

Citizen Complaint Information

* No employee of the Personnel Review Board will offer or give legal advice. The citizen must seek legal advice from his/her own legal counsel.

** The citizen takes the position of a prosecutor to present a disciplinary case against an employee before the Personnel Review Board.

*** Any accused employee who comes before the Personnel Review Board on a citizen complaint has the option of being represented by themselves and/or legal counsel to present arguments against the citizen.

**** Attached is the Personnel Review Board's Rules of Procedure related to citizen complaints.

RULE V

THE PROCESSING OF DISCIPLINARY CHARGES AND HEARINGS

Section I Who Can File Charges

- A. It shall be the duty of the superior officer* to file charges against any person in the classified service and subordinate to that superior officer if, in that officer's opinion, there is cause for demotion, suspension, or discharge.
- B. If a superior officer neglects or refuses to file charges, it shall be the duty of the Director of the Department of Human Resources to file charges if the Director of the Department of Human Resources believes that there is cause to file charges against any person in the classified service.
- C. Any citizen, excepting parties mentioned in A and B above or an individual acting in a representative capacity for any group or organization, may file charges against any person in the classified service as long as:
1. The allegations contained in the charge are made under oath and formally notarized; and,
 2. Such allegations are supported by the Affidavit of one or more witnesses who are alleged to have first-hand knowledge of the facts underlying the allegations. *

Upon the filing of such charge, the executive secretary shall verify compliance of such charge with 1 and 2 above; and, when so verified, the executive secretary shall place said charge on the agenda for the PRB's determination as to whether the charges are grave enough to warrant a hearing.

Civil Service Rules are used to determine the allegations of the employee for the administering of discipline. One or more of these rules must be stated in order for the Personnel Review Board to hear the allegations.

RULE VII, Section 4

CAUSES FOR DISCHARGE, SUSPENSION OR DEMOTION AND/OR REEVALUATION

(1) The following are declared to be cause for discharge, suspension or demotion and/or the approval of or the imposition of an employee reevaluation period as provided in Rule VI, Section 8, of the rules of the Milwaukee County Personnel Review Board, of any officer or employee from the classified service of the County of Milwaukee, though charges may be based upon causes and complaints other than those here enumerated, namely:

- (a) Theft of private or county property.
- (b) Unauthorized use, misuse, destruction of or damage to any property including vehicles, said damage occurring because of neglect while on county business.
- (c) Unauthorized use of county premises.
- (d) Violation of rules or practices relating to security of county property or county premises.
- (e) Unauthorized use, duplication or possession of county keys, or electronically controlled access cards.

- (f) Distributing or posting handbills, pamphlets or other written or printed material in any work area without authorization.
- (g) Posting, removing or tampering with county bulletin board material without authorization.
- (h) Failure to observe parking or traffic regulations as established by ordinance, statutes or departmental rules while on county business.
- (i) Violation of rules or practices relating to safety.
- (j) Littering, creating or contributing to unsanitary or unsafe conditions on county premises.
- (k) Refusing or failing to obey orders of supervisor whether written or oral.
- (l) Refusing or failing to comply with departmental work rules, policies or procedures.
- (m) Threatening, intimidating, coercing or harassing employees or supervision at any time.
- (n) Making false or malicious statements, either oral or written, concerning any employee, the county or its policies.
- (o) Unexcused, unauthorized or excessive absence.
- (p) Unexcused, unauthorized or excessive tardiness.
- (q) Leaving early and/or failure to be at assigned work area at the start or end of shifts, breaks and/or meal periods.
- (r) Leaving place of work during working hours without authorization, wasting time or loitering.
- (s) Stopping work before designated quitting time.
- (t) Failure or inability to perform the duties of assigned position.
- (u) Substandard or careless job performance.
- (v) Restricting output or engaging in any intentional slowdown, work stoppage or strike.
- (w) Engaging in any unauthorized activity which distracts or disrupts employees in the performance of their duties.
- (x) Interference with normal work flow or departmental procedures.
- (y) Falsification, modification or unauthorized alteration of any county record or report.
- (z) Knowingly punching or marking another employee's time card, having one's time card punched or marked by another, altering time card for any unauthorized reason or inaccurately recording time worked.
- (aa) Unauthorized obtaining or disclosure of confidential or privileged information.
- (bb) Commission of a criminal act which meets the non-discriminatory practices in conformance with State Statutes.

- (cc)** Reporting to work or working while under the influence of intoxicating beverages and/or narcotics or other drugs or having unauthorized possession of same on county premises during working hours.
- (dd)** Indecent, criminal or inappropriate conduct on county premises or during working hours.
- (ee)** Abusive or improper treatment toward an inmate or patient of any county facility or to a person in custody; provided the act committed was not necessarily or lawfully done in self-defense or to protect the lives of others or to prevent the escape of a person lawfully in custody.
- (ff)** Offensive conduct or language toward the public or toward county officers or employees.
- (gg)** Sleeping, dozing or lack of attentiveness during working hours.
- (hh)** Possession of unauthorized weapons on county premises or during working hours.
- (ii)** Provoking or instigating a fight or fighting during working hours or on county premises.
- (jj)** Engaging in horseplay or scuffling on county premises during working hours.
- (kk)** Engaging in personal activities during working hours.
- (ll)** Gambling on county premises or during working hours.
- (mm)** Vending, soliciting or collecting contributions for any purposes without authorization on county premises.
- (nn)** Inducing or attempting to induce any officer or employee in the county service to commit an illegal act or to act in violation of any departmental or official regulation or order, or the Rules of the Commission.
- (oo)** Soliciting or receiving from any person or participating in any fee, gift or other thing of value in the course of one's work, when such fee, gift or other thing of value is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
- (pp)** Threatening or attempting to use or using political influence, or giving or being in any way involved in giving any money or any other thing of value in return for appointment, promotion, transfer, leave of absence or change in appropriation or pay.
- (qq)** Engaging in pernicious political activity by making use of one's position to further the candidacy of any person or engaging in political work during regular work hours. Nothing in this section shall be construed to interfere with the right of any employee in the classified service to become a member of a political club, to attend political meetings, to express his or her opinion on all political subjects, and to enjoy freedom from all interference in casting his or her vote.
- (rr)** Removal of permanent residence to some place outside of Milwaukee County, except as specifically authorized by the Commission or failure to establish permanent residence in Milwaukee County within the time limited by the Commission.
- (ss)** Willful violation of any of the provisions of the County Civil Service Act or of the Rules of the Commission or ordinances of Milwaukee County.

(tt) Knowingly discriminating against anyone for employment or delivery of services because of such individual's age, race, color, handicap, sex, creed, national origin or ancestry.

(2) When used in this section, these words or terms shall have the following meaning and import:

(a) Property; anything of value.

(b) County property; any property owned or leased by or in the custody or control of the county.

(c) County premises; any building or structure or part thereof or any lands owned, leased or in the custody or control of the county or devoted to use by the county.

(d) County; Milwaukee County, a municipal body corporate, and all of its agencies, boards, commissions, institutions, departments and divisions.

(3) A copy of this section, with any amendments thereto, shall be submitted to the head of every department to be posted by him in such manner as to bring it to the attention of all employees of such department.