. Robert's Rules of Order shall be the official Rules of Order of the Board except as otherwise provided herein. (Rev. 5/20/10)

RULE V.

CLASSIFICATIONS

Section 1. The following shall be classified as sworn personnel titles in the Fire Department: (Rev. 4/20/26)

Assistant Fire Chief (E)
Battalion Chief, Fire (E)
Deputy Chief, Fire (E)
Fire Captain
Fire Chief (E)
Fire Lieutenant
Firefighter
EMS Education Coordinator (E)
EMS Instructor Coordinator (E)
EMS Supervisor (E)
EMS Technical Resource Specialist (E)
Fire Community Relations Director (E)
Fire Contract Administrator (E)
Heavy Equipment Operator
MIH Program Manager (E)
MIH Program Operations Coordinator (E)
MIH Program Supervisor (E)
Milwaukee Overdose Response Initiative Lead Assistant (E)
Milwaukee Overdose Response Initiative Practitioner (E)
Milwaukee Overdose Response Initiative Supervisor (E)
Mobile Integrated Healthcare (MIH) Program Manager (E)
Mobile Integrated Healthcare (MIH) Program Operations Coordinator (E)
Mobile Integrated Healthcare (MIH) Program Supervisor (E)
Recruitment Director (E)
Survive Alive House Director (E)
Vehicle Operations Instructor (E)
Vehicle Operations Training Coordinator (E)

Section 2. The following shall be classified as non-sworn (civilian) personnel titles in the Fire Department: (Rev. 4/20/26)

Accounting Specialist
Administrative Services Coordinator
Business Finance Manager
Business Systems Analyst
Carpenter
Compressed Air Technician
Custodial Worker

Emergency Vehicle Mechanic
Facilities Manager (EP)
Fire Business Services Specialist
Fire Cadet (EP)
Fire Compliance Officer
Fire Fleet Repair Manager (EP)
Fire Health and Safety Manager
Fire Human Resources Administrator
Fire Information Systems Manager (EP)
Fire Information Technology Manager (E) (EP)
Fire Medical Officer (E)
Fire Records Specialist
Fire Systems Analyst-Senior
Fire Upholsterer
Functional Applications Analyst – Senior
Human Resources Analyst – Senior
HVAC Maintenance Technician
Inventory Control Assistant
IT Support Specialist – Senior
Machinist
Maintenance Assistant
Media Producer
Office Assistant II, III, IV
Office Coordinator
Office Coordinator II
Painter
Payroll Assistant 1, 2, 3
Program Assistant II
Performance and Training Physical Therapist (E)
Tire Repair Worker
Welder
Youth Fleet Apprentice

Section 3. The following shall be classified as sworn personnel titles in the Police Department: (Rev. 4/20/26)

Administrative Lieutenant of Police (E)
Assistant Chief of Police (E)
Chief Latent Print Examiner
Captain of Police (E)
Chief of Police (E)
Community Liaison Police Officer
Court Liaison Officer
Detective
Forensic Investigator

Inspector of Police (E)
Latent Print Examiner
Police Lieutenant
Police Officer Police Sergeant

Section 4. The following shall be classified as non-sworn (civilian) personnel titles in the Police Department: (Rev. 4/2026)

Accounting and Grant Specialist
Accounting Coordinator I, II
Administrative Assistant I, III, IV
Applications Support Analyst
Applications Support Manager
Budget Manager - Police
Building Maintenance Supervisor
Carpenter 1, 2, 3, 4
Chief of Staff – Police (E)
Communications Systems Manager (E) (EP)
Community Relations, Engagement and Recruitment Director (E)
Community Service Officer (E)
Crime Analyst (E) I, II, III
Crime Scene Investigator I, II
Crime Scene Supervisor
Crime and Intelligence Manager (E)
Custodial Worker 1, 2, 3
Database Analyst Senior (E)
Document Technician I, II, III
Electronic Technician
Electronic Technician Supervisor
Emergency Vehicle Mechanic 1, 2, 3, 4
Facilities Manager (EP)
Fleet Repair Manager
Fleet Repair Supervisor
Forensic Ballistic Specialist
Forensic Print Examiner Supervisor
Forensic Print Examiner I, II
Forensic Identification Processor
Forensic Processor Supervisor
Fusion Center Director
Grant Compliance Manager
Health and Safety Officer
Health and Safety Specialist
Helpdesk Specialist I, II
Human Resources Assistant
Human Resources Representative

Human Resources Supervisor
HVAC Maintenance Technician 1, 2, 3, 4
Intelligence Analyst (E)
Inventory Control Assistant 1, 2, 3
Inventory Supply specialist
IT Project Coordinator
IT Support Services Manager
IT Support Specialist-Senior (E)
Marketing and Communications Officer
Mail Processor
Maintenance Assistant
Media Producer (E)
MPD Safety Division Manager
Network Infrastructure Manager
Office Assistant I, II, III, IV
Office Supervisor II
Payroll Assistant 1, 2, 3
Payroll Clerk 1, 2, 3
Police Aide (EP)
Police Budget and Administration Manager (E)
Police District Administrative Assistant
Police Facilities Assistant Manager
Police Facilities Laborer
Police Forensic Services Director
Police Forensic Services Manager
Police Human Resources Administrator
Police Information Systems Director (E) (EP)
Police Open Records Legal Advisor
Police Payroll Supervisor
Police Records Manager
Police Records Specialist I, II, III
Police Records Supervisor
Police Risk Manager
Police Services Specialist (E)
Police Services Specialist – Investigator (E)
Print Media and Academy Facilitator
Program Assistant III
Programmer Analyst
Property Control Manager
Public Safety Systems Administrator
Safety Specialist-Senior
School Crossing Guard (E)
School Crossing Guard Dispatcher
School Crossing Guard Operator
Sensitive Crimes Project Coordinator

Staff Assistant - Police
Systems Analyst-Project Leader
Systems Analyst-Senior
Systems Security Manager
Technical Writer
Teller
Victim Witness Specialist
Video Systems Specialist

Section 5. The following shall be classified as non-sworn (civilian) personnel titles in the Department of Emergency Communications: (Rev. 4/20/26)

Administrative Assistant III
Administrative Assistant IV (E)
Administrative Support Specialist
Emergency Communications Business Intelligence Analyst
Emergency Communications Deputy Director (E) (EP)
Emergency Communications Director (E) (EP)
Emergency Communications Finance Manager
Emergency Communications Human Resources Administrator
Emergency Communications Human Resources Analyst - Senior
Emergency Communications Information Systems and Technology Manager
Emergency Communications Manager (EP)
Emergency Communications Officer I, II, III, IV, V
Emergency Communications Lead
Emergency Communications Project Manager
Emergency Communications Systems Administrator (EP)
Emergency Communications Supervisor
Emergency Communications Technical Support and Integration Engineer
Management Accountant - Senior

Section 6. Positions in Sections 1 through 5 above which are designated with "(E)" shall be exempt from competitive examination unless otherwise determined by the Board. (Rev. 6/15/23)

Section 7. Positions in Sections 2, 4, and 5 above which are designated with "(EP)" shall be considered emergency personnel pursuant to Wis. Stat. § 66.0502 (4)(b). (Rev. 6/15/23)

RULE VI.

QUALIFICATIONS

Section 1. Requirements to compete in examinations in the Fire and Police Departments and Department of Emergency Communications will be job related and established by the Board for specific positions or job classes in accordance with professional testing standards and guidelines. (Rev. 6/15/23)

Section 2. (a) Every applicant for positions in the Fire and Police Departments and Department of Emergency Communications shall be of good moral character as determined by a background investigation. Persons convicted of a felony, or the equivalent under Wisconsin law and the FBI/Criminal Justice Information System requirements, or of a misdemeanor crime of domestic violence are ineligible for the position of Police Officer or Police Aide unless fully pardoned. (Rev. 6/15/23)

(b) All applicants in process and current employees of the Fire or Police Departments or Department of Emergency Communications shall advise their respective departments within 72 hours of an arrest. Persons arrested may be reassigned to duties that do not include Criminal Justice Information access pending resolution of the case. (Added. 6/15/23)

Section 3. Every applicant for the above listed departments shall meet job-related medical standards required for the position for which they are being considered, which shall be determined by qualified physicians designated by the Board. (Rev. 6/15/23)

Section 4. (a) Every applicant for the position of Police Officer must be a citizen of the United States. (Rev. 7/21/22)

(b) Every applicant for the position of Firefighter must be a citizen of the United States, a lawful permanent resident, or otherwise legally eligible for employment in the United States. (Rev. 7/21/22)

(c) Every applicant for the position of Police Aide shall be a citizen of the United States or must have resided in the United States for a period of not less than five (5) years immediately prior to date of application. (Rev. 7/21/22)

A Police Aide applicant who is not a citizen of the United States and who has not yet reached the age of eighteen (18) may apply for the position of Police Aide, provided that such individual agrees in writing to file a Form N300 (Declaration of Intent to Apply for Naturalization) with the United States Citizenship and Immigration Services within sixty (60) days of

reaching eighteen (18) years of age. Failure to so agree shall result in denial of application. Failure to provide written proof of filing the requisite form within sixty (60) days of reaching the age of eighteen (18) shall result in removal from any testing process and/or eligible list, or termination of employment if already employed as a Police Aide. (Rev. 6/15/23)

A Police Aide applicant who is eighteen (18) years of age or older, and who is not a citizen of the United States, shall provide written proof of having filed either a Form N300 (Declaration of Intent to Apply for Naturalization) or a Form N400 (Application for Naturalization) or its equivalent with the United States Citizenship and Immigration Services prior to applying for the position of Police Aide. Failure to provide written proof of filing the requisite form at time of application shall result in denial of application. (Rev. 6/15/23)

(d) Applicants for all positions in the above listed departments must be legally eligible for employment in the United States. (Rev. 6/15/23)

Section 5. (a) Every applicant for Police Officer, Firefighter, or Emergency Communications Officer must either be a graduate of an accredited high school, possess a G.E.D., or possess a high school equivalency certificate which conforms to the standards established by the State of Wisconsin for a high school equivalency certificate, by such time as determined by the Board. (Rev. 12/6/12)

(b) Every applicant for Police Aide and Fire Cadet must be a graduate of an accredited high school, possess a G.E.D., possess a high school equivalency certificate which conforms to the standards established by the State of Wisconsin for a high school equivalency certificate, possess proof of the completion of a home school program in Wisconsin, or possess documentation of the completion of a home school program which meets the requirements of the Department of Education, by such time as determined by the Board. (Rev. 2/16/17)

(c) Police Officer applicants must meet all the educational requirements for Police Officer applicants established by the State of Wisconsin Law Enforcement Standards Board. (Rev. 12/6/12)

Section 6. (a) Every applicant for Police Officer shall be at least twenty-one (21) years of age by such date as determined by the Board. (Rev. 6/15/23)

(b) Every applicant for Firefighter or Emergency Communications Officers shall be at least eighteen (18) years of age by such date as determined by the Board. (Rev. 6/15/23)

(c) Every applicant for Police Aide shall be at least seventeen (17) years of age and less than twenty (20) years of age at such time as determined by the Board. No person may be appointed to the position of Police Aide who has reached twenty (20) years of age. (Rev. 4/20/26)

(d) Every applicant for Fire Cadet shall be at least seventeen (17) years of age and less than twenty (20) years of age at such time as determined by the Board. No person may be appointed to the position of Fire Cadet who has reached twenty (20) years of age. (Rev. 6/15/23)

Section 7. Every applicant for Police Officer, Police Aide, Firefighter, Fire Cadet and other positions as determined by the Board shall possess a valid Wisconsin Motor Vehicle Operator's License at such time as determined by the Board. (Rev. 7/28/11)

Section 8. Members of the above listed departments, after actual service in a position in the next lower rank or in a position approved by the Board, shall be eligible to take a promotional examination provided they have served as regular and not acting, administrative, or temporary appointees and have met the qualifications and service requirements established by the Board and noticed on the examination announcement bulletin for the promotional position. (Rev. 10/24/24)

Section 9. Service as a Police Liaison Officer shall count toward the service time required in a promotional examination for the next higher rank than that which the officer holds. A Fire Association Contract Administrator may file an application for a promotional examination provided required service time is met prior to appointment as Association Contract Administrator. The above shall be subject to the provisions of the applicable collective bargaining agreement. (Rev. 7/26/01)

Section 10. Time spent on duty disability or military leave due to an ordered call up shall be credited to the time necessary to meet the actual service requirement in order to qualify for a promotional examination. Time spent on other types of leave shall not fulfill the requirement of actual service. (Rev. 7/26/01)

Section 11. Every applicant shall comply with such other qualifications as the Board may establish and outline in the examination announcement bulletin. (Rev. 7/26/01)

Section 12. Qualifications which are set forth in each examination announcement bulletin shall have the same force and effect as Rules adopted by the Board. (Rev. 7/26/01)

RULE VII.

APPLICATION PROCEDURES

Section 1. The Board shall authorize the issuance of applications for all competitive examinations to candidates having the qualifications, as noticed on the examination announcement bulletin. Notice of the dates, times, and places for issuing applications shall be made in a manner prescribed by the Board. (Rev. 7/26/01)

Section 2. Any willful misrepresentation in regard to any material fact made by an applicant, or by a person vouching for the applicant with applicant's knowledge or at applicant's request, shall be sufficient cause for exclusion from the selection process or for removal of the applicant's name from an eligible list or for discharge. (Rev. 6/15/23)

Section 3. An applicant who does not meet background standards established by the Board shall be excluded from the application procedure or from the selection process or the applicant's name may be removed from the eligible list. (Rev. 7/26/01)

Section 4. An application which is incomplete or indicates that the applicant does not meet the qualifications for the position shall be rejected and the applicant notified of the reason. (Rev. 7/26/01)

Section 5. The Board shall refuse to accept an application from, shall exclude from the selection process, or shall remove from the eligible list: (Rev. 7/26/01)

(a) any person who does not meet the qualifications for the position, either at time of application or appointment; or (Rev. 7/26/01)

(b) any person who has failed a background investigation, including those who have been disqualified for untruthfulness, for the same department within the last two (2) years prior to the date of application. (Rev. 6/15/23)

Section 6. Any discharged member of the departments or a member who resigned while departmental charges were pending must wait two (2) years from the date of discharge or resignation before applying for any position within the Fire or Police Departments or Department of Emergency Communications. Thereafter, the former member may apply on a provisional basis. The Board shall request a written report and recommendation relative to the discharge or resignation from the respective Chief or Director. The Board shall decide whether the former member shall be allowed to proceed in the selection process. Applicants may be permitted to proceed with the selection process pending Board action. (Rev. 6/15/23)

RULE VIII.

EXAMINATIONS

Section 1. The Board shall authorize the holding of examinations for non-exempt positions in the Fire and Police Departments and Department of Emergency Communications and shall list the qualifications for the position in an examination announcement bulletin approved by the Board, except when the Board deems other procedures to be appropriate. Non-sworn positions may be filled from City Service Commission eligible lists, by promotion from within the department, by competitive examination, or other method of selection as determined by the Board. (Rev. 6/15/23)

Section 2. The selection process shall be open to all persons who meet the qualifications for the position as specified in the examination announcement bulletin and who have filed the necessary application by such time as determined by the Board. (Rev. 2/6/03)

Section 3. Examinations shall be based upon information from job analysis or other information documenting actual job tasks and/or the knowledge, skills, abilities, or other characteristics required to perform job tasks; shall be developed in such a manner as to establish the relationship between the knowledge, skills, abilities, or other characteristics required for successful performance on the test, and those required for successful job performance; and shall be in compliance with applicable professional testing standards to ensure the fairness, reliability and validity of the examination process. (Rev. 7/26/01)

Section 4. Examinations may consist of one or more tests which the Board may deem necessary and sets forth in the examination announcement bulletin. All tests shall fairly and reliably evaluate the applicant for fitness to hold the position. (Rev. 7/26/01)

Section 5. Prior to an examination for a position or its qualifying process, the Chief or Director of the department shall, if requested, allow and assist the Board or its designee to perform a job analysis of the position or standards for the examination process into the corresponding position. The job analysis may include, but is not limited to, the following: meetings and interviews with incumbents and their supervisors, job observations, ride-alongs, and the administration of questionnaires. (Rev. 6/15/23)

Section 6. Applicants who obtain a final passing score on any entry-level examination, and who meet one or more of the following criteria, shall be entitled to additional points, not to exceed an aggregate of twenty (20) points total. (Rev. 10/24/24)

(a) Qualified veterans shall receive military preference points added to the final passing score as outlined below; a DD-214 is required as proof of service. Persons not yet released from active duty may present individual orders or a letter from their commanding officer attesting to honorable service and the dates thereof in lieu of the DD-214. (Rev. 4/3/25)

1. For a veteran, ten (10) points shall be added to the final passing score.

2. For a disabled veteran, fifteen (15) points shall be added to the final passing score.

3. For a disabled veteran whose disability is at least 30%, twenty (20) points shall be added to the final passing score.

4. For the spouse of a disabled veteran whose disability is at least 70%, ten (10) points shall be added to the spouse’s final passing score.

5. For the spouse of a veteran who was killed in action, ten (10) points shall be added to the spouse's final passing score.

6. For the spouse of a veteran who died of a service-connected disability, ten (10) points shall be added to the spouse's final passing score.

(b) Graduates of an accredited two-year fire technology program shall be awarded three (3) additional points applicable to the Firefighter examination only. (Rev. 2/6/03)

(c) Graduates of an accredited four-year program in fire science shall be awarded five (5) additional points applicable to the Firefighter examination only. (Rev. 7/26/01)

(d) Graduates of an accredited two-year criminal justice, law enforcement or police science program shall be awarded three (3) additional points applicable to the Police Officer examination only. (Rev. 7/26/01)

(e) Graduates of an accredited four-year criminal justice, law enforcement or police science program shall be awarded five (5) additional points applicable to the Police Officer examination only. (Rev. 7/26/01)

(f) Graduates of APCO Registered Public-Safety Leader, Public Safety Executive, NENA Emergency Number Equivalent, and EMD certification programs or other advanced public safety certifications or degrees shall be

awarded five (5) points applicable to the Department of Emergency Communications examination only. (Added 6/15/23)

(g) Bona fide residents of the City of Milwaukee at time of application shall be awarded five (5) additional points applicable to Transfer Officer and entry-level examinations for Firefighter, Police Officer, Police Aide, Fire Cadet and such other entry-level positions as the Board may so designate in the applicable examination announcement bulletin. (Rev. 10/24/24)

Section 7. (a) Sworn members who obtain a final passing score on any promotional examination shall be entitled to preference points for volunteer service hours performed during the two years immediately preceding the exam application deadline, as follows:

1. At least 120 hours of volunteer service, three (3) points shall be added to the final passing score.

2. At least 180 hours of volunteer service, six (6) points shall be added to the final passing score.

3. At least 240 hours of volunteer service, nine (9) points shall be added to the final passing score.

(b) Volunteer service must be with or sponsored by a 501(c)(3) registered nonprofit in good standing or a public, charter, or private school. The organization must support and/or serve the Milwaukee community and/or its residents; however, the following organizations and activities are excluded:

1. Political activities.

2. Service for religious purposes where the only recipients of the service are the constituents of the church (e.g., painting and maintenance of church buildings, evangelism, serving on the church board, etc.). These restrictions do not include an event that has a connection to a religious organization but the purpose is to meet human, educational, environmental, or public safety community needs (e.g., food pantry, soup kitchen, clothing drive, etc.).

3. An organization that discriminates based on creed, race, color, national origin, religion, age, disability, sex, gender identity, sexual orientation, marital status, pregnancy, or any other legally protected classifications.

Applicants who wish to apply for additional points as outlined in Sections 6 and 7

above shall be solely responsible for obtaining and providing sufficient documentation on a timely basis to the Board. Any decision as to the sufficiency or timeliness of such documentation shall be within the sole discretion of the Board. (Rev. 4/20/26)

Section 8. (a) Unless otherwise determined by the Board, prior to appointment, each candidate for an entry-level or Transfer Officer position shall undergo a thorough medical examination to determine whether or not the candidate meets the standards of health and physical fitness necessary to successfully perform the essential functions of the position. (Rev. 10/24/24)

(b) Prior to appointment, each candidate for the following positions shall undergo a thorough psychological examination to determine whether or not the candidate meets the standards of psychological fitness necessary to successfully perform the essential functions of the position: (Added 6/15/23)

911 Telecommunicator
Community Service Officer
Emergency Communications Officer Fire
Cadet
Firefighter
Police Aide
Police Officer
Any other position determined by the Board

(c) In the medical examination, the candidate shall be reported to be either medically qualified or medically unqualified. (Rev. 7/26/01)

(d) The medical examiners shall immediately report the results of the examination to the Board. There shall be no appeal from the decision of the medical examiners, and any candidate rejected shall not be re-examined for the same selection process, unless the Board so decides. (Rev. 7/26/01)

(e) In the psychological examination, the candidate shall be reported to be either psychologically qualified or psychologically unqualified. (Rev. 1/6/22)

(f) The psychological examiners shall immediately report the results of the psychological examination to the Board. If a candidate is determined to be psychologically unqualified, the candidate will be provided an opportunity to appeal the determination to a three-member panel consisting of (1) the Executive Director or Deputy Director, (2) a member of the Board, and (3) a member of the Board or a City of Milwaukee employee with human resources experience who did not participate in the testing, hiring, or recruiting of the candidate. The appeal process shall include a second psychological examination by a psychological examiner who did not

conduct the initial examination. The psychological examiner conducting the second examination shall immediately report the results of the examination to the three-member panel for consideration in deciding the appeal. If the second examiner determines that the candidate is psychologically unqualified, the three-member panel shall uphold the results of the original examination. If the second examiner determines that the candidate is psychologically qualified, the panel shall then determine whether the results of the original psychological evaluation should be reversed or upheld. Any candidate unsuccessful in their appeal shall not be re-examined for the same selection process, unless the Board so decides. (Rev. 6/15/23)

Section 9. All candidates for entry-level or Transfer Officer positions must pass a background investigation as to their suitability for a position. The background investigation results for the following positions will be furnished to the Board:

911 Telecommunicator
Community Service Officer
Emergency Communications Officers
Fire Cadet
Firefighter
Police Aide
Police Officer
Any other position determined by the Board

Candidates for these positions who fail the background investigation will be provided an opportunity to appeal the determination to a three-member panel consisting of either three Board members or two Board members and a City of Milwaukee employee with human resources experience who did not participate in the testing, hiring, or recruiting of the candidate. (Rev. 10/24/24)

RULE IX.

TESTING PROCEDURES

Section 1. The Board and staff shall not release or reveal information that may be deemed confidential including, but not limited to, examination booklets, examination questions, rating guides, scoring keys, written comments of examination raters, audio, video, or digital recordings of examination sessions, scores of candidates identified by name, and answers to specific items on examinations, unless specifically authorized by the Board. The names of Police Aide and Fire Cadet candidates may be released to their respective school counselors by FPC recruitment and testing staff for the sole purpose of maintaining contact and providing encouragement to continue participating in the selection process. (Rev. 6/15/23)

Section 2. Scoring of examinations will occur without reference to the identity of a candidate. (Rev. 7/26/01)

Section 3. Candidates who use or attempt to use unfair or deceitful means to pass an examination or give assistance to other candidates during an examination shall be excluded from further participation in the selection process and may be subject to further penalties the Board may deem appropriate. (Rev. 7/26/01)

Section 4. Upon the completion of the examination process, each candidate on the eligible list shall be notified of their final score and ranking. Candidates who are not placed on the eligible list shall be notified of their score upon failure to qualify. (Rev. 7/26/01)

Section 5. Whenever an examination has been prepared for administration, the respective Chief or Director shall, upon the Board's request, assign appropriate personnel to meet with Board staff to review the technical accuracy of the examination. (Rev. 6/15/23)

Section 6. No examination ratings or papers connected with any examination, shall be subject to revision after the generation of an eligible list resulting therefrom, except that testing staff may correct errors of examiners at any time before the cancellation of such list; provided, however, that no person already appointed from such list whose revised rating is above the minimum rating prescribed by this rule shall be separated from the service by reason of such correction; provided, further, that no person already appointed from such list whose revised rating is below the minimum rating prescribed by this rule, shall be separated from the service except upon the approval of the Commission. Commission staff may not release examination information including, but not limited to: copies of examination booklets, oral board questions, or performance tests; rating guides

and scoring keys; written comments of examination raters, including oral board raters; and, answers to specific items on examinations. (Rev. 12/5/24)

RULE X.

ELIGIBLE LISTS

Section 1. (a) After an examination, an eligible list shall be prepared containing the names of the candidates in the order of their relative ranking. Eligible lists remain in effect for two (2) years or as otherwise determined by the Board unless exhausted, rescinded, abolished or extended by formal action of the Board. (Rev. 12/4/08)

(b) All eligible lists, consisting of name and ranking of each candidate, shall be presented for adoption. (Rev. 7/26/01)

(c) If a tie occurs on an eligible list for an entrance position, candidates whose scores are identical will be ranked in alphabetical order by last name. If a tie occurs on a promotional eligible list, the candidate with the most seniority in the previous position held will be given first consideration for the position. (Rev. 7/26/01)

(d) When an eligible list expires and candidates remain who have scores identical to a candidate already appointed, the eligible list will be automatically extended until the candidate(s) with identical scores have been appointed or other disposition is made by the Board. (Rev. 7/26/01)

Section 2. Any candidate on any eligible list for appointment or promotion in any department who is on active military duty when his/her name is reached on that eligible list shall be held over and remain eligible for appointment or promotion for such period of time, and under such terms and conditions, as may be required by applicable law. (Rev. 6/15/23)

RULE XI.

APPOINTMENTS

Section 1. Appointments to sworn, non-exempt positions in the Fire or Police Departments will be made from eligible lists established by the Board. Appointments to non-sworn positions in the Fire or Police Departments or Department of Emergency Communications may be made from eligible lists established by the Board or from City Service Commission eligible lists or through other procedures established by the Board. (Rev. 6/15/23)

Section 2. (a) A Police Aide shall be eligible for appointment to Police Officer upon meeting the following: United States citizenship, and; favorable recommendation of the Chief, and; reaching age 21, and; serving in the Police Aide program a minimum of one year, and; satisfactorily completing a specified course of instruction approved by the Assistant Chief overseeing the Training Bureau or their designee, together with the concurrence of the Executive Director, and; successfully passing the Physical Ability Test (PAT), and; successfully passing a Police Officer medical examination, psychological evaluation, drug screen test, and updated background investigation. (Rev. 4/20/26)

(b) A Fire Cadet shall be eligible for appointment to Firefighter upon meeting the following: favorable recommendation of the Chief, and; earning 24 college credits, and; satisfactorily completing a course of instruction approved by the Assistant Chief overseeing the Bureau of Instruction and Training or their designee, together with the concurrence of the Executive Director, and; successfully passing a Firefighter physical ability test, medical examination, updated psychological evaluation, drug screen test, and updated background investigation. (Rev. 6/15/23)

(c) Any individual who was not a citizen of the United States at the time of appointment to Police Aide must provide written proof of United States citizenship prior to completing the Police Aide program or reaching twenty-one (21) years of age, whichever is later. Failure to do so shall result in termination of employment. (Rev. 7/21/22)

(d) Graduates of the Police Aide or Fire Cadet program will have precedence of appointment to the position of Police Officer or Firefighter in their respective department. (Rev. 7/28/11)

Section 3. (a) Whenever there is a vacancy in a sworn position in the Fire or Police Departments which is to be filled from an eligible list, the Board shall

make the appointment in numerical order from the appropriate list. (Rev. 6/15/23)

(b) Whenever there is a vacancy in a non-sworn position in the Fire or Police Departments or Department of Emergency Communications which is to be filled from an eligible list, the Board will certify to the appointing department for each vacancy the names of the persons whose scores rank in the five top places on the eligible list. The Chief or Director shall recommend the appointment of an individual from among the five certified names and report the selection to the Board for review and approval. (Rev. 6/15/23)

(c) Whenever there is a vacancy within the Police Department, Fire Department, or Department of Emergency Communications which is to be filled from the joint 911 Telecommunicator or Emergency Communications Officer eligible list, the Board shall make the appointment in numerical order from the list. (Rev. 6/15/23)

Section 4. The Chief of Police or Fire Chief may object to a candidate on an eligible list for a sworn position by notifying the Board in writing of the reasons for such objection. The Board shall then interview the candidate and determine whether the name of the candidate will remain on the eligible list. (Rev. 6/15/23)

Section 5. Appointments or promotions to positions in the Fire or Police Departments or Department of Emergency Communications require Board approval and are not effective until approved by a majority of the Board at a meeting of the Board. (Rev. 6/15/23)

Section 6. Persons selected for appointment from eligible lists shall not be retained on the eligible list if they decline or are unable to accept appointment, at the time offered, unless they are unavailable due to circumstances beyond their control, or other valid reason approved by the Board. (Rev. 7/26/01)

Section 7. (a) Original entry-level appointees to Police Officer or Firefighter and persons not eligible for reinstatement to these positions who are re-employed in the Fire or Police Departments or Department of Emergency Communications shall be on probation for an aggregate of 16 months of actual active service. 911 Telecommunicators and 911 Dispatchers shall be on probation for an aggregate of 18 months of actual active service. Emergency Communications Officers shall be on probation for an aggregate of 12 months of actual active service past the certified completion of training for each position appointed or promoted into. All other appointees shall be on probation for one year unless otherwise specified by the Board, City Ordinance or a collective bargaining agreement. If during the probationary period, the appointee proves unfit for the position, the Chief or Director may discharge the appointee. A full written statement of the reasons for the discharge must be filed with the Board within five (5) business days of the

discharge. There shall be no appeal from this discharge. If the probationary period is completed in a satisfactory manner, the appointee shall then be classified as a regular employee. (Rev. 10/24/24)

(b) Promotional appointees shall be on probation for an aggregate of one (l) year of actual service unless the Board specifies a longer or shorter period for any position or class, excluding specialized certified training that requires more than 30 days of On-the-Job Training (OJT). All required specialized certified OJT of 30 days or more will be in addition to the 1-year probationary period. If during the probationary period the appointee proves unfit for the position, the Chief or Director may demote to the position held prior to promotion by filing with the Board and the affected individual a full written statement of the specific reason(s) for the demotion within five business days of the demotion. Upon request of the affected individual, the Board shall interview the individual in closed session and thereafter, in open session, determine whether or not to affirm the demotion. (Rev. 6/15/23)

Section 8. (a) For non-sworn positions, whenever an appointment can be made from a City Service eligible list, the Chief or Director may appoint from the list to fill the existing vacancy, subject to the approval of the Board. (Rev. 6/15/23)

(b) All requests for the filling of a vacancy from City Service Commission eligible lists shall be made to the Board in writing. (Rev. 7/26/01)

Section 9. The Chief of Police, with the permission of the Board, shall have the power to appoint special Police Officers, as defined by Charter Ordinance, in a particular emergency for a period not to exceed thirty (30) calendar days. (Rev. 6/15/23)

Section 10. Where a vacancy exists in a non-sworn position, and it is shown to the satisfaction of the Board that there is a person who has been serving in a lower or different non-sworn position and whose familiarity with the work of the vacant position and whose qualifications make it desirable for the best interests of the service and the efficiency of the department, the Board may approve the promotion of such person either with or without examination, even if an eligible list for the position exists. (Rev. 7/26/01)

Section 11. When there is no eligible list, the respective Chief or Director may appoint individuals to act in the next higher capacity than that signified by their actual rank when such appointment is deemed advisable for the good of the service.

Acting personnel shall have the same authority as regular or temporary appointees, but no provision shall be made for other benefits usually associated with the higher-ranking position such as pay, seniority in rank or change in uniform. Such appointment shall be effective only until such time as a temporary or regular appointment is made from an eligible list. (Rev. 6/15/23)

Section 12. (a) When a vacancy occurs in a non-sworn exempt position in the Fire or Police Departments or Department of Emergency Communications, the department shall determine whether the position should remain exempt and, if so, submit a request to the Board to re-exempt the position. For sworn and non-sworn exempt positions, the Chief or Director shall submit the name of an appointee to the Board together with the request for the appointment. A written report from the Chief or Director on the qualified candidate together with a copy of the appointee's service record shall be attached to the request. Appointment requests presented under this rule shall be placed on the agenda of a future meeting of the Board at which time the appointee shall be present if requested by the Board. The Board may elect to interview the appointee in executive session. If the appointment is not approved, the Board, upon request of the individual, shall make known the reason. In the event a nominee is rejected by the Board, the respective Chief or Director shall submit a new nomination to the Board. (Rev. 6/15/23)

(b) Any person appointed or promoted to an exempt position shall continue to serve in said exempt position only and shall not be transferred or assigned to similar non-exempt positions and shall not be allowed to qualify for higher level non-exempt positions, unless specifically approved by the Board. (Rev. 12/4/08)

(c) If a vacancy exists in the office of Assistant Fire Chief, the Fire Chief shall nominate and, with the approval of the Board, shall appoint a person to a term of office coinciding with the term of the Chief making the appointment, subject thereafter to reinstatement to the position of Battalion Chief in the Fire Department. (Rev. 9/3/2020)

(d) If a vacancy exists in the office of Assistant Chief of Police, the Chief of Police shall, pursuant to Section 62.50 (7) Wis. Stats., nominate and, with the approval of the Board, shall appoint a person to a term of office coinciding with the term of the Chief making the appointment, subject thereafter to reinstatement to the last previously held non-exempt position in the Police Department. (Rev. 12/4/08)

Section 13. A Chief or Director shall immediately notify the Board in writing of any department member performing in an acting capacity in any of the following

positions: Assistant Chief of Police, Inspector of Police, Captain of Police, Assistant Fire Chief, Deputy Chief, Fire, and DEC Deputy Director. No department member shall serve in an acting capacity in any of the afore-mentioned positions for a period in excess of thirty (30) calendar days without approval of the Board. Upon date of adoption of this Rule, the Chiefs of the respective departments shall immediately file with the Board a written report setting forth the name of each department member presently serving in an acting capacity in any of the aforementioned positions. For each such position filled on an acting basis, the thirty (30) calendar day period for serving in such position in an acting capacity shall commence upon date of approval of this Rule. (Rev. 6/15/23)

Section 14. Any member that currently occupies a sworn position identified in Rule V Classifications Sections 1 and 3, and is in good standing without any department charges pending, may request appointment to any vacant non-sworn position within their respective department identified in Rule V Classifications Sections 2 and 4 for which they are qualified, upon recommendation of the Chief. Qualifications and examinations for such appointment shall be determined by the Board. (Rev. 6/15/23)

RULE XII.

REINSTATEMENT

Section 1. Members of the Fire or Police Departments or Department of Emergency Communications who enlist, are inducted, or are ordered into active military service pursuant to those acts as enumerated in the Milwaukee Code of Ordinances shall be granted a leave of absence during the period of such service and shall, upon application, be entitled to reinstatement in accordance with the Milwaukee Code of Ordinances. The Board shall hear any complaints regarding requests for reinstatement of members returning from military service and shall make recommendations to the respective Chief or Director for appropriate reinstatement and/or employment of such person. (Rev. 6/15/23)

Section 2. Members of the Fire or Police Departments or Department of Emergency Communications who have been granted a leave of absence for reasons other than military service shall be reinstated in accordance with the Milwaukee Code of Ordinances, effective at such time as determined by the Board. (Rev. 6/15/23)

Section 3. All members who are reinstated pursuant to this Rule shall submit to a medical examination and drug screen test to determine fitness for duty prior to being reinstated. (Rev. 7/26/01)

Section 4. The Chief or Director of the respective department shall notify the Board when any leave of absence is granted and when reinstatement has been made. (Rev. 6/15/23)

Section 5. Effective September 1, 1992, any member of the Fire or Police Department or Department of Emergency Communications who has been retired because of ordinary disability before reaching the ordinary minimum retirement age, and who has been medically re-examined and found by the medical panel and the Annuity and Pension Board to be fit for service, shall be eligible for reinstatement. Such person, upon recommendation of the Chief or Director of the applicable department, shall be eligible for reinstatement to the position previously occupied or to another position for which the person is qualified, as determined by the Board upon the recommendation of the Chief or Director of the department, but any such reinstatement may be made only to fill a vacancy and shall not be made if the effect thereof would be to displace any person presently holding such position. If at the time the person applies for reinstatement no vacancy exists in the position previously occupied by the person seeking reinstatement, or in another position for which the person is qualified, then that member's name shall be placed on a reinstatement list. Except as specifically provided otherwise in these rules, reinstatement lists shall have preference over all other lists for appointments or promotions. A person on a reinstatement list

upon recommendation by the Chief or Director and approval by the Board, shall be reinstated to the department on the first date following the vacancy in the position previously occupied by the member prior to his or her retirement on ordinary disability. (Rev. 6/15/23

RULE XIII.

REAPPOINTMENT

Section 1. Any former sworn member of either the Fire or Police Department who has successfully graduated from the Training Academy, and successfully completed all phases of training and has passed probation as of the date of his/her separation from active service, and who resigned in good standing without any departmental charges or investigations pending may apply for re-entry into the department in which the member previously served through a written request to the Chief, so long as one of the following is true:

(a) The former member requests reappointment within one year of the effective date of their resignation; or

(b) The former member requests reappointment more than one year, but not more than three years after the effective date of their resignation, and the former member has maintained the relevant certifications required for their former position, such that they can be reappointed without requiring retraining, and they have been employed in the same or a substantially similar capacity by another jurisdiction or agency for a majority of the time since they resigned their position with Milwaukee.

Upon receipt of all reappointment requests, the Chief of the respective department shall forward the request together with a recommendation letter to the Board. The Chief's recommendation shall take into consideration relevant licensure, training, vacancies, performance by the member or employee, an evaluation of preceding employment, and the good of the service. The recommendation letter shall address each of these considerations and explain why they weigh in favor of reappointment or denial of reappointment. The Chief shall include with their recommendation letter any relevant source materials, such as personnel records, prior commendations, or disciplinary records. If a former sworn employee applies for reappointment after more than three years has elapsed since they resigned, the Chief shall deny the request outright. If the Board acts favorably on the request, reappointment shall be made effective at such time as determined by the Board. (Rev. 10/2/25)

Section 2. Former sworn members of either the Fire or Police Department shall submit to a medical examination, drug screen test, and updated background investigation to determine fitness for duty before being reappointed. A reappointed sworn member shall have their accrued sick time and seniority as it relates to pay and rate of earning paid time off reinstated, unless otherwise specified in the provisions of the applicable collective bargaining agreement. (Rev. 10/2/25)

Section 3. Any former non-sworn employee of the Fire or Police Departments or Department of Emergency Communications who has successfully completed his/her probationary period and who resigned in good standing without any departmental charges or investigations pending may, within three years from the effective date of the resignation, apply for re-entry into the department in which the employee previously served through written request to the Chief or Director. Upon receipt of the reappointment request, the Chief or Director of the respective department shall forward the request together with a recommendation letter to the Board. The Chief's or Director's recommendation shall take into consideration relevant licensure, training, vacancies, performance by the former employee, an evaluation of preceding employment, and the good of the service. The recommendation letter shall address each of these considerations and explain why they weigh in favor of reappointment or denial of reappointment. The Chief shall include with their recommendation letter any relevant source materials, such as personnel records, prior commendations, or disciplinary records. If a former non-sworn employee of any department applies for reappointment after more than three years has elapsed since they resigned, the Chief or Director may deny the request outright or forward it to the Board with a recommendation letter as outlined above. If the Board acts favorably on the request, reappointment shall be made effective at such time as determined by the Board. (Rev. 10/2/25)

Section 4. Any member who is a recruit officer or recruit firefighter who does not complete the Academy may request a one-time reappointment to a subsequent recruit class within the next year, without having to reapply and go through the competitive examination process. The reason for the recruit not completing the Academy cannot be due to misconduct, absenteeism, violation of Department rules and/or procedures, or pending Departmental charges. Upon receipt of a recruit reappointment request, the Chief of the respective department shall forward the request together with a recommendation letter to the Board. The Chief's recommendation letter shall take into consideration the performance of the former recruit in the prior academy class, an evaluation of preceding employment, and the good of the service. The recommendation letter shall address each of these considerations and explain why they weigh in favor of reappointment or denial of reappointment. If the Chief recommends reappointment, the letter shall specify the subsequent recruit class to which the Chief recommends the former recruit be reappointed. The Chief shall include with their recommendation letter any relevant source materials, such as personnel records, prior commendations, disciplinary records, and a description of any remedial training that was required and the reasons prompting that training. If the Board acts favorably on the request, reappointment shall be made effective at such time as a vacancy exists for which there is no other available candidate, and as determined by the Board. (Rev. 10/2/25)

Section 5. Former non-sworn employees of the Fire or Police Departments or Department of Emergency Communications shall submit to a medical examination, drug screen

test, and background investigation to determine fitness for duty before being reappointed. An individual who is reappointed receives the same salary as when the separation occurred or the minimum recruitment rate of pay, whichever is higher. For reappointment requests made within three years of resignation, the following dates are adjusted to reflect the length of time that the employee was off payroll between the dates of separation and reappointment: (i) Benefits Service Date and (ii) Seniority Date. The sick leave balance is restored to the amount that was accrued at the time of separation (if not previously paid out). For reappointment requests made over three years from resignation, the Benefits Service Date becomes date of reappointment; the Seniority Date becomes date of reappointment; and the sick leave balance is reset to zero. (Rev. 6/13/23)

Section 6. Any former member or employee of the Fire or Police Department or Department of Emergency Communications who was discharged or resigned while departmental charges were pending is not eligible for reappointment and must qualify for a new appointment through competitive examination. Individuals who have retired are not eligible for reappointment, unless otherwise provided in the FPC Rules. Not more than two reinstatements after resignation shall be granted to any person. (Rev. 6/13/23

Section 7. Any former member of the Police Department who separated from the department as a result of being decertified as a law enforcement officer by the Wisconsin Law Enforcement Standards Board is not eligible for reappointment and must qualify for a new appointment through competitive examination. If the decertification is for failure to achieve the college credit requirement, the former member must fulfill the requirement prior to application for appointment through competitive examination. (Rev. 2/2/17)

Section 8. Any former member of the Fire or Police Departments or Department of Emergency Communications who resigned within five years of application for re-entry and is reappointed to the position of Chief of Police, Fire Chief, or Emergency Communications Director may be granted appropriate service credit toward salary advancement, sick leave balance, and vacation accrual. (Rev. 6/13/23)

Section 9. Any sworn member of the Fire or Police Departments who accepts an appointment to a non-sworn position is not eligible for reappointment to a sworn position and must qualify for a new sworn appointment through competitive examination. (Rev. 6/13/23)

RULE XIV.

RESIDENCY

Section 1. All sworn law enforcement, sworn fire, and emergency personnel as set forth in Rule V, *supra*, are bound by City of Milwaukee Charter provisions regarding residency and are required to establish and maintain an actual and bona fide residence within 15 miles of the jurisdictional boundaries of the City of Milwaukee throughout the period of employment by the City. A residence will be considered to be within 15 miles of the jurisdictional boundaries of the City of Milwaukee if any portion of the residence's real estate lies within 15 miles of the jurisdictional boundaries of the City of Milwaukee. (Rev. 3/15/18)

Section 2. Unless an extension of time to establish residency or a temporary exception from the residency requirement has been granted by the Board, failure of any employee subject to this rule to reside within 15 miles of the jurisdictional boundaries of the City of Milwaukee shall render that employee ineligible for continued employment and shall result in the employee being separated from service. (Rev. 9/15/16)

Section 3. All new employees hired into a position subject to this residency requirement, and any incumbent employee who at any time has his/her position designated as subject to this residency requirement, shall be granted a period of time not to exceed six (6) months from the date of hire or the date the requirement becomes effective to establish residency compliant with the requirement. (Rev. 6/13/23)

Section 4. Any employee subject to this residency requirement who believes it may be necessary to request an extension of the time period for establishing residency, or who believes that it may be necessary to request a temporary exception from the residency requirement, shall file such request in writing with the Fire and Police Commission, together with copies of all supporting documentation, at least fifteen (15) calendar days prior to the date on which the extension or temporary exception is anticipated to begin. Failure to file the request on a timely basis, absent extraordinary circumstances, shall be grounds for denial. The requestor shall forward a copy of the request to the Chief or Director of the respective department. (Rev. 6/13/23)

Section 5. Any request for an extension or temporary exception shall specify, in detail, the reason(s) for the request and shall be accompanied by copies of all documentary evidence in support thereof including, but not limited to, real estate listing contracts, apartment leases, medical reports, educational reports, etc. Failure to supply appropriate supporting documentation together with the request shall be grounds for denial of the request. The burden of proof regarding whether or not a

request for an extension or temporary exception should be granted shall at all times be on the requestor. (Rev. 9/16/5/16)

Section 6. Any request for an extension or temporary exception or supporting documentation which contains medical information shall be treated and maintained as confidential by the Fire and Police Commission, the Fire and Police Departments, the Department of Emergency Communications, and their respective staffs. Such information shall be utilized solely for the purpose of evaluating the request for extension or temporary exception. (Rev. 6/13/23)

Section 7. Upon receipt of a request and appropriate supporting documentation, the request may be referred to Fire and Police Commission staff for investigation and preparation of a report, if necessary, to be submitted to the Board. Any employee making a request shall, upon request, immediately provide any and all releases necessary for Commission staff to obtain additional information, including medical information that may have a bearing upon the request. Failure by the employee to immediately supply the necessary releases shall be deemed a failure to cooperate and shall result in denial of the request for extension. (Rev. 9/15/16)

Section 8. The Board shall not be limited to information supplied by the requestor. Staff may seek and obtain additional information which is relevant to the request. Upon completion of its investigation, staff may prepare a written report and the Board may pose questions to the requestor. (Rev. 9/15/16)

Section 9. The Board may approve, modify, or deny requests for extensions or temporary exceptions from the residency requirement in accordance with the authority delegated to it by the City Charter. (Rev. 9/15/16)

Section 10. All employees of the Fire and Police Departments and Department of Emergency Communications shall advise their respective departments within 72 hours of a change in residence on the department's required form. Each submission shall be reviewed and maintained by the respective department. (Rev. 6/13/23)

RULE XV.

CITIZEN COMPLAINT PROCEDURE

Section 1. PURPOSE. The citizen complaint procedure addresses misconduct alleged to have been committed by Fire or Police Department or Department of Emergency Communications members. The FPC utilizes the Citizen Complaint Intake Investigation Guidelines to receive, evaluate and administer the complaint process. All plausible complaints will be addressed swiftly, consistently and fairly for both complainants and department members. (Rev. 6/13/23)

Section 2. COMPLAINT. A complaint may be initiated by mail, email, telephone, website, or in person. Prior to referral for resolution, the complainant must sign the complaint and affirm that all information in the complaint is true and correct to the best of the complainant's knowledge. Complainants submitting complaints through the FPC's website may, in lieu of signing the complaint, attest that all information in the complaint is true and correct to the best of the complainant's knowledge by selecting the attestation of fact button in the online complaint form. Complaints do not require notarization to be accepted and investigated. Investigators accepting complaints shall not discourage the filing of complaints by members of the public or members of the emergency services. (Rev. 6/13/23)

Section 3. INVESTIGATION. FPC staff will conduct an investigation of every plausible complaint received. All plausible complaints will be fully and fairly investigated. The investigation will be conducted in accordance with the FPC Citizen Complaint Intake Investigation Guidelines and applicable department standard operating procedures. Contact with the complainant shall be maintained throughout the investigation and will occur in whatever form of correspondence is most convenient for the complainant, including in-person meetings at the FPC's office in City Hall. Unless requested by the complainant, meetings with the investigator shall not take place at any police facility. FPC Investigators will conduct all investigations in an unbiased manner. This includes avoiding hostile questions or applying their own moral judgments related to dress, grooming, income, lifestyle, or known or perceived criminal history of complainants. Investigators shall not give greater weight to officer or employee testimony than to the testimony of complainants, shall write summaries containing established facts rather than judgments, and shall recommend dispositions that are fair, consistent, and justified. (Rev. 6/13/23)

Section 4. REFERRAL. The Executive Director, within ten (10) business days after receiving the results of the investigation, will refer the complaint for resolution in accordance with the FPC Citizen Complaint Intake Investigation Guidelines utilizing one of five methods: rapid resolution complaint inquiry, trial, dismissal, mediation, or policy training. The time period for referring a complaint for

resolution is directory, not mandatory. The fact that a referral is made after this time period is not be grounds for appeal and does not deprive the Board of jurisdiction. (Rev. 6/13/23)

Section 5. RESOLUTION. Complaints will be resolved by the following methods: (Rev. 7/16/09)

(a) RAPID RESOLUTION COMPLAINT INQUIRY.

1. A Rapid Resolution Complaint Inquiry (RRCI) is a complaint filed with the FPC and then forwarded to the department for quick resolution. The complainant is questioning the actions of an employee of the Fire or Police Departments or Department of Emergency Communications concerning a matter that does not, on its face, appear to be a violation of a department rule. (Rev. 6/13/23)

2. The department that receives a RRCI referral will follow its applicable standard operating procedures to resolve the complaint. (Rev. 7/16/09)

3. The Executive Director will review the completed RRCI. (Rev. 7/16/09)

(b) TRIAL. Trials will be conducted in accordance with FPC Rule XVI Trial Procedures. (Rev. 7/16/09)

(c) DISMISSAL. The complainant will be advised in writing of the reason(s) for the dismissal. A complainant may, within thirty (30) calendar days after the date of the notice of dismissal, request in writing that the dismissal be reviewed by a three-member panel of the Board. In reviewing a dismissal, the panel shall uphold the dismissal unless it finds that the Executive Director applied an incorrect legal standard, made a material finding of fact that is clearly erroneous, made a determination that is not reasonably supported by the facts of record, or failed to reach a conclusion that is reasonable under the circumstances. (Rev. 6/13/23)

(d) MEDIATION. Mediation is the process in which both the complainant and employee agree to resolve a complaint with the assistance of a neutral mediator. Information disclosed during a mediation session is confidential and cannot be used in any subsequent proceeding. When making a referral to mediation, the Executive Director will consider whether mediation is likely to result in greater complainant satisfaction; improve citizen understanding of department procedures and actions; result in improved employee conduct; or contribute to increased community relations. Normally a complaint will not be referred to mediation if the case involves

an allegation of criminal conduct against an employee, use of force involving bodily injury, or if the employee is a witness against the complainant in a court proceeding. (Rev. 7/16/09)

Procedure:

1. Complaint is received by an FPC investigator, and a complaint number is assigned. (Rev. 7/16/09)

2. The FPC investigator conducts an initial review and forwards to the Executive Director. (Rev. 7/16/09)

3. The Executive Director makes the determination to refer the complaint to the mediation resolution process. (Rev. 7/16/09)

4. Complainant and employee(s) are contacted and confirm they are willing to participate in the mediation process. (Rev. 7/16/09)

5. Complaint is scheduled for mediation conducted by mediator. (Rev. 7/16/09)

6. Mediation session is conducted at a neutral location. (Rev. 7/16/09)

7. Complainant and employee(s) acknowledge resolution of the complaint, or the mediator certifies that the employee participated in the mediation session. (Rev. 7/16/09)

8. Complaint is dismissed. (Rev. 7/16/09)

(e) POLICY TRAINING. The Executive Director may require a member to participate satisfactorily in a specified policy training program. (Rev. 6/3/10)

Section 6. COMPLAINTS FILED WITH THE FIRE OR POLICE DEPARTMENT OR DEPARTMENT OF EMERGENCY COMMUNICATIONS. The Executive Director shall audit internal investigations conducted by the Police and Fire Departments and Department of Emergency Communications. The Executive Director shall review a complaint investigation when a citizen is dissatisfied with the outcome of an investigation that has been completed by the Police or Fire Department or Department of Emergency Communications. (Rev. 6/13/23)

Section 7. TRACKING. All complaints against members of Police Department are tracked by the FPC investigator and reviewed on an ongoing basis to determine whether certain thresholds are reached. When a member of the Police Department receives 3 complaints within a 90-day period the investigator is required to alert

the Executive Director. When a member of the Police Department receives 3 or more complaints over a rolling one-year period, a recommendation to the Early Intervention Program is required, in accordance with SOP 450 - Personnel Investigations. (Rev. 6/13/23)

(a) When this threshold is reached, the Investigator shall immediately notify the Executive Director of:

1. The threshold reached

2. The member's name and PeopleSoft number

3. The nature of the complaints

(b) The Investigator shall complete a Fire and Police Commission EIP Referral and provide a copy to the Executive Director.

(c) The Executive Director shall then notify the Chief of Police, in writing, that the threshold has been met within five (5) business days. (Rev. 6/13/23)

(d) Investigators shall, within seven (7) business days of the Chief being notified, contact the Early Intervention Program Coordinator to ensure referral was initiated and document this response. (Rev. 6/13/23)

1. If the referral has not been made, investigators shall immediately notify the Executive Director for follow-up with the Chief. (Rev. 9/24/20)

RULE XVI. TRIAL

PROCEDURES

Section 1. PURPOSE. These procedures apply to citizen complaints and disciplinary appeals by sworn and non-sworn Fire and Police Department and Department of Emergency Communications personnel. (Rev. 6/13/23)

Section 2. JURISDICTION.

(a) Any member who is served with an appealable order of discipline shall, at the same time that service of the appealable disciplinary order is made, receive any exculpatory evidence in the Chief's or Director's possession related to the discharge, demotion or suspension. (Rev. 6/13/23)

(b) Sworn, non-probationary members of the Police Department who are discharged, demoted or suspended without pay for a period of more than five (5) eight-hour working days may appeal such discipline to the Board. (Rev. 7/16/09)

(c) Sworn, non-probationary members of the Fire Department who are discharged, demoted or suspended without pay for a period of more than two (2) twenty-four-hour working days, or more than five (5) eight-hour working days may appeal such discipline to the Board. (Rev. 7/16/09)

(d) Non-sworn (civilian), non-probationary, non-exempt full-time members of the Fire or Police Departments or Department of Emergency Communications who are discharged, demoted or suspended without pay for more than five (5) working days may appeal such discipline to the Board. Any member subject to a collective bargaining agreement that provides final and binding arbitration as an alternative method of hearing disciplinary matters may elect either the alternative method or a hearing before the Board. If the member elects final and binding arbitration, the right to a hearing before the Board will be deemed to have been permanently waived. (Rev. 6/13/23)

(e) Citizen complaints that are referred for trial by the Executive Director pursuant to Rule XV shall utilize the procedures of Sections 7 through 14 below to the extent applicable. A copy of the FPC investigation may be provided to the complainant and member. Upon request by the complainant, the Board or Hearing Examiner may allow a complainant to be represented by an advocate for any part of the proceedings. (Rev. 7/16/09)

Section 3. APPEAL. Within ten (10) calendar days after service of a disciplinary order

which is appealable to the Board, the department member so disciplined may file with the Board a written notice of appeal utilizing the following form: (Rev. 7/16/09)

To the Honorable Board of Fire and Police Commissioners:

Please take notice that I appeal the order/decision of the (Fire Chief or Chief of Police or Emergency Communications Director) (discharging or demoting or suspending) me from the (Fire or Police Department or Department of Emergency Communications) pursuant to (MFD or MPD or DEC) Order No._____dated (Month and Date and Year).

Dated this_____day of_____, 20_____.

_____
Signature

_____
Print Name, Address & Phone Number of Appellant and/or Legal Counsel
(Rev. 6/13/23)

Section 4. NOTICE OF COMPLAINT. Within two (2) calendar days after service of an appealable disciplinary order upon a department member, the department shall file with the Board a copy of the disciplinary order and a signed complaint outlining the specific conduct which serves as the basis for each rule violation alleged. (Rev. 7/16/09)

Section 5. SERVICE OF COMPLAINT. Within five (5) calendar days after an appeal is filed, the Board shall serve appellant with a copy of a Notice of Complaint indicating the department rule that is alleged to have been violated, a copy of the complaint, and notification of a trial date scheduled pursuant to Wis. Stat. § 62.50(14). (Rev. 6/13/23)

Section 6. SCHEDULING ORDER. The Board shall serve appellant and the Chief or Director of the department with a Scheduling Order fixing the time and place of the trial not less than sixty (60) calendar days nor more than one hundred and twenty (120) calendars days after service of the notice to the member, a pretrial date not less than seven (7) calendar days prior to the trial date, and time limitations for discovery and motions. (Rev. 6/13/23)

Section 7. PRETRIAL. A pretrial shall be conducted to complete any remaining discovery and narrow the issues to be addressed at time of trial. The Hearing Examiner may require a party to prepare a written stipulation of issues which are agreed upon and need not be proven at time of trial. (Rev. 7/16/09)

Section 8. ADJOURNMENT. A request for adjournment shall be in writing. The request shall state the specific reason(s) that a party will not be able to proceed on the scheduled date, and that the reason(s) for such inability are beyond the control of the party making such request. Absent an express waiver by both parties, no adjournment shall exceed fifteen (15) calendar days. (Rev. 6/13/23)

Section 9. TRIAL BEFORE A HEARING EXAMINER. (Rev. 7/16/09)

(a) The Hearing Examiner is authorized to conduct trials without the Board being present. (Rev. 7/16/09)

(b) Trials will be videotaped, and the procedural and evidentiary provisions governing trials before the Board will apply to trials before the Hearing Examiner to the extent applicable. (Rev. 7/16/09)

(c) Within thirty (30) calendar days after the close of any trial conducted before the Hearing Examiner, parties will be provided with copies of the transcript, videotape, exhibits, report summarizing the evidence presented, proposed findings of fact, recommended decision on the merits, and recommended penalty, if applicable. (Rev. 6/13/23)

(d) Within thirty (30) calendar days after mailing of the report and recommendation to the parties, either party may file a response to the Hearing Examiner's report and recommendation. (Rev. 7/16/09)

(e) The Board will convene in closed session to review the record. The Board shall make a final determination and may adopt or modify, in whole or in part, the proposed findings and recommendations of the Hearing Examiner. (Rev. 7/16/09)

Section 10. TRIAL BEFORE THE BOARD.

(a) A Hearing Examiner may assist at trials before the Board, and is authorized to make rulings on all legal and procedural matters that arise during the trial. (Rev. 7/16/09)

(b) Any witness may testify regarding matters about which the witness has personal knowledge and which are sufficiently related to issues before the Board. (Rev. 7/16/09)

(c) The Board may limit the calling of witnesses or the taking of testimony which appears to be cumulative or lacking sufficient relevance. (Rev. 7/16/09)

(d) The Board may question any witness called by either party during the hearing. (Rev. 7/16/09)

(e) The Board or parties may subpoena witnesses. (Rev. 7/16/09)

(f) A written decision will be signed by Board members who participated in the decision within ten (10) business days after such decision is rendered and will be forwarded to each of the parties. (Rev. 6/13/23)

Section 11. TESTIMONY.

(a) Trials are quasi-judicial proceedings intended to secure the facts in as direct and simple a manner as possible. Wisconsin Rules of Evidence controlling civil cases will apply, but the Hearing Examiner may relax the rules of evidence to assure that relevant facts are elicited during the trial. Hearsay evidence, including any documents from an investigation relating to the charges being tried, may be admitted provided such evidence is probative. All trials are open to the public. Witnesses may be sequestered at the request of either party, or upon direction of the Board or the Hearing Examiner. The Board or Hearing Examiner may adjourn the trial to take additional evidence. (Rev. 7/16/09)

(b) In a citizen complaint trial the obligation to proceed and present evidence first is on the complainant, with the accused department member thereafter being given an opportunity to respond. (Rev. 7/16/09)

(c) In a disciplinary appeal the obligation to proceed and present evidence first is on the department, with the appellant thereafter being given an opportunity to respond. (Rev. 7/16/09)

(d) Prior to taking evidence, each party shall be given an opportunity to make an opening statement outlining what that party believes the evidence to be presented will show. (Rev. 7/16/09)

(e) Either party may call the other as a witness adversely, and may cross-examine the other party and that party's witnesses when they testify voluntarily. The Board and the Hearing Examiner may question any witness called by either party. (Rev. 7/16/09)

(f) At the close of testimony each party may make a closing statement outlining what that party believes the testimony and evidence shows. (Rev. 7/16/09)

Section 12. BURDEN OF PROOF.

(a) Non-sworn Employee Disciplinary Appeals
The Board must find that a preponderance of the evidence exists to sustain the charge(s). (Rev. 7/16/09)

(b) Citizen Complaints and Sworn Member Disciplinary Appeals
The Board must find by a preponderance of the evidence that there is just cause to sustain the charge(s). In determining whether or not there is just cause to sustain the charge(s) the Board shall apply the following standards, to the extent applicable, pursuant to Wis. Stat. § 62.50(17)(b): (Rev. 7/16/09)

1. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct. (Rev. 7/16/09)

2. Whether the rule or order that the subordinate allegedly violated is reasonable. (Rev. 7/16/09)

3. Whether the Chief or Director, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did in fact violate a rule or order. (Rev. 6/13/23)

4. Whether the effort described under subd. 3. was fair and objective. (Rev. 6/13/23)

5. Whether the Chief or Director discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate. (Rev. 6/13/23)

6. Whether the Chief or Director is applying the rule or order fairly and without discrimination against the subordinate. (Rev. 6/13/23)

7. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the department. (Rev. 7/16/09)

Section 13. TRIAL PROCEDURE-COMPLAINT NOT SUSTAINED. If the Board determines that the burden of proof has not been met, the matter will immediately be dismissed and proceedings terminated. (Rev. 7/16/09)

Section 14. TRIAL PROCEDURE-COMPLAINT SUSTAINED. If the Board sustains a finding of one or more rule violations, evidence may then be received regarding the member's character, work record, and the impact of the misconduct on the complainant, department, and community. The Board may deliberate in closed

session in order to determine whether the good of the service requires that the appellant be: (Rev. 7/16/09)

(a) permanently discharged; or (Rev. 7/16/09)

(b) suspended without pay for a period to be determined by the Board not exceeding sixty (60) days; or (Rev. 6/13/23)

(c) demoted to a lower rank; or (Rev. 7/16/09)

(d) participate in policy training. (Rev. 7/16/09)

APPENDIX

AMENDMENTS TO FIRE AND POLICE COMMISSION RULES
Since September 7, 2023

Date Approved	**Rule and Section**	**Amendment**
6/15/23	Entire Rule Book – See PDF for Changes	FPC Rules 6-15-23 Redline Appendix
9/7/23	Changes throughout Rule Book since 6/15/23	FPC Rules 9-7-23 Redline
9/5/24	Changes to Rule III, Sec. 4 (b)	FPC Rules 9-5-24 Redline
9/19/24	Changes to Rule III, Sec. 4 (a)	FPC Rules 9-19-24 Redline
10/24/24	Changes to Rules relating to lateral/transfer Police Officers	FPC Rules 10-24-24 Redline
12/5/24	Changes to Rules relating to Testing Procedures	FPC Rules 12-5-24 Redline

APPENDIX – Amendments to Fire and Police Commission Rules

Date Approved	Rule and Section	Amendment
2/6/25	Changes to Rules regarding Reappointment	FPC Rules Reappointment 2-6-25
4/3/25	Changes to Rules regarding Veteran Preference Points for Examinations	FPC Rules Veteran Preference Points
10/2/25	Changes to Rules Regarding Reappointment	FPC Rules Reappointments
4/20/26	Changes to Rules regarding: Classifications, Examinations, Qualifications, And Appointments	FPC Rules: Qualifications & Appointments (Police Aide) FPC Rules: Examinations (Volunteer Preference Points)

APPENDIX – Amendments to Fire and Police Commission Rules