

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. 6/13/23)

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. 6/13/23)

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. 6/13/23)

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, 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. 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.

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)

