



CITY OF MILWAUKEE

Fire and Police Commission

July 5, 2011

TO: Board of Fire and Police Commissioners

FROM: Michael G. Tobin, Executive Director

SUBJECT: Amendment to FPC Rule XI, Section 14 and FPC Rule XIII, Section 6

This amendment adds language regarding appointment of a sworn member to a non-sworn position. It also adds language regarding reappointment to a sworn position after a sworn member has been appointed to a non-sworn position.

MGT:mk

- (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 last previously held non-exempt position in the Fire Department. (Rev. 12/4/08)
- (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 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, Deputy Chief of Police, Police Commander, Deputy Inspector of Police, Captain of Police, First Assistant Chief Engineer, and Deputy Chief, Fire. No department member shall serve in an acting capacity in any of the aforementioned 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. 12/4/08)

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 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.

RULE XIII.

REAPPOINTMENT

- Section 1. Any former member of either department who has successfully completed his/her recruit training and graduated from the Training Academy as of the date of his/her separation from active service and who resigned in good standing without any departmental charges pending may within six months apply for re-entry into the department in which the member previously served through a written request to the Chief. The Chief shall forward the request together with a recommendation to the Board. If the Board acts favorably on the request, reappointment shall be made effective at such time as determined by the Board. (Rev. 4/24/03)
- Section 2. Former members of either department shall submit to a medical examination and drug screen test to determine fitness for duty before being reappointed. A reappointed member shall in all respects be treated as a new employee, subject to provisions of the applicable collective bargaining agreement. (Rev. 12/6/01)
- Section 3. Any former member of either department 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. (Rev. 3/18/10)
- Section 4. 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. 3/18/10)
- Section 5. Any former member of either department who resigned within five years of application for re-entry and is reappointed to the position of chief of police or fire chief may be granted appropriate service credit toward salary advancement, sick leave balance, and vacation accrual. (Rev. 5/1/08)
- Section 6. Any sworn member of either department that 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.**