



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE
Personnel File Contents and the
Process for Accessing These Records



Eff. Date 01/31/2023

Purpose

The Madison Police Department (MPD) maintains information on all current and past employees, commissioned and civilian, pursuant to State of Wisconsin Statutes and City of Madison Ordinance.

The purpose of this standard operating procedure is to identify and clarify specific categories of personnel information and to establish criteria to assure that this information is maintained and protected, allowing access only when provided by law. Accordingly, not all portions of an employee's employment file will be available to the employee. In addition, there may be a reasonable charge for providing copies of records.

The following categories are considered sections of an employee's overall Personnel File Record and the documents identified represent typical types of records that may be stored within. The documents listed within each category are not exhaustive. The training team is responsible for creating folders for Pre-Service Academy, Field Training, Employee file and Medical file for commissioned personnel. The Police Executive Office Supervisor is responsible for creating the Employee file and Medical file for non-commissioned personnel.

Files/Definitions

EMPLOYEE FILE (GREEN)

(Maintained by the Human Resources Coordinator and the Police Executive Office Supervisor)

This file is stored in the Master File room in the City County Building (CCB) in a green file folder. File contents are typically related to the following:

- Letter to Offer Position to Candidate
- Letter of Acceptance
- Letters of Recommendation (if turned in after employment began)
- Standards of Conduct Pledge
- Employee Status Information (rank, address, education, assignment)
- Commendations and Awards (Employee Recognition Form(s), Citizen Recognition Letters, Departmental Awards)
- Evaluations (On-Boarding Reports)
- Employee Feedback Forms
- Employee Notification of Grant Funded Position
- Retirement and Resignation Documents
- New Employee Set-Up Form
- MPD Self ID Form and New Civilian Orientation Check List
- Notification of Promotion and Promotion Memos
- Extensions of probationary period or field training (non-disciplinary) as well as performance improvement plans prior to permanent employee status

MEDICAL FILE (BLUE)

(Maintained by the Human Resources (HR) Coordinator and PD Medical)

This file is stored in the Master File Room in the CCB in a blue file folder. File contents are typically related to the following:

- Doctors Documents
- Workers Compensation Documents (Paradigm injury report, Determination of Exposure)
- Occupational Safety and Health Administration (OSHA)
- Donated Leave Forms
- Any Medical Related Documents (Medical Status Report, or non-work related medical note)
- Family Leave Application & Approval
- Fitness to Use a Respirator
- Drug Test Results (Post-Employment Offer)

TRAINING

(Maintained by the Training Team)

These files are stored electronically by the Program Assistant assigned to the Training Team. Files earlier than 2013 are currently housed in a Green File Folder. File contents are typically related to the following:

- In-Service Specialized Training
- Remedial Training (non-discipline related)
- Field Training Officer/Sergeant
- Specialized Unit Training
- District/Section Training
- HR 218

PROFESSIONAL STANDARDS AND INTERNAL AFFAIRS (PSIA)¹

(Maintained by the Lieutenant of PS&IA)

Prior to 2014, some of the below listed files are stored in the Master File Room in the CCB and secured in a separate locked storage cabinet. After that date, all PSIA files are stored electronically within the IA management software program designated by the Madison Police Department. Under 2021 Wisconsin Act 182, if there is a resignation in lieu of termination on file for an employee, PSIA is required to transfer the file to the Wisconsin Department of Justice if requested by CIB (Crime Information Bureau). File contents are typically related to the following:

- Internal and External Complaints
- Investigations by PSIA and District Command of SOP and Codes of Conduct Violations
- Documentation of Sanctions (discipline and non-discipline)
- Existing and expired Work Rules/Performance Improvement Plans
- Historic Disciplinary Records
- Pursuit Reviews
- Squad Crash Reviews, Arbitrator, MDC messages, Emails, and Sick Leave Use Audits
- Disciplinary Notice/Findings
- Probationary Officer Extension Memos Crafted by District Captains (if not related to performance, an inquiry only file will be created)

PRE-SERVICE ACADEMY TRAINING FILE (YELLOW)

(Maintained by the Lieutenant of Training, until transferred to the HR Coordinator)

All pre-service records remain at the Training Center under the direction of the Lieutenant of Training until transferred to the Master File Room at the CCB. The transfer to the Master File Room should be made prior to the following Academy, and include all documents created during the Academy. Prior to transfer, these

¹ These files have restricted access. Access to portions of these files may be denied due to exceptions noted in Wisconsin State Statutes §§19.31-19.39 and §103.13.

records should be printed and filed in the corresponding recruit folder. The maintenance of these files is then the responsibility of the Human Resources Coordinator. Documents related to tests and performance measures of probationary commissioned personnel while attending the MPD Police Academy are housed electronically or on microfilm; certain paper files may also be housed in the Master File Room located at the CCB. File contents are typically related to the following:

- Exams, Quizzes and Assessments (Law, Operating Motor Vehicle While Intoxicated (OMVWI), Laser, Radar (if prior to 2022), and Defensive and Arrest Tactics (DAAT))
- Emergency Vehicle Operations Course (EVOC) Driving Skills Check List
- Conduct Log and Attendance Report
- Firearms Qualification
- Fitness Scores

FIELD TRAINING & EXPERIENCE (FT&E) FILE (ORANGE)

(Maintained by the Lieutenant assigned as FT&E Coordinator, until transferred to the HR Coordinator)

Documents related to performance measures of probationary commissioned personnel while participating in MPD's Field Training and Experience program are housed electronically (2015-2021) or on microfilm (prior to 2015) and maintained by Training until the employee is deployed to a field assignment. All field-training files should be printed and filed within six months of deployment in the Master File Room, located at the CCB. File contents are typically related to the following:

- Daily Observation Reports
- Supervisor Weekly
- Supervisor Monthly Evaluations (starts when officers move to solo patrol and until they are off probation)

PROMOTIONAL PROCESS FILE

(Maintained by the Human Resources Coordinator/Police Executive Office Supervisor)

Certain process documents, including those that are generated as the result of candidate interviews with the Chief, will be stored in the Master File Room. These documents are specific to the commissioned promotional process.

Rules and Guidelines

CRITERIA

- A current or former employee may review their personnel records once per calendar year, upon request. A review form indicating date of review and signature of employee will be maintained within the file.
- Employees must be notified and/or sign off on new documents placed within their personnel file pertaining to performance issues.
- All file entries should include the following specific dates when appropriate: the date the information was added to the file and/or the date the information was received by PSIA.
- Documentation should occur each time someone accesses an employee personnel file. This documentation should consist of a short memo indicating the date of the review, who conducted the review, the reason for the review, and what sections of the personnel file were accessed. This memo shall be placed within the employee file.
- Personnel files are all to be housed within the locked Master File Room located at the CCB Headquarters. However, some Pre-Service Field Training Files are stored electronically. In addition, certain PSIA files are kept in this room through 2013 but are otherwise electronic (see above).
- Personnel Files are available to the employee, to the employee's representative when involved in a grievance, to an employee's physician (per medical record exception), and to decision-maker (Human

Resources Coordinator or their Commanding Officer). Personnel files are public record and are subject to applicable state and federal law.

- Employees may add to their files; i.e., when they receive direct commendations from the public.
- Copies of an employee file will be requested and received through the Records Custodian, applicable laws will be applied. The right of the employee or the employee's representative to inspect records includes the right to copy or receive a copy of records. The employer may charge a reasonable fee for providing copies of records, which may not exceed the actual cost of reproduction.

RETENTION OF RECORDS

- No records are to be removed or purged at an employee's request. If an employee believes a record exists in error or disagrees with the content of a record, the employee can submit a memo stating they dispute the record and why. This memo will be stapled to the disputed record.
- All documents listed above that are placed in an employee's permanent file will be stored for at least eight (8) years after separation from service.

Wisconsin State Statutes §§19.31-19.39 and §103.13 clearly articulate exceptions related to employee access of their Personnel Records. These exceptions include the following:

- Records relating to the investigation of possible criminal offenses committed by that employee.
- Letters of reference provided through the background process.
- Any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document.
- Materials used by the employer for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for the employer's planning purposes.
- Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- Records relevant to any other pending claim between the employer and the employee, which may be discovered in a judicial proceeding.

RECORDS APPEAL PROCESS

- Review processes initiated by the employee shall be in writing describing the disputed information and directed to the authority responsible for maintaining the record in question.
- The authorities designated to maintain the specific record will be responsible for the review process and may delegate the review to his/her designee. The designated authority will make a determination on the record in dispute. Appeals to this decision are to be directed to an Assistant Chief.
- The final decision on the disposition of the appeal shall be the responsibility of an Assistant Chief.
- If an agreement is not reached through the appeal process, an employee may submit a response to their written dispute articulating the employee's position. That response is to be attached to the original disputed document.

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(Revised: 02/25/2015, 06/10/2015, 02/12/2016, 03/21/2016, 02/03/2017, 12/21/2017, 01/15/2020, 12/28/2020, 01/31/2023)