



# GENERAL ORDER

## MINOCQUA POLICE DEPARTMENT

**SUBJECT: PERFORMANCE EVALUATIONS**

SCOPE: All Department Personnel  
DISTRIBUTION: General Orders Manual

REFERENCE: 2021 Wisconsin Act 82

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WILEAG 5<sup>TH</sup> EDITION  
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INDEX AS: Evaluation System  
Performance Evaluations  
Performance Standards

PURPOSE: The purpose of this General Order is to establish guidelines for the Minocqua Police Department for the evaluation of each member's performance. In addition, 2021 Wisconsin Act 82 (Act 82) requires the Department to create, maintain, and retain an employment file for all Department members, including those members no longer employed by the Department, but where records exist that relate to the Statute employment file definition.

This General Order consists of the following numbered sections:

- I. POLICY
  - II. SUPERVISOR/RATER RESPONSIBILITIES
  - III. OBJECTIVES
  - IV. PROCEDURES
  - V. EVALUATION SYSTEM
  - VI. RETENTION OF PERFORMANCE EVALUATION REPORTS
  - VII. EMPLOYMENT FILES
- I. POLICY
- A. It is the policy of the Minocqua Police Department to evaluate and document the performance of all its members. Performance criteria must be specific to the member's position during the rating period and be based on tasks listed in the job description for that position. Definitions of the criteria used to qualify/quantify work should be reasonable, descriptive, objective and measurable, when possible.

It is also the policy of the Department to create, maintain, and retain an employment file for each member, both present and past, and abide by the provisions for these files as set forth in Act 82.

## II. SUPERVISOR/RATER RESPONSIBILITIES

### A. Supervisors are required to:

1. Rate the performance of subordinates on a continuing basis,
2. Reinforce good performance, and
3. Correct below standard performance.

### B. Supervisors shall receive training in performance evaluation procedures and responsibilities.

### C. Supervisors' own performance evaluations shall include appraisal of:

1. The fairness and impartiality of evaluations they give their subordinates;
2. Their abilities as teachers, trainers, and counselors; and
3. Their abilities as raters in the performance evaluation system.
4. Evaluations will cover a specific period and only performance during that period will be rated. Officers holding the rank of Sergeant and above will be evaluated annually, with the rating period ending on the last day of December.
5. Non-probationary, non-ranking officers and dispatchers will be evaluated annually. The rating period will end on the last day of December.
6. Probationary employees will be evaluated at the end of each month.
7. Civilian employees will be evaluated annually, with the rating period ending on the last day of December.
8. Probationary officers in the Field Training Program will be evaluated under the guidelines of that program.

## III. OBJECTIVES

### A. Employee Evaluations

1. The Minocqua Police Department will annually evaluate Department employees. The department will employ a computer-based program in conducting its evaluations.
2. It is important for supervisors and employees to consider some issues associated with the evaluation process. The Department evaluates its employees, in part, for the following reasons:
  - a) Motivate employees to improve, and to meet Department goals/objectives.
  - b) Recognize, encourage and reward good performance.
  - c) Provide feedback, foster supervisor/employee communication.
  - d) Facilitate employee career development/job satisfaction, whether or not it involves promotion.
  - e) Assess training needs.

- f) Disciplinary purposes.
- 3. The process is more important than the form. This should be understood and accepted by employees as well as supervisors. Employees want evaluations to be fair, impartial and specific. Performance needs to be measurable without relying on a numerical rating system. Historically, numbers can reflect favoritism, are often out of context with the employee's actual duties, can breed unhealthy competition and perpetuate under-achievement.
- 4. Objectives should be set for employees. They need to be important, specific, single-ended, measurable, and have a time element. They should reflect organizational goals/objectives. Employees will accept objectives that are prioritized, realistic, attainable and pertinent to their responsibilities.
- 5. A certain amount of subjectivity is inherent in any evaluation process. This form has been developed to minimize it by being as specific and objective as possible. It requires that all supervisors evaluate employees daily and document it in a Performance Report. When a performance report is generated, a supervisor should meet with the involved employee as soon as practical to review the issue raised in the (PR). If you write the elements of an offense and catalog all known facts, the reader will draw the correct conclusions. Regular use of "performance reports" should simplify the completion of the evaluation form at rating time. They can readily provide attainable objectives for the employee.
- 6. The same evaluation form will be used for regular sworn officers and probationary officers. Supervisors and civilian employees may be evaluated with a modified version of this form. These user instructions are compatible with that form.

#### IV. PROCEDURES

- A. The procedures regarding how to use the performance evaluation form are addressed in the Department's Performance Evaluation Guide and on Department forms; refer to Manual and Forms.

#### V. EVALUATION SYSTEM

- A. When an employee wishes to contest an evaluation:
  - 1. The employee will initially address their concerns with the rater/supervisor.
  - 2. The employee may attach a written statement to the evaluation.
  - 3. Upon an inability to resolve their concerns with the rater, the employee may contest their evaluation with the Chief of Police or designee.
  - 4. The Chief will be the final review authority on contested performance evaluations.
- B. At the end of the evaluation session, the rater will counsel the employee regarding:
  - 1. The results of the evaluation,
  - 2. The level of performance expected and goals for the next rating period, and,
  - 3. Suggestions for career advancement, specialization, or appropriate training for their position.
  - 4. Have employee being rated sign the performance assessment form.
- C. A copy of the completed evaluation report will be available to the rated employee upon request.
- D. Completed evaluation reports will be reviewed and signed by the rater's Supervisor. The report

will then pass up the chain of command for review.

- E. The results of performance evaluations will be used to identify needs for employee training. They will serve as administrative guides concerning advancement, promotions, demotions, assignments, and disciplinary actions, including termination.

## VI. RETENTION OF PERFORMANCE EVALUATION REPORTS

- A. All performance evaluation reports will be permanently maintained in each member's personnel file located in the Minocqua Town Offices of the Town Clerk.

## VII. EMPLOYMENT FILES

2021 Wisconsin Act 82, adopted November 8th, 2021 requires each law enforcement agency to have and maintain an employee file, along with other provisions, for every member of the Department, both present and past (where any records currently exist). Further, the Act includes the requirement to share employment information in these files as part of each agency's recruitment and hiring processes.

- A. An employment file by Statute means: all files relating to a person's employment, including performance reviews, files related to job performance, internal affairs investigative files, administrative files, previous personnel applications, personnel-related claims, disciplinary actions, and all substantiated complaints and commendations, but does not include pay or benefit information, similar administrative data or information that does not relate to performance or conduct, or medical files unless the medical file relates to mental competency issues bearing on the person's suitability for a law enforcement position.
- B. Therefore, the Department shall have in place a system for an employment file for every person, present or, past as required by Statute. Each file shall be kept up-to-date and maintained on a continuous basis as new documents or information becomes available.
  - 1. This system shall also include a process for keeping each employment file secure in location and access, and compliant with recordkeeping laws and retention. The system should ensure files maintained by the Department (and/or Town Human Resources are cohesive). Records protected by the FMLA, GINA, and ADA should continue to be kept confidential and separate from the other records in the employment file.
  - 2. Employment files for all persons who have retired, resigned, or left the Department for any reason shall be included in this system, only if any information listed in the employment file definition currently exists in Department records.
- C. The Act further provides new obligations pertaining to sharing of an employment file with other law enforcement agencies during their recruitment process for law enforcement positions or when the Department is requesting this information during any hiring process. Under the Act, law enforcement positions are defined as any law enforcement, tribal law enforcement, jail, or juvenile detention position."

Specifically, when a law enforcement agency recruits a department current or former employee for a law enforcement position, that interviewing agency must receive a written waiver from the candidate that gives the Department permission to share their employment file with the interviewing agency.

The interviewing agency may not consider any candidate who fails to provide a waiver that meets the Act's requirements. Specifically, the waiver must include language that releases both the interviewing agency and the law enforcement agencies the candidate works for, or has previously worked for, from liability pertaining to the use and disclosure of their employment file.

Once disclosure of the employment file is ready to occur, the Act indicates the Department can share copies with the interviewing agency or allow the interviewing agency to review the file at the Department. The interviewing agency may also choose to orally interview people from the

Department. The Act states law enforcement agencies shall not be liable for complying with its provisions or for participating in an official oral interview with an investigator from the interviewing agency.

The record sharing dictated by this Act must meet specified deadlines. First, the interviewing agency must provide the executed waiver to the current and former employing agencies at least 30 days before making its decision on whether to hire the candidate.

Second, once the current or former employing agency receives the waiver from the interviewing agency, the current or former employing agency has 21 days to provide the requested information.

An exception to this requirement is if there is a nondisclosure agreement between the Department and the candidate that precludes the employment file being shared with the interviewing agency.

However, the Act limits this exception to nondisclosure agreements entered into on or before November 7, 2021 and it prohibits law enforcement agencies from entering into nondisclosure agreements as of November 8, 2021 that prevent an interviewing law enforcement agency from viewing an "employment file" in a current or former employing agency's possession.

- D. This Act also empowers the Wisconsin Law Enforcement Standards Board (LESB) to decertify a Department Officer for certain violations or other conditions, refer to the Act. In addition, the Act authorizes the LESB to require that law enforcement agencies submit reports and other information that relate to the administration of the rules that this Act imposes to show compliance with them.
- E. Also refer to General Order 3.01: Recruitment/Selection, General Order 4.01: Commendations, General Order 4.02: Disciplinary Procedures, General Order 4.03: Citizen Complaints/Internal Affairs, and General Order 5.01: Use of Force for further information.

PERFORMANCE EVALUATION ROSTER

POSITION	RATER	EVALUATION FORM
Chief of Police	Minocqua Town Board	N/A
Lieutenant	Chief of Police	Narrative Evaluation Form
Detective SGTs	Lieutenant	Narrative Evaluation Form
Lead Tele-communicator	Lieutenant	Narrative Evaluation Form
Department Confidential Secretary	Chief of Police	MPD Performance Evaluation
Patrol Officer	Lieutenant/Detective SGTs	MPD Performance Evaluation
School Resource Officer (SRO)	Lieutenant/Detective SGTs	MPD Performance Evaluation
Tele-communicator	Lead Tele-communicator	MPD Tele-communicator Evaluation Form
Boat Patrol Officer	Lieutenant/Detective SGTs	MPD Performance Evaluation
Community Service Officer (CSO)	Lieutenant/Detective SGTs, Lead Tele-communicator, Department Confidential Secretary	MPD Performance Evaluation

*David J. Jaeger*  


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 David J. Jaeger  
 Chief of Police

This General Order cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 02/02/2017