

**CITY OF WEST ALLIS
RESOLUTION R-2022-0437**

**RESOLUTION TO AMEND POLICY NO. 1402 RELATING TO THE COMPLETION
AND EXTENSION OF PROBATIONARY PERIODS.**

WHEREAS, it is necessary to amend Policy No. 1402 to provide the authority to establish probationary periods based on the specific job requirements of the position and extend probationary periods for appointees to meet employment conditions or to satisfy standards of conduct and performance;

NOW THEREFORE, be it ordained by the Council of the City Of West Allis, in the State of Wisconsin, as follows: Policy No. 1402 relating to Recruitment, Selection and Employment is adopted as presented.

SECTION 1: AMENDMENT “1402 Recruitment, Selection, And Employment” of the City Of West Allis Policies & Procedures is hereby *amended* as follows:

AMENDMENT

1402 Recruitment, Selection, And Employment

1. PURPOSE

To describe the policies and procedures of the City of West Allis in regard to recruitment, selection, and employment.

2. ORGANIZATIONS AND PERSONS AFFECTED

This policy applies to all City of West Allis departments, boards, commissions, and employees except elected officials and employees under the jurisdiction of the Police and Fire Commission.

3. POLICY

It is the policy of the City of West Allis to follow a uniform set of policies in regard to recruitment, selection, and employment.

4. REFERENCES

City of West Allis Policies and Procedures Manual

- a. Policy 404 - Recruitment, Selection, Appointment and Confirmation for City Officials and Department Heads
- b. Policy 1104 – Internship Policies & Procedures
- c. Policy 1107 – Required Approvals for Filling Vacant, Budgeted Positions
- d. Policy 1110 – Creating, Maintaining, and Administering Pay Ranges
City of West Allis Revised Municipal Code Section 2.76 Civil Service Rules and Regulations City of West Allis Hiring Procedures

5. PROCEDURES

a. GENERAL POLICIES – CREATING AND FILLING POSITIONS

i. Certification for Position Vacancies.

- (1) The Appointing Authority shall comply with the procedures

for creation of new positions, training programs, or proposed changes to existing positions as administered by the Human Resources Department.

- (2) All requests for vacant budgeted positions shall be reviewed by the City Administrator. If approved, the appointing authority shall notify the Human Resources Department to assist with filling the vacancy. If denied, the request shall then be submitted to the Administration and Finance Committee for consideration.
- (3) All requests for new positions, training programs, or proposed changes to existing positions shall be submitted by the Appointing Authority through the City Administrator to the Common Council for review and approval.
- (4) Upon approval, the Appointing Authority shall notify the Human Resources Department. The Human Resources Department shall thereupon work with the Appointing Authority to fill the vacancy.

ii. Recruitment.

The Appointing Authority and Human Resources Department shall follow the recruitment process and procedures as set forth in the Fair Employment/Affirmative Action Policy 1407 and this policy except City Officials and Department Heads whose recruitment process and procedures are set forth in City Policy 404. The Human Resources Department will work with the Appointing Authority to determine the most effective methods of recruitment and selection based on the position which is being filled.

iii. Selection Process.

In the absence of a qualified candidate for reinstatement or recall (see Policy 1405 Separation, Reinstatement and Recall) –

- (1) The Human Resources Department shall submit application materials of candidates whose qualifications meet the job description to the appointing authority or designee.
- (2) The appointing authority or designee will identify the most appropriate candidates for interviewing based on experience, knowledge, skills, and abilities.
- (3) The Human Resources Department may conduct telephone pre-screens of identified candidates.
- (4) The Human Resources Department and appointing authority or designee are responsible for conducting timely, effective interviews of qualified candidates for open positions.
- (5) The Human Resources Department shall review interview questions prior to the appointing authority conducting any secondary interviews.
- (6) The Appointing Authority shall forward the name of the selected candidate to the Human Resources Department who will draft an offer letter contingent on reference checking and

passing a medical examination, if applicable. (NOTE: refer to footnote below for an internal candidate.)

iv. Post-Offer Reference Checking.¹

The Human Resources Department shall be responsible for performing reference checks which shall include, but not be limited to, verifying educational credentials and licenses/certifications, coordinating a criminal history, child abuse registry, and/or credit records check, and contacting previous employers in order to verify dates of employment, position, duties, performance, attendance, etc. The Appointing Authority, in conjunction with the Human Resources Department, shall determine the specific checks that will be utilized; in all cases, appropriate State and federal laws shall be followed.

v. Post-Offer Medical Examination.

The post-offer medical examination shall consist of a drug test and, if applicable, physical examination. The Human Resources Department shall coordinate the post-offer medical examination with the Appointing Authority and the City's occupational medical provider and shall confirm with the Appointing Authority the results of the examination. If the examination results are questionable, the Human Resources Department shall consult with the City Attorney's Office to determine the next course of action. If the examination results indicate the candidate is fit for duty, the Appointing Authority shall confirm the job offer with the candidate.

vi. Appointment of Candidate for Hire.

(1) Upon a determination that the candidate is fit for duty pursuant to 5.1.6 above, the Appointing Authority shall confirm the job offer with the candidate and negotiate the terms of employment (i.e., work hours and schedule, wages, benefits [e.g., amount of vacation and when eligible, effective date of health and dental]) in accordance with all City Policies and salary schedules and with the guidance/assistance from the Human Resources Department in order to ensure fairness and consistency for City-wide staff.

(2) The Appointing Authority shall request written correspondence from the candidate confirming acceptance and submit such to the Human Resources Department along with the completed Personnel Action Form. The Human Resources Department shall then forward a Welcome Aboard packet to the candidate.

(3) Once the Appointing Authority receives written acceptance of the position from the candidate, the Appointing Authority then contacts the remaining candidates regarding the decision.

b. GENERAL POLICIES – ORIENTATION AND PROBATIONARY PERIOD.

i. Orientation. The Human Resources Department and the Appointing Authority shall coordinate and conduct a New Employee Orientation upon the individual's date of hire.

- (1) The Human Resources Department shall provide a general overview of the City as an organization and review benefits, salary administration, policies and procedures common to all employees, along with completion of necessary paperwork for payroll administration and employment law processing.
- (2) The Appointing Authority shall provide an overview of departmental policies and procedures (including but not limited to hours of work, lunch/breaks, dress code, reporting of time) and any other job related expectations of the Department.
- (3) The Appointing Authority shall coordinate and provide all necessary tools, resources and training in order for the individual to be successful in their position.

ii. Probationary Period.

- (1) ~~All persons within the Classified Service, except provisional, temporary and special appointments, certified from original or promotional eligible lists, and all persons transferred from one (1) department, division or board to another, and all persons reinstated in the service into a department, bureau or board different from that in which they previously served, shall be on probation for a period of six (6) months of actual service. The probation period shall not include time served as a temporary or provisional appointee, but shall date from time of certification and regular appointment from an eligible list or from time of transfer or reinstatement. Upon receipt of a report from the Appointing Authority that s/he desires to make a probationary appointment regular, or upon completion of the probationary period without notice of discharge, the appointee shall be considered as regularly appointed to a position in the City service. Except as otherwise provided below, all persons newly hired or transferred into a Classified Service position and all persons reinstated into a Classified Service position different than one they previously held shall be on probation for a period of six (6) months of actual service. The probationary period shall not include time served as a provisional, temporary, or special appointee, but shall date from the time of regular appointment, transfer, or reinstatement.~~
- (2) Prior to filling a position an Appointing Authority, with approval from the Human Resources Director and City Administrator, may establish and set forth in the position description a probationary period of up to twelve (12) months

of actual service based on the specific job requirements of the position.

(3) An Appointing Authority may, prior to the expiration of an employee's probationary period, request and receive approval from the Human Resources Director and City Administrator, in consultation with the City Attorney's Office, to extend an employee's probation for a period of up to six (6) additional months of actual service as a means for the appointee to meet employment conditions or to satisfy standards of conduct and performance.

(4) Upon receipt of a report from the Appointing Authority to make a probationary appointment regular, provided at least 75% of the probationary period has been completed, or upon completion of the probationary period without notice of extension of the probationary period or discharge from employment the appointee shall be considered as regularly appointed to a position in the City service.

(5) Each Appointing Authority shall be responsible for conducting periodic reviews of an employee's employment performance during the probationary period and thereafter per City Policy 1457.

c. GENERAL POLICIES – HOLDING MORE THAN ONE POSITION WITH THE CITY.

- i. Full time employees are not eligible to be paid for more than one job with the City (i.e., a full time employee is not eligible to hold more than one position with the City).
- ii. Part time employees may be paid for more than one job with the City on a limited term basis in order to meet the needs of the City as determined by the Appointing Authority in consultation with the Human Resources Director, Finance Director and City Administrator. The employee shall be paid either at their regular position's pay rate or a rate determined by the Appointing Authority in consultation with the Human Resources Director, Finance Director and City Administrator. Employees are not eligible to receive additional benefits (such as health insurance, dental insurance, etc.) for the limited term dual assignment unless it is offered by the City for extenuating circumstances; extenuating circumstances shall be determined by the Appointing Authority in consultation with the Human Resources Director, Finance Director and City Administrator.

d. GENERAL POLICIES – TEMPORARY EMPLOYMENT The City of West Allis hires temporary employees to fill limited tenure assignments under certain special circumstances. A temporary City employee is an employee hired for a limited period of time, usually less than one year, to meet peak, increased, or special demands which may be occasioned by seasonal, sporadic, or special project requirements. Such employee is compensated on

an hourly basis and is not eligible for employee benefits. Employment may be either full time or part time and does not confer the privileges of permanent tenure, promotion, transfer, or reinstatement. Employment may be terminated without notice, when the purpose for which the employee was hired has been accomplished.

- i. All temporary employees are to be requisitioned through the Human Resources Department by submitting a Personnel Action Form and brief description of the job duties, number of persons required, funding source, expected duration of employment, work schedule/hours, and starting date.
 - ii. An hourly rate of pay will be established for the contemplated position, which is based upon the required duties and responsibilities, utilizing the City's current salary ordinance. If no hourly rate is specified in the current salary ordinance for a comparable position, an appropriate hourly rate will be established by the Human Resources Department.
 - iii. The Human Resources Department shall consider the following recruitment sources when filling the temporary employment request: transfers, reductions in force, established eligible lists, external sources, and when qualified applicants are unavailable, recruitment will be conducted.
 - iv. Temporary Appointments Made Regular. Any person who has been appointed temporarily from an eligible list, may, in case such position is made or becomes regular, be regularly appointed in said position upon satisfaction of the Human Resources Department that the fact the position would become regular was not known to the Appointing Authority or Department at the time the temporary appointment was made; and providing, further, that the eligible list from which the temporary appointment was made is the most appropriate eligible list for such regular vacancy.
 - v. Emergency Appointment. In cases of emergency, and for the purpose of preventing the stoppage of necessary public business, the Appointing Authority may, with the approval of the Human Resources Department, make an emergency appointment for a period not to exceed 30 days. All Emergency Appointments are to be requisitioned through the Human Resources Department by submitting a Personnel Action Form and supporting documentation as to the need for the emergency appointment.
- e. GENERAL POLICIES – MEDICAL AND PHYSICAL TESTS
All employees of the City of West Allis may be called upon at any time to undergo a medical and physical examination by the City's designated medical examiner for the purpose of determining the fitness of the persons in performing their specific duties of the particular service to which they seek to be appointed or heretofore have been assigned.
- f. GENERAL POLICIES – HUMAN RESOURCES POLICIES
- i. Special Credit for Veterans.

Veterans and their spouses of any wars of the United States who have obtained a passing rating in an examination, and present an honorable discharge, shall have their ratings in their initial employment examination advanced as follows:

- (1) For a veteran, 10 points shall be added to his/her grade.
- (2) For a disabled wartime veteran, 15 points shall be added to his/her grade.
- (3) For a disabled wartime veteran whose disability is at least 30%, 20 points shall be added to his/her grade.
- (4) For the spouse of a disabled wartime veteran whose disability is at least 70%, 10 points shall be added to the spouse's grade.
- (5) For the unremarried spouse of a veteran who was killed in action, 10 points shall be added to the spouse's grade.
- (6) For the unremarried spouse of a veteran who died of a service-connected disability, 10 points shall be added to the spouse's grade. The term "veteran" shall be construed to mean any person who served on active duty under honorable conditions in the United States Armed Forces or in the forces incorporated as part of the United States Armed Forces (except service on active duty for training purposes) for ninety (90) days or more during the time periods enumerated below:
 - (A) World War II: Between August 27, 1940 and July 25, 1947
 - (B) Korean Conflict: Between June 27, 1950 and January 31, 1955
 - (C) Vietnam Era: Between August 5, 1964 and July 1, 1975
 - (D) Beirut/Lebanon Action: Between August 1, 1982 and April 16, 1984
 - (E) Grenada Action: Between October 23, 1983 and November 21, 1983
 - (F) Panama Action: Between December 20, 1989 and January 31, 1990
 - (G) Persian-Gulf War/Operation Desert Storm: Between August 2, 1990 and a date yet to be determined
 - (H) Afghanistan War: Between September 11, 2001 and a date yet to be determined
 - (I) Iraq War: Between March 19, 2003 and a date yet to be determinedThe term "veteran" also applies to anyone who served less than ninety (90) days, as enumerated above, but who was honorably discharged for a service-connected disability. Veterans and/or spouses of veterans who are suffering from a disability traceable directly or indirectly to war service shall have their examination

rating advanced as stated in 2 through 6 above provided, however, that the present fact of disability must be certified to by competent governmental authority. Nothing herein shall be construed to authorize or direct the Human Resources Department to place the name of any person on an eligible list who does not meet the standards set by the Human Resources Department for the position for which said eligible list has been created.

- ii. Reinstatement of Veterans to Eligible Lists. An applicant whose name is on an eligible list when s/he enters the armed services may apply for reinstatement to, or placement on, the current eligible list established for the same job classification, provided s/he makes written application within ninety (90) days of his/her honorable discharge from active service if the total of service performed did not exceed four (4) years. If his/her name was reached for certification during the period of military service, his/her name shall be placed at the top of the appropriate eligible list currently in force; otherwise, his/her name will be integrated, placing it as that rank to which the original competitive examination grade entitles him/her, except that a veteran who is eligible to receive veterans' credit points pursuant to the rules of the Commission may, at his/her option, take the same examination as those on the current eligible list and receive the applicable veterans' credit points, provided s/he passes the examination.
- g. GENERAL POLICIES – EMPLOYMENT OF RELATIVES
- The City limits the employment and work assignment of employees, regardless of category, that are related to each other or to current Public Officials in order to avoid situations that might result in unfair or preferential treatment of employees and/or the public, and to avoid any appearance of conflict of interest.
- i. Members of the same family are eligible for employment with the City; however, such employment may not result in a Public Official or an employee directly or indirectly supervising a member of his or her immediate family.
 - ii. Definitions for the purpose of this Section:
 - (1) Public Official. An individual elected or appointed to a position.
 - (2) Employee. An individual hired through competitive processes to serve the City of West Allis.
 - (3) Immediate Family Member. A spouse, parent, spouse's parent, child, brother, sister, grandparent, grandchild, brother-or sister-in-law, husbands of sisters-in-law, wives of brothers-in-law, legal guardian, and equivalent step-relations, as well as non-related individuals residing in the same household.
 - (4) Indirect Supervision. Includes, but is not limited to, being in a position to affect the terms and conditions of another's

employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation.

iii. Guidelines:

- (1) No Public Official or employee of the City may: 1) appoint, employ, participate in or otherwise influence a hiring or promotional decision for immediate family members; or 2) directly or indirectly supervise or otherwise have access, control or influence over work activities or salary decisions for immediate family members. This prohibition shall include all provisional and/or temporary appointments.
- (2) Employees may not be hired, promoted, demoted, or transferred to a work assignment that creates a situation in conflict with this policy.
- (3) With respect to indirect supervision, employees in positions senior to their immediate family members are responsible for recognizing situations in which employment interactions may be in violation of this policy and must recuse themselves from any involvement or decision-making pertaining to their family members.
- (4) When the relationship between employees change, such as through marriage, adoption or living arrangements, the employees concerned have up to six (6) months of the change event to resolve the policy infraction. If not resolved within the six (6) months of the change event, the City will unilaterally take action to eliminate the policy infraction.
- (5) In certain situations, such as public safety emergency response or weather related emergencies, employees that do not normally fall within the supervisory chain of command, including family members, may work together and/or supervise one another for the duration of the emergency.

¹ Reference Check Process for an Internal Candidate (i.e., individual currently working for the City): upon the employee's permission, the Appointing Authority may contact the employee's current supervisor for recommendation. If the recommendation is unsatisfactory/questionable, the Appointing Authority shall consult with the Human Resources Department to determine the next course of action. If the recommendation is satisfactory, the Appointing Authority then offers the position to the candidate contingent upon passing a medical examination (when applicable); the post-offer medical examination is coordinated by the Human Resources Department as outlined in section 5(a)(vi).

Effective Date: 1/1/82

Revision Date: 5/7/19

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL JUNE 28, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	<u>X</u>	_____	_____	_____
Ald. Vince Vitale	<u>X</u>	_____	_____	_____
Ald. Tracy Stefanski	<u>X</u>	_____	_____	_____
Ald. Marty Weigel	<u>X</u>	_____	_____	_____
Ald. Suzzette Grisham	<u>X</u>	_____	_____	_____
Ald. Danna Kuehn	<u>X</u>	_____	_____	_____
Ald. Thomas Lajsic	<u>X</u>	_____	_____	_____
Ald. Dan Roadt	<u>X</u>	_____	_____	_____
Ald. Rosalie Reinke	<u>X</u>	_____	_____	_____
Ald. Kevin Haass	<u>X</u>	_____	_____	_____

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor City Of West Allis

