



# Administrative Manual of Operating Procedures

Procedure #: <b>02.03.01</b>	Procedure Title: <b>Corrective Action</b>		Revision #: <b>2</b>
Original Issue Date: <b>03/21/2019</b>	Revised Issue Date: <b>10/1/2020</b>	Next Review Date: <b>10/1/2021</b>	Responsible Department: <b>Human Resources</b>
Statutory References: <b>Wis. Stat. §§ 63.10, 63.12</b>		Ordinance References: <b>MCO Chapter 33 &amp; Civil Service Rule VII, Section 4</b>	
Appendices: <b>Appendix B – <a href="#">02.03.01 LMS Training PowerPoint</a></b> <b>Appendix C – <a href="#">02.03.01 Flowchart</a></b>		Forms: <b><a href="#">02.03.01(a) Probationary Employee Performance Evaluation Form</a></b> <b><a href="#">02.03.01(b) Counseling Form</a></b> <b><a href="#">02.03.01(c) First Warning Form</a></b> <b><a href="#">02.03.01(d) Final Warning Form</a></b> <b><a href="#">02.03.01(e) Written Charges against Civil Service Employees</a></b>	

## 1. OBJECTIVE:

The objective of this corrective action procedure is to outline a process for timely and documented feedback in a consistent manner when an employee violates rules or exhibits performance deficiencies. The procedure provides the opportunity for the employee to demonstrate immediate and sustained improvement.

## 2. DEFINITIONS:

- A. Classified service. All positions in the Milwaukee County service, except those expressly mentioned in Wis. Stat. § 63.03 and amendments thereto as exempt from the operation of this act.
- B. Counseling. A documented discussion between an employee and the leader regarding the rule violations or performance deficiencies. In a Counseling meeting, the leader talks with the employee to identify and understand the issues contributing to the performance concern and outlines the future expectations.
- C. Department Head. Oversees a department or multiple departments. Reports to elected official or chief (not more than two levels from elected official, such as County Executive). May have manager(s), supervisor(s), team lead(s) or coordinators as direct reports.
- D. Human Resources Business Partner. Responsible for performing Human Resources related duties on a professional level and partnering with departmental management to support designated County organizations.
- E. Leader. Performs supervision and evaluation of workers. Has input into and administers corrective action to employees. May have the title of Director, Deputy Director, Manager, or Supervisor.
- F. Non-Probationary Employee. An employee who has passed the probationary period.
- G. Personnel Review Board (PRB). Under Wisconsin law and County Ordinance, if an employee in the classified civil service is discharged, demoted, suspended for longer than ten days, or suspended for the second time in six months, that employee has a right to a hearing within 21 days of the discharge, demotion, or suspension. These hearings are held before the PRB. The appointing authority and employee present evidence to the PRB who may uphold the charge, uphold the charge and reduce the punishment, or dismiss the charge.
- H. Probationary Employee. An employee who is new to a Milwaukee County job and is generally anyone who has worked less than six (6) months/1,040 hours excluding overtime. (This can vary by position. See Civil Service Rule V, Section 5 for more details.)

- I. Termination. This occurs when a leader, the Personnel Review Board (PRB) or Civil Service Commission (CSC) end the employment of an employee with Milwaukee County.
- J. Unclassified service. All positions in the Milwaukee County service expressly mentioned in Wis. Stat. § 63.03 and amendments thereto as exempt from the operation of said act.
- K. Warning. A written document that a leader reviews with an employee, which outlines the performance deficiency or rule violation, as well as what is expected of the employee and any consequences if there is insufficient improvement.

### 3. PROCEDURE – Non-Probationary Employee:

- A. In carrying out their job responsibilities, Milwaukee County employees are expected to meet all performance expectations, including regular attendance, and conduct themselves appropriately in the workplace. When that is not the case, corrective action is considered.
- B. Management may consider corrective action including but not limited to:
  - i. When an employee is not meeting the requirements of the job
  - ii. Coaching has not been effective in changing the employee's behavior and/or performance
  - iii. A serious workplace rule violation or misconduct occurs
- C. Prior to taking any action or deciding NOT to take action, a leader must consult with an HR Business Partner to discuss the employee's performance/behavioral issue as soon as it surfaces. The HR Business Partner will provide guidance regarding effective documentation and what steps management should take to ensure consistency and compliance with all relevant County policies, rules and procedures. The leader will discuss the recommendation with the Department Head and inform the HR Business Partner of the agreed upon action.
- D. Steps to consider are:
  - i. Counseling
  - ii. First warning
  - iii. Final warning
  - iv. Termination or
  - v. Charges for discharge initiated (classified employee, see [AMOP 02.03.07 Discharge of a Classified Employee](#))

Depending on the severity of the violation, management may skip one or more steps, up to and including termination or charges for discharge (classified employee, see AMOP 02.03.07 Discharge of a Classified Employee).

- E. After collaborating with the HR Business Partner and agreeing on a course of action, the leader issues any corrective action to the employee. The leader asks the employee to acknowledge receipt and provides a copy to the employee.
- F. The leader forwards all corrective action documentation to the HR Business Partner who arranges for it to be sent to the central HR office to be placed in the employee's personnel file.
- G. The leader provides feedback regarding the employee's compliance with the corrective action on the follow up dates documented on the form.
- H. If an employee has a concern about the corrective action that has been issued, he or she can raise the concern to an HR Business Partner, HR Manager or call the Employee Relations Hotline at (414) 278- 2000.

### 4. PROCEDURE – Probationary Employee:

- A. Employee performance issues that surface during an employee's probationary period should be addressed quickly. There is no expectation for corrective action during probation.
- B. Concerns can be addressed at any point during the probationary period and must occur before the 6-month date.

- C. Leaders should immediately discuss any probationary employee performance issues with their HR Business Partner. These concerns are documented using the Probationary Employee Performance Evaluation Form.
- D. If the review shows serious workplace concerns, termination of employment may occur. A recommendation to terminate the employment of a probationary employee is not reviewed by the PRB.

**5. REVISION HISTORY:**

Rev. #	Summary of Changes	Date of Change	Author
2	-Annual review: removal of references to another AMOP that has not been completed and the addition of the wording of HR Manager in 3.H. -Updated procedure to new AMOP format	10/1/2020	Lori Ranker