

# DEPARTMENT OF EMPLOYEE RELATIONS



*Approved by the CSC on April 12, 2022*

---

## ***Salary, Benefits and Seniority Rights of Individuals who are Reinstated following Resignation***

### Description

---

At its meeting of April 12, 2022, the Commission approved the following policy regarding salary, benefits (i.e., sick leave and vacation), and seniority rights to be granted to any individual is reinstated.

1. Any individual who is reinstated shall receive the same salary as at the time of resignation or separation, or the minimum of the pay range, whichever is higher. Any individual who is reinstated to City employment will be granted "full rights," meaning service credit for vacation accrual and job class seniority<sup>1</sup> as held when last employed by the City, and restoration of the individual's sick leave balance to what it was at the time of resignation or separation.
2. Upon reinstatement, the benefits service date and the seniority date are adjusted to reflect the length of time that the employee was off payroll between the dates of separation and rehire.
3. Individuals who have retired are not eligible for reinstatement.
4. Exceptions to this policy may only be made by action of the board of City Service Commissioners.
5. This CSC policy on reinstatement does not address employee's ERS contributions or benefits.

---

<sup>1</sup> Job class seniority is determined by City Service Rules.

### **Guidelines for Reinstatement after Resignation under Civil Service Rule X, Section 8**

1. To be eligible for reinstatement under this policy, the individual must have resigned or separated in good standing and the appointing authority must recommend approval.
2. Individuals not eligible for reinstatement under this policy include:
  - a. Individuals who did not successfully complete a probationary period prior to resignation.
  - b. Individuals having held only Emergency, Temporary or Provisional appointments.
  - c. Individuals who have retired.
  - d. Individuals previously employed by the Milwaukee Fire or Police Departments (covered under Rules of the Milwaukee Fire and Police Commission) without prior general City regular (non-probationary) service.
3. All requests for reinstatement must be sent to the DER. Once received, DER staff will seek the recommendation of the departmental director from the department in which the individual was previously employed.
  - a. When the request for reinstatement is made within three years from the date of resignation, the appointing authority may approve the reinstatement and must notify DER of the reinstatement or denial of such.
  - b. When the request for reinstatement is made three or more years from the date of resignation, the City Service Commission may approve the reinstatement if the departmental director from the department in which the individual was previously employed has recommended reinstatement.
4. The name of an individual whose name has been placed on a reinstatement list shall remain there for up to two years. If an individual has not been hired within two years of his/her name having been placed on a reinstatement list, his/her name will be removed from that list; the individual may submit another request for reinstatement.
5. No more than two reinstatements (hires) after resignation shall be granted to any individual.
6. Any individual who is reinstated should contact the Employees' Retirement System directly regarding his/her pension benefits.

Questions regarding this policy or its application may be directed to the Employee Relations Director.