



Milwaukee County Civil Service Commission Guidelines for Position Transfers and Residency Waivers

DATE: January 13, 2026

TO: Department Heads

FROM: Debbie Rios, Secretary, Milwaukee County Civil Service Commission (CSC)

SUBJECT: Guidelines for Requesting Position Transfers and Recruitment Waivers

PART 1: Requesting to Transfer a Civil Service Position from the Classified Service to the Unclassified Service

Checklist for Department Leadership and Human Resources Business Partner (HRBP) or HR Manager:

- **GUIDELINES:** Read these guidelines before preparing to request the transfer of a new classified or recently vacated position to the unclassified service
- **COLLABORATION:**
 - Department Leadership and the assigned HRBP or HR Manager must collaborate on details of the written request/documentation before submitting it to the CSC
 - HRBP or their HR Manager must attend the CSC meeting
- **REQUIREMENTS OF THE STATE STATUTES:** A position must be at an executive level, both in terms of organizational hierarchy and pay, to be considered for transfer to the unclassified service
 - Under Wisconsin Statutes [§63.03\(3\)](#), if the Civil Service Commission “deems such action to be necessary to secure the best service for the county, the commission may...transfer any position of department head, deputy department head, associate department head or immediate assistant department head from the classified service to the unclassified service if the position is in pay range 30 or above”
- **PAY GRADE OR EQUIVALENT:** Confirm internally that the compensation is at pay grade 30 or above (or the current equivalent based on Milwaukee County’s compensation structure changes)
- **SUBSTANTIATION/DEFENSE:** Department Leadership must prepare to substantiate/defend how the position and request qualifies given the specific roles listed in the 63.03(3) statute.

- **MEMO:** Write a memo listing:
 - Title(s) of the position(s), which must match title in JEQ
 - Current pay grade of the position
 - Level of strategic involvement within the department
 - All other unclassified positions and corresponding pay ranges in the department
 - Rationale for the position transfer
- **JOB DESCRIPTION OR JEQ:** Include a current position description or Job Evaluation Questionnaire (JEQ) with the last page signed
- **ORGANIZATIONAL CHART:** Generate a departmental organizational chart showing the level of the position, where it fits into the organizational structure, and the relationship of the position to the highest position level and other unclassified positions
- **SUBMISSION TO CSC:**
 - Email the written request and all documentation to the Secretary of the CSC approximately 2-3 weeks before the next CSC meeting
 - The CSC reserves the right to determine if the rationale and documentation for a request is consistent with the applicable statutory provisions

Background Information on Requests to Transfer a Civil Service Position from the Classified Service to the Unclassified Service:

All positions in Milwaukee County are either in the classified or unclassified service. All newly created positions are established in the classified service (unless noted in Chapter [§63.03\(2\)](#) of the Wisconsin State Statutes). A classified position is subject to Milwaukee County Civil Service rules and laws, including practices for the competitive hiring process and the requirements for terminating employees. Unless otherwise designated, Wisconsin statutes require that a position should be held in the classified service.

- **TWO TYPES:** Wis. Stats. [§63.03](#) provides for two types of unclassified positions:
 - Positions that are specifically enumerated under Wis. Stats. [§63.03\(2\)](#), such as the Deputy County Clerk or staff for the County Executive Positions that are specifically enumerated under Wis. Stats. [§63.03\(2\)](#), such as the Deputy County Clerk or staff for the County Executive
 - Positions specifically transferred to unclassified service through the discretionary power granted the CSC under Wis. Stats [§63.03\(3\)](#)
- **ADDITIONAL CONSIDERATIONS:** The CSC reviews requests on a case-by-case basis. If the request meets requirements described in Part 1 of this document, the Commission may also consider the following factors:
 - Position is executive level
 - Position requires accountability, authority to act/make decisions
 - Position requires confidentiality, sensitivity and commitment to the strategic position of an elected or public official; Example: Housing Administrator or the equivalent
 - Position demands involvement in providing policy advice to a public official; Example: Budget Director or the equivalent

- Position requires confidentiality related to the need to represent and act as a spokesperson for a public official; Example: Public Information Manager or the equivalent
- Position reports directly to an elected official and personal loyalty or political compatibility are necessary; Example: Administrator Sheriff's Office or the equivalent
- Position or its funding is of a limited or uncertain duration; Example: Legal Research Interns or the equivalent
- **TRANSFERS AND AT-WILL DESIGNATIONS:**
 - Once the CSC approves the transfer of a position to unclassified service, the next appointee to the unclassified position is considered an at-will employee while serving in the position and serves at the pleasure of the appointing authority
 - If there is an incumbent in a position at the time the position is transferred to unclassified service, the incumbent is not affected and is not considered "at will." The incumbent continues as a civil service appointee for the duration of service in the position

PART 2: Requesting to Recruit Outside Wisconsin

Checklist for Department Leadership and Human Resources Business Partner (HRBP) or HR Manager:

- **GUIDELINES:** Read these guidelines before preparing to request a recruitment waiver
- **COLLABORATION:** Department Leadership and the HRBP or HR Manager must collaborate on details of the written request/documentation
- **MEMO:** Write a memo listing past or current recruitment information:
 - Number of viable applicants
 - Time frame of the recruitment efforts
 - Recruitment sources (job boards, etc.)
 - Salary range and salary market data (if available)
 - Analysis of turnover of position in the last 2 years (total number of authorized positions, total number of vacancies, and total number of resignations)
 - Amount of vacancies
 - Duration of recruitment request (one time only or continuous)
 - If the CSC approves your request, it shall do so for a maximum time limit of up to 2 years but not longer than 2 years
 - Once the maximum time limit on the request has expired, the department head must request approval again from the CSC
 - The CSC determines the exact maximum time limits on approvals and may not automatically approve every request for the maximum time limit of up to 2 years
 - Approved recruitment waivers are granted as a one-time only exception, unless otherwise approved by the CSC
 - A hired candidate will be required to become a Wisconsin resident within 6 months of employment and throughout their employment

- **JOB DESCRIPTION OR JEQ:** Include a current position description or Job Evaluation Questionnaire (JEQ)
- **ORGANIZATIONAL CHART:** Generate a departmental organizational chart
- **SUBMISSION TO CSC:**
 - Email the written request and all documentation to the Secretary of the CSC approximately 2-3 weeks before the next CSC meeting
 - The CSC reserves the right to determine if the rationale and documentation for a request is consistent with the applicable statutory provisions

Background Information on Requests to Recruit Outside Wisconsin:

- **RESIDENCY WAIVERS:** Wisconsin State Statutes require all applicants applying for classified positions to reside in Wisconsin at the time of application per Wis. Stats. [§63.08\(1\)](#). Residency requirements are waived for:
 - Positions requiring a license in the healthcare field (this also includes veterinary license or Doctor of Veterinary Medicine)
 - Applicants for a deputy sheriff position under [§59.26\(8\)\(a\)](#),
 - Positions for which the CSC has previously granted a permanent waiver

PART 3: Background Information on the Civil Service Commission

- **DEADLINES:** The deadline for requests/documentation is 2-3 weeks prior to the next regularly scheduled meeting. Department heads receive a reminder email from the Personnel Review Board Administrative Assistant asking for requests/documentation for the agenda well in advance of the meeting
- **CSC MEETINGS:** Meetings are scheduled on a monthly basis (or as needed) and viewable on the [Civil Service Commission website](#)
 - Department head or designee must attend and present the request at the meeting; an HRBP or HR Manager must also attend
- **POSITION CONTROL UPDATES:** If the CSC approves a request, the Secretary will provide information to Compensation to ensure the proper updating of position control.
- **QUESTIONS:** Currently serving in the CSC Secretary role (which is held by the Department of Human Resources, Employment Manager) is Debbie Rios

CC: Human Resources Business Partners