



Milwaukee County Personnel Review Board

DATE: May 8, 2023

TO: Chairwoman Marcelia Nicholson, Milwaukee County Board of Supervisors
Interested Parties

FROM: Adam Gilmore, Administrator, Personnel Review Board

RE: File No. 23-579 - Recommendation of Milwaukee County Personnel Review Board to Remove MCGO 33.03(1)

Dear County Board of Supervisors,

On behalf of the Milwaukee County Personnel Review Board (“PRB”), I’ve submitted a proposed resolution to the County Board that would see MCGO 33.03(1) removed from the functions of the PRB as they are contained in Chapter 33 of the Milwaukee County Code of General Ordinances (“MCGO”).

BACKGROUND

In 1978, the Milwaukee County Board of Supervisors (the “Board”) established the PRB through codification of Chapter 33 of the MCGO. The intent in creating the PRB was to address the perceived conflict arising from what were meant to be two distinct functions of the county’s Civil Service Commission (“CSC”) – providing input on the content of the County Civil Service Rules (the “CSRs”) and providing the quasi-judicial function of reviewing the application of those same rules by county management when departments took disciplinary actions against employees.

Chapter 33 of the MCGO contains details on the PRB’s incorporation, membership, staff, duties, and powers. Included in the list of the functions of the PRB is the performance of an annual review of the rules, practices and procedures of the CSC and the submission of a written report thereon to the CSC, the County Executive, and the Board. See MCGO §33.03(1). However, the full scope of the CSC’s own practices extends beyond the realm of discipline that the PRB is tasked with adjudicating. The CSC also deals with matters of recruitment, position classification, training requirements, performance evaluations, equity, county administration, and problem resolution. From the first 33.03(1) annual review, the PRB determined that outside consultants were required to assist in completing a full, comprehensive review as mandated in the ordinance, and costs of performing the review increased. The last 33.03(1) annual review submitted was

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dated April of 1985 and covered the CSRs in effect in 1983. Funding for the effort was eliminated by the Board in the year following, effectively discontinuing the annual review.

In 2003, the provision was considered as part of an Audit Services Division (“ASD”) audit of the Milwaukee County employee disciplinary process. The audit concluded that the review under this provision be referred to the Department of Human Resources (“DHR”) for inclusion in its own review of potential civil service reforms. The findings of the audit were submitted with a response from my predecessor that outlined the history of the 33.03(1) annual review and included a recommendation that, if the Board wished for the PRB to resume performing the review, either the funding for the effort be reinstated or the provision altered to decrease either the scope and/or the frequency of the review. The matter was ultimately placed on file with an intent to revisit, but that reconsideration never occurred. See File No. 03-622.

RECOMMENDED AMENDMENT

In the two decades since this provision was last revisited and nearly four decades since the last review was performed, checks and balances throughout the county have evolved considerably, new modes of accountability and inspection exist, and the current PRB membership believes undertaking an effort as prescribed by MCGO 33.03(1) would potentially prove redundant or otherwise result in a less-than-efficient use of county funds. The PRB requests that MCGO 33.03(1) be removed from the ordinance, as the function listed is outdated.