



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Deborah Ford
Labor Negotiator

October 5, 2016

To the Honorable
The Committee on Finance and Personnel
Common Council
City of Milwaukee

Dear Committee Members:

Re: Common Council File Number **160499**

The following classification and pay levels were approved by the Board of Fire and Police Commissioners on **September 15, 2016**:

In the Police Department, one new position was recommended for classification to Police Open Records Legal Advisor, PR 2IX.

The job evaluation report and letter covering the above position, including the necessary Salary and Positions Ordinance amendments, are attached.

Sincerely,


Maria Monteagudo
Employee Relations Director

MM:fcw

Attachment: Job Evaluation Report
Fiscal Note

C: Mark Nicolini, Bryan Rynders, John Ledvina, Nicole Fleck, Chief of Police Edward Flynn,
Assistant Chief William Jessup, Assistant Chief Carianne Yerkes, Inspector of Police Terrence Gordon,
Pamela Roberts, and Dan Rotar



JOB EVALUATION REPORT

Fire and Police Commission Meeting Date: September 15, 2016
Department: **Police**

Current	Requested	Recommended
New Position	Open Records Legal Advisor Study of Position	Police Open Records Legal Advisor PR 2IX (\$58,462 - \$81,844)

Action Required

In the Salary Ordinance, under Pay Range 2IX, add the title "Police Open Records Legal Advisor".

In the Positions Ordinance, under Police Department, Open Records Section, delete one position of "Open Records Legal Advisory" and add one position of "Police Open Records Legal Advisor".

Background

The Department of Employee Relations recently received a request to study a new position in its Open Records Section that will report to Assistant Chief of Police Carianne Yerkes. The primary purpose of the position, as stated in the job description created by the Department, will be to guide, direct, and advise the staff in preparing responses to open records requests to ensure that all such responses are in compliance with applicable state and federal laws. The Department has stated that it wishes to hire an individual with a law degree to perform the job but not to function as counsel. (See *Charter Ordinance 3-03*.) Following are examples of the types of duties and responsibilities the position will perform:

- Reviewing and editing letters responding to open records requests
- Advising and guiding the staff in responding to open records requests
- Reviewing requests for email records and records contained in media
- Reviewing all letters responding to requests from the media
- Working with the records retention officer to ensure that record retention schedules are in compliance with all applicable state and federal laws and that records, including video and audio recordings, are maintained and stored properly
- Working with the City Attorney on complex records requests
- Communicating standards and protocols regarding records to other sections of the Milwaukee Police Department
- Training staff from the Records Section and other areas of the Department on the proper storage, preservation, and compilation of records
- Representing the Open Records Section to the public, as necessary
- Working with the supervisor of the Open Records Section to improve work processes

The job analysis indicates that successful job performance will require a number of knowledge, skills, abilities, and competencies, including the following:

- In-depth knowledge of applicable federal and Wisconsin laws pertaining to open records in order to provide sound and timely advice
- Knowledge of record keeping methods, including standards for storing and preserving records in differing formats
- Ability to communicate with many different types of individuals and stake holders, including attorneys, the public, police officers, police commanders, coworkers, and others
- Ability to carefully review written documents and edit as necessary
- Ability to properly cite sources, including legal sources
- Ability to train employees on open records policies and procedures

Due to the fact that the Department wishes to hire an individual with a law degree for the position, it is recommended that the position be allocated to the same pay range as Assistant City Attorney I, Pay Range 2IX. It is recommended that the term Police be incorporated into the title to clearly identify the position as functioning in the Police Department.

It is therefore recommended that this new position be classified as a Police Open Records Legal Advisor and allocated to Pay Range 2IX (\$58,462 - \$81,844).

Prepared By: *Laura C. Sutherland*
Laura Sutherland, Human Resources Representative

Reviewed By: *Andrea Knickerbocker st*
Andrea Knickerbocker, Human Resources Manager

Reviewed By: *Maria Montenegro st*
Maria Montenegro, Employee Relations Director