

## MEMORANDUM

TO: Committee on Finance and Personnel  
Common Council

FROM: Jeffrey Hansen  
Employee Relations Director

DATE: January 11, 2002

RE: File Number 011099; An Ordinance relating to the continuation of compensation during certain military leaves of absence.

As a result of discussion of the above mentioned file at the meeting of the Committee on Finance and Personnel on December 19, 2001, I was asked to provide information regarding the number of city employees that were called to active duty during Operation Desert Storm/Desert Shield. As I indicated at the meeting, since these records are at least 11 years old, it would be difficult to do this. With the cooperation of the Fire and Police Commission staff, I believe we have reasonably accurate numbers to report as follows:

General City:	8
Fire Department:	9
Police Department:	<u>20</u>
Total:	<u>37</u>

Only the Fire Department had the dates that their employees were actually on active duty. Those employees averaged 4 months and six days of active duty.

Employees called to active duty for Operation Enduring Freedom to date are as follows:

General City:	5	1 has already returned
Fire Department:	9	3 have already returned
Police Department:	<u>27</u>	<u>10</u> have already returned
Total:	41	14 have already returned

Of the 27 employees remaining on active duty, they have so far averaged 2 1/2 months of active duty.

To estimate what costs would be incurred to date should this measure pass we have sampled the estimated amount of supplement that would be paid those already affected. To do this we had to estimate the military pay of those currently on active duty versus their city base pay. Given that the military rank and years of service, which determines military pay, and the diverse city job classifications involved, the percentage of supplement varies from 26% to 46.5% of city pay. The estimated cost to date would be approximately \$93,970. This covers the period from mid October 2001 to mid January 2002 and averages \$31,323 per month. If this level of were to be projected for twelve months, the total would be \$375,880.

Substitute 1 of this file has indicated that the amount of the supplement would be based upon the total military compensation received. It does not specify on what basis the city pay is to be determined. Extra pay amounts such as lost overtime and other extra payments based on

assignments (such as shift differentials) and other allowances are not addressed. It should be restricted to base city pay. Nor does it address at what city rate to be used in the case of individuals who regularly work in multiple job titles. These matters are of importance for administration and also necessary because disputes regarding the intent for bargaining unit employees would be subject to grievance arbitration.

This proposal sets up a potentially dangerous precedent. The establishment of any new benefit is a mandatory subject of collective bargaining. Benefits granted unilaterally of course become subject to future negotiations. The prospect of this proposal, once adopted, of subsequently being the subject of future demands to apply it to future "conflicts" or improve upon current provisions regarding active duty time not associated with a specific "conflict" is great. Once adopted, it would require some type of quid pro quo to modify or eliminate it in the future.

Without trying to make any equity comparisons regarding the lack of such a benefit for city employees called up or drafted during prior wars and conflicts, it is important to note that during and after Desert Storm, there was no comparable proposal or bargaining demands on this subject. Apparently military compensation did adequately provide for the needs of employees called to duty. As all members of the regular armed forces along with members of the reserves and National Guard are volunteers, the prospect and reality of periods of active duty are assumed.

JH/jh