

Memorandum of Understanding  
Between  
The City of Milwaukee  
And Milwaukee District Council 48, AFSCME, AFL-CIO

Re: Implementation of Arbitration Award of Oscar Balli Grievance # 042-2004

The City of Milwaukee and Milwaukee District Council 48, AFSCME, AFL-CIO agree that the following terms and conditions shall constitute the full and complete implementation of the above arbitration award:

1. Mr. Balli shall be reinstated to Custodial Worker II in the Police Department effective March 31, 2005, with no break in classification and bargaining unit seniority for layoff purposes during the time period from the January 28, 2004 through March 31, 2005.
2. As soon as administratively practicable after approval by the Common Council, the City shall pay Mr. Balli a lump sum payment of \$22,207.13. Of this amount, \$17,663.30 is pensionable and represents half back pay for the time period January 28, 2004 through March 26, 2005, excluding the time period of August 9, 2004 to October 1, 2004 and full back pay for the time period March 28, 2005 through March 30, 2005. The remainder of this lump sum payment, \$4,131.96, is not pensionable and represents cash payment for 248 hours of 2004 vacation that was earned but not taken. The entire lump sum amount shall be subject to union dues deductions, and payroll deductions, including Social Security deductions, as administered by the City Comptroller.
3. Mr. Balli shall be given sick leave credit of 140.3 hours (30 pay periods times 4.6 hours and 2 partial pay periods of 0.49375 pay periods times 4.6) covering the time period January 28, 2004 through March 30, 2005.
4. Mr. Balli shall have a projected vacation and 09 days balance of 256 hours for fiscal year 2005 minus any vacation hours he has taken since March 31, 2005. The 2005 projected vacation is earned on a monthly basis (3 days per month up to a maximum of 30 days per fiscal year) beginning with his frozen vacation anniversary date of 11/19/04.
5. A total of \$12, 858.22 in compensation (\$1,332.89 biweekly at half pay times 19.29375 pay periods) shall be considered for pension benefits under the ERS based upon the calculation of 19.29375 pay periods or 1,543.5 hours for the time period in fiscal year 2004 from January 28, 2004 through August 8, 2004 and October 1, 2004 through December 18, 2004. A total of \$5,216.94 in compensation (\$1,372.88 biweekly at half time pay times 7.0 pay periods and \$1,372.88 biweekly at full back pay for 0.3 of a pay period) shall be considered for pension benefits under the ERS based upon the calculation of 7.3 pay periods or 584 hours for the time period in fiscal year 2005 from December 19, 2004 through March 30, 2005.
6. Mr. Balli waives health and dental benefits for medical and / or dental services received during the time period beginning January 29, 2004 through March 30, 2005. The City

will not take health and dental insurance employee deductions for the time period February 1, 2005 through March 31, 2005, since Mr. Balli is waiving his benefits during this time period.

7. Dated: May 16, 2005

UNION REPRESENTATIVES	CITY REPRESENTATIVES
James K. Fields	Doris A. ...
[Signature]	Elizabeth F. ...
Oscar R. Balli	