



Division of State Patrol Policy and Procedure

Number
11-1

Subject RESIDENCY	
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to assign personnel based upon the mission of the Division and the need to meet organizational goals and objectives.

II. BACKGROUND

Staffing levels, assignments and requirements for residency are all important management considerations when determining how to maximize limited personnel resources to provide statewide, rural traffic law enforcement services.

III. DEFINITIONS

- A. **Work Assignment** – the facility or location to which the employer normally assigns the employee and from which the employee performs the assigned duties. Employee assignment is a management determination. In accordance with Article III of the Collective Bargaining Agreement and with the approval of the Bureau Director, the Division may change an employee’s work assignment.
- B. **Work Site** – any location designated by the employer other than the employee’s work assignment at which the employee performs the assigned duties. Work site is a management determination and may include duties away from the normal work assignment to another building, sector or county, the Academy or other location as determined by management. A work site is designated by and may be changed by a DSP supervisor.
- C. **Residence** – the place/location where a person dwells; a person’s home; their abode.

IV. OBJECTIVES

- A. To provide effective, economical and responsive law enforcement services to the public on a 24 hour, seven-day-a-week basis.
- B. To serve the public, preserve the peace, protect life and property and enforce laws fairly and equitably throughout the State of Wisconsin.
- C. To provide employees with reasonable guidelines to consider when contemplating transfer, promotion, and other personnel decisions relating to work assignment, reporting to work and residency.

V. TROOPER STAFFING LEVEL DETERMINANTS

- A. The Division assigns troopers within each county of the state in accordance with an established staffing and allocation model. As an exception, the Division does not have permanent work assignments within Menominee and Milwaukee Counties.
- B. Due to higher volumes, diversity of users, user expectations, and physical highway features, the Division has identified specific traffic corridors to receive concentrated traffic law enforcement services.

VI. INSPECTOR STAFFING LEVEL DETERMINANTS

- A. Motor Carrier traffic patterns and traffic corridors
- B. Location, size and responsibility of Safety and Weight Enforcement Facility (SWEF)
- C. Enforcement patrol of SWEF bypass routes
- D. Motor Carrier Safety Assistance Program (MCSAP)
- E. Requirements for School Bus, Motor Coach and Human Service Vehicle Inspection programs
- F. Seasonal motor carrier activity not covered by the Safety and Weight Enforcement Facilities

VII. GENERAL PROVISIONS

- A. Troopers and Inspectors
 - 1. Troopers are required to reside within 25 road miles of their work assignment, as designated by the Division and approved by the Region Commander.

Mileage is measured by using the shortest route over public streets and highways.

2. Inspectors are required to reside within 25 road miles of their work assignment, as designated by the Division and approved by the Motor Carrier Enforcement Section Chief. Mileage is measured by using the shortest route over public streets and highways.
 3. All personnel with a personally-assigned fleet vehicle are to take reasonable measures to ensure the safety and security of the assigned vehicle at all times.
- B. Non-sworn employees normally do not require supervisory approval prior to establishing residency. In the event there are residency requirements for a civilian employee, the requirements will be conveyed to the employee prior to the employee accepting the position.
- C. Reassignment by Management
1. Permanent reassignment of an existing employee's work assignment will be made only upon documented Bureau/Region need, i.e. scale closing, facility relocation, significant changes in traffic patterns, significant changes in crash experiences, etc. Permanent reassignments require the approval of the Bureau Director.
 2. Permanent reassignment by management of an existing employee's work assignment may constitute an exemption from this policy. Any exemption requires Bureau Director approval and will be documented in the affected employee's Personnel File and forwarded to the Wisconsin Department of Transportation Division of Business Management Bureau of Human Resource Services (BHRS).
 3. Temporary changes of an employee's work site are made on a frequent basis by supervisors and do not require further approval.
- D. Duty schedules reflect non-standard workweeks and are published approximately every 56 days indicating work descriptions, work sites and duty shifts for each trooper, inspector and police communications operator.
- E. Employees who are not in compliance with the residency provisions of this policy who have an approved exemption on file **will not** be required to move to comply with the residency provisions of this policy.
- F. Management and supervisory personnel are not subject to the provisions of this policy.

VIII. PROCEDURES

A. Residence Review Board

1. A Residence Review Board consisting of the applicable Bureau Director, the applicable Region Commander or Motor Carrier Section Chief or their designee, the employee's first line Supervisor and a Wisconsin Law Enforcement Association (WLEA) Union Representative will review requests for exemption from the residency requirements of this policy. Board consideration will be based upon various factors including, but not limited to, the following:
 - a. Division and Region needs
 - b. Area law enforcement staffing (Division and local)
 - c. Future needs or anticipated changes in traffic patterns
 - d. Housing availability
 - e. Special circumstances of the employer
2. The Board may make recommendations as to possible alternatives, i.e. change of work site location, change of work assignment, and temporary exemptions to the residency policy, etc.
3. The Residence Review Board will make their recommendations to the appropriate Bureau Director for final determination.
4. Final decisions will be conveyed to the employee in writing. Exceptions allowed to this policy will be comprehensively documented with a copy placed in the employee's personnel file. The Bureau Director or designee will maintain a complete file of all requests and results.

B. Region Commander

1. Approve location of residence subject to the general provisions of this policy.
2. Review, approve or disapprove security arrangements for Division vehicles.
3. Refer requests to establish residence in excess of 25 road miles from the work assignment to the Residence Review Board's Division designee.

C. Employee

1. **Prior to** accepting any position, relocating, moving or establishing a residence, request approval from the Region Commander.
2. All employees with a personally-assigned fleet vehicle are to take reasonable measures to ensure the safety and security of the assigned vehicle at all times.

Employees are to provide for the accessibility to Division vehicles by other Division employees.

3. Provide the Region/Post with the physical and mailing addresses of the residence and telephone number(s) where contact can be made.

IX. REFERENCES

WLEA Collective Bargaining Agreement
1981 Settlement Agreement, Case 1255
1986 Local Transfer Agreement
Fair Labor Standards Act, Part 785.34