



Office of the Comptroller

W. Martin Morics, C.P.A.
Comptroller

Michael J. Daun
Deputy Comptroller

John M. Egan, C.P.A.
Special Deputy Comptroller

Craig D. Kammholz
Special Deputy Comptroller

January 27th, 2012

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

Re: Common Council Contingent Fund Status

Dear Committee Members:

Attached is the current Common Council Contingent Fund Status report as updated by the recent Common Council resolutions adopted.

If you have any questions concerning this report, please contact Trang Dinh of my staff at extension 2293.

Sincerely,

MICHAEL J. DAUN
Deputy Comptroller

MD:td

Attachment

CC: City Clerk
Budget Office
LRB



2011 COMMON COUNCIL CONTINGENT FUND

Status on 01/27/12

Funds Appropriated

2011 Adopted Budget 5,000,000.00

Transfers authorized by prior Council meetings

Journal ID	Date	Year	Class	Bud Ref	Amount	Description
238874	1/1/2011	2011	C001	2011	5,000,000.00	2011 Approved Budget
242301	2/8/2011	2011	C001	2011	(636,626.35)	Res. 101189 2/8/11 CF to S163
252831	11/18/2011	2011	C001	2011	(100,000.00)	Res110479 11/2/11 CF to S172
253167	12/1/2011	2011	C001	2011	(30,000.00)	Res. 110792 1st Rel. Encum
254641	12/22/2011	2011	C001	2011	(30,000.00)	Res. 110792 2nd Rel. Encum
254776	12/29/2011	2011	C001	2011	(22,000.00)	Res. 110792 3rd Rel. Encum
254955	1/4/2011	2011	C001	2011	(32,000.00)	Res. 110792 4th Rel. Encum
255784	1/18/2012	2011	C001	2011	(50,000.00)	Res. 110792 5th Rel. Encum

Remaining Reserved Commitments Authorized by prior Council meetings

Res. 110792 11/2/11 reserve for 2011: Land Management \$400,000
(\$164,000 was released from encumbrance as requested by DCD) (236,000.00)

Total Transfers & Reserved (1,136,626.35)

Balance Available on January 27th, 2012 3,863,373.65

% Expended/Reserved Current status 23%

Comparative Balance Available on January 27th of prior years

	<u>Balance</u>	<u>Budgeted</u>	<u>% Expended</u>
2006	4,657,000	5,500,000	15%
2007	2,217,000	5,500,000	60%
2008	1,268,349	5,000,000	75%
2009	3,579,230	5,000,000	28%
2010	3,812,413	5,000,000	24%
Average of prior years	3,106,798	5,200,000	40%

2012 COMMON COUNCIL CONTINGENT FUND

Status on 01/27/12

Funds Appropriated

2012 Adopted Budget 5,000,000.00

Transfers authorized by prior Council meetings

Journal ID	Date	Year	Class	Bud Ref	Amount	Description
None						

Remaining Reserved Commitments Authorized by prior Council meetings

None -

Total Transfers & Reserved -

Balance Available on Jan. 27th, 2012 5,000,000.00

% Expended/Reserved Current status 0%

Comparative Balance Available on Jan. 27th, of prior years

	<u>Balance</u>	<u>Budgeted</u>	<u>% Expended</u>
2007	5,500,000	5,500,000	0%
2008	5,000,000	5,000,000	0%
2009	4,150,000	5,000,000	17%
2010	5,000,000	5,000,000	0%
2011	5,000,000	5,000,000	0%
Average of prior years	4,930,000	5,100,000	3%



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda FINANCE & PERSONNEL COMMITTEE

ALD. MICHAEL J. MURPHY, CHAIR
Ald. Robert J. Bauman, Vice-Chair
Ald. Joe Dudzik, Ald. Milele A. Coggs, and Ald. Nik Kovac

Staff Assistant, Tobie Black, 286-2231; Fax: 286-3456,
tblack@milwaukee.gov
Legislative Liaison, Jim Carroll, 286-8679,
jcarro@milwaukee.gov

Wednesday, February 1, 2012

9:00 AM

Room 301-B, City Hall

1. [111272](#) Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.
Sponsors: THE CHAIR
2. [111267](#) Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.
Sponsors: THE CHAIR
3. [111355](#) Communication from the Department of Employee Relations relating to Part II of the 2012 Salary Ordinance.
Sponsors: THE CHAIR
4. [111325](#) A substitute ordinance relating to the composition of the Deferred Compensation Plan Board.
Sponsors: Ald. Murphy
5. [111275](#) A substitute ordinance relating to revisions of chapter 350 for purposes of correcting errors, clarifying language and eliminating obsolete provisions.
Sponsors: THE CHAIR
6. [111124](#) Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.
Sponsors: Ald. Bauman
7. [111260](#) Communication from the City Comptroller relating to an External Network Security Audit.
Sponsors: THE CHAIR
8. [111265](#) A substitute ordinance to further amend the 2012 rates of pay of offices and positions in the City Service.

Sponsors: THE CHAIR

9. [111266](#) A substitute ordinance to further amend the 2012 offices and positions in the City Service.

Sponsors: THE CHAIR

This meeting will be webcast live at www.milwaukee.gov/channel25.

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 111272 **Version:** 0
Type: Communication to Finance **Status:** In Committee
File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE
On agenda: **Final action:**

Effective date:
Title: Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.

Sponsors: THE CHAIR

Indexes: VACANCY REQUESTS

Attachments:

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111272
Version
ORIGINAL

Reference

Sponsor
THE CHAIR

Title
Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.

Drafter
CC-CC
TB
1/10/12

**AGENDA OF ITEMS TO BE CONSIDERED
BY THE COMMITTEE ON FINANCE AND PERSONNEL**

DATE: February 1, 2012

TIME: 9:00 A.M.

PLACE: Committee Room 301-B
City Hall

SCHEDULE A: Vacancy Requests

SCHEDULE B: Fund Transfers

SCHEDULE C: Miscellaneous Matters

SCHEDULE A - VACANCY REQUESTS

Finance & Personnel Committee Meeting: February 1, 2012

CSC-Status - Under Civil Service
Unless Noted as Exempt (E)

Funding Source - 100% Operating
Budget Unless Otherwise Indicated

I.D. No.	Department and Position	Pay Range	Date Vacant	Number of Positions With Same Title					CSC Status and/or Funding Source	Int/Ext Fill	Code
				Authorized	Filled excl. this pos.	Recomm. Authorization	Vac. Prev. Appr.	Other Vac.			
<u>PROPERTY TAX LEVY SUPPORTED POSITIONS</u>											
<u>DOA-BUDGET & MANAGEMENT DIVISION</u>											
12043	Budget & Mgmt. Special Asst.	8	12/25/11	3	2	1	0	0		Int/Ext	x-3
<u>COMMON COUNCIL-CITY CLERK</u>											
12044	Graphic Designer II	2BN		1	0	1	0	0		Ext	x-2b
<u>COMPROLLER</u>											
12045	Auditing Manager	10	12/25/11	1	0	1	0	0		Int/Ext	x-2b
12086	Accounting Program Assistant II	6J	1/1/12	4	3	1	0	0		Int/Ext	x-2b
<u>HEALTH DEPARTMENT</u>											
12046	Chief Microbiologist	1I	5/20/10	1	0	1	0	0		Int/Ext	x-2b
12047	Public Health Nurse	2DN	1/1/12	58	57	1	0	0		Int/Ext	x-2a
12048	Public Health Aide	5A	12/13/11	1	0	1	0	0		Int/Ext	x-2a
12049	Health Personnel Officer	2HX	1/7/12	1	0	1	0	0		Int/Ext	x-3
12050	Office Assistant III	6F	11/25/11	11	10	1	0	0		Int/Ext	x-3
<u>LIBRARY</u>											
12087	Marketing & Public Relations Officer	9	9/27/11	1	0	1	0	0		Int/Ext	x-3
12088	Personnel Analyst Sr.	6	6/13/11	1	0	1	0	0		Int/Ext	x-3
12090-93	Librarian III (3-1/4 positions)	557	6/25/11	44	40	4	0	0		Ext	x-2b
12094-97	Librarian II (4 positions)	544	12/24/11 12/24/11 2/20/10 5/29/11 6/21/11 10/8/11 10/16/11	17	13	4	0	0		Ext	x-2b
12098	Library Technician II	410	12/23/11	12	11	1	0	0		Int/Ext	x-2b
<u>MUNICIPAL COURT</u>											
12052	Municipal Court Clerk I	540	1/18/12	8	7	1	0	0		Int/Ext	x-2b
<u>DEPT. OF NEIGHBORHOOD SERVICES</u>											
12102	Office Assistant IV	445	1/21/12	4	3	1	0	0		Int/Ext	x-2b
<u>DPW-INFRASTRUCTURE SERVICES</u>											
12053-55	Electrical Mechanic (3 positions)	978	2/4/11 5/19/11	61	58	3	0	0	50% Cap. & Reimb.	Int/Ext	x-2b
12056-58	Electrical Worker (3 positions)	974	6/23/11 12/31/10 8/8/11 11/30/11	28	25	3	0	0	32% Cap., 37% Reimb.	Int	x-2b
<u>DPW-OPERATIONS DIVISION</u>											
12067	Vehicle Service Tech.-Heavy	260	1/1/12	33	27	1	0	5		Int/Ext	x-2b

SCHEDULE A - VACANCY REQUESTS

Finance & Personnel Committee Meeting: February 1, 2012

CSC-Status - Under Civil Service
Unless Noted as Exempt (E)

Funding Source - 100% Operating
Budget Unless Otherwise Indicated

I.D. No.	Department and Position	Pay Range	Date Vacant	Number of Positions With Same Title					CSC Status and/or Funding Source	Int/Ext Fill	Code
				Authorized	Filled excl. this pos.	Recomm. Authorization	Vac. Prev. Appr.	Other Vac.			
<u>NON-PROPERTY TAX LEVY SUPPORTED POSITIONS (Enterprise Funds, Grants)</u>											
<u>HEALTH DEPARTMENT</u>											
12068	Public Hlth. Emergency Response Planning Coordinator	1D	2/3/12	1	0	1	0	0	WI Office of Justice Asst.	Int/Ext	x-6
12069	Emergency Preparedness Coordinator	2FX	10/29/11	1	0	1	0	0	WI Office of Justice Asst.	Int	x-6
<u>LIBRARY</u>											
12100	Library Office Assistant II	410	1/21/12	3	2	1	0	0	Talking Book & Braille Grnt	Int/Ext	x-6
12101	Audio Machine Technician	425	7/24/11	2	1	1	0	0	Talking Book & Braille Grnt	Int	x-6
<u>DEPT. OF NEIGHBORHOOD SERVICES</u>											
12103	Anti-Graffiti Program Coordinator	2DN	7/23/11	1	0	1	0	0	CDBG-R Graffiti	Int/Ext	x-6
12104	Neighborhood Improvement Proj. Insp.	549	12/31/11	6	4	1	1	0	CDBG	Int/Ext	x-6
<u>DPW-SEWER MAINT. FUND</u>											
12070	Civil Engineer II	626	12/31/11	13	10	1	1	1	Sewer Maint. Fund	Int/Ext	x-6
<u>DPW-WATER WORKS</u>											
12071	Water Distribution Field Supervisor	5	4/1/11	9	7	1	2	0	Water Works	Int	x-6
12072	Sr. Water Treatment Plant Operator	291	1/22/12	24	21	1	1	1	Water Works	Int	x-6
12073	Water Chemist II	542	6/5/11	9	8	1	0	0	Water Works	Int/Ext	x-6
12074-84	Water Meter Technician (11 positions)	251	NA	40	27	11	2	0	Water Works	Int/Ext	x-6
12085	Water Microbiologist II	547	1/1/12	2	1	1	0	0	Water Works	Int/Ext	x-6

BMA 30 SCHEDULE B - FUND TRANSFERS AND/OR EQUIPMENT REQUESTS

Finance and Personnel Meeting: February 1, 2012

Department Account Name	Amount of Transfer		Reason
	From	To	
<u>HEALTH DEPARTMENT</u> 2011 Salaries & Wages 2011 Operating Expenditures	\$230,000	\$230,000	This request is driven primarily by expenses for temporary services or contract positions, which were needed to perform functions that otherwise would have been left undone due to a high number of vacancies during 2011. Major program impacts affected by these expenses included the STD clinic, technology services, and administrative support. In addition, property services at the clinics were higher than budgeted due to snow removal costs and the need for higher than expected translation services. It should be noted the department reallocated approximately \$100,000 of its budget to meet other higher than expected expenses. This transfer will still allow for a significant lapse of unexpended wages/salaries funds to the Tax Stabilization Fund.

SCHEDULE C - MISCELLANEOUS MATTERS

1. Request from the Comptroller's Office to extend the emergency temporary position authority for one position of Auditing Manager.



Legislation Details (With Text)

File #: 111267 **Version:** 0

Type: Communication **Status:** In Committee

File created: 12/20/2011 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

Indexes: CITY SERVICE COMMISSION, POSITIONS ORDINANCE, RATES OF PAY, SALARY ORDINANCE, WAGES AND BENEFITS

Attachments: Letter from Dept of Employee Rel and Job Eval Reports-CSC Meeting January 24, 2012, Fiscal Note and Spreadsheet- CSC Meeting January 24, 2012, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111267
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.
Drafter
CC-CC
TB
1/10/12



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Troy M. Hamblin
Labor Negotiator

January 26, 2012

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

Dear Committee Members:

Re: Common Council File Number 111267

The following classification and pay recommendations were approved by the City Service Commission on **January 24, 2012**.

In Employee Relations, one position of Management Services Adjuster, Pay Range 2FX was recommended for reallocation to Pay Range 1D.

In Administration-Business Operations Division, one new position was recommended for classification to Purchasing Agent-Senior, Pay Range 2EX.

The job evaluation report covering the above positions, including the necessary Salary and Positions Ordinance amendments, is attached.

Sincerely,



Maria Monteagudo
Employee Relations Director

MM:fcw

Attachments: Job Evaluation Report
Fiscal Note

C: Mark Nicolini, Renee Joos, James Carroll, Troy Hamblin, Nicole Fleck, Maria Monteagudo, Michael Brady, Burma Hudson, Nilsa Rosado-Jurkiewicz, Sharon Robinson, and Rhonda Kelsey

JOB EVALUATION REPORT

City Service Commission Meeting Date: January 24, 2012

This report recommends appropriate classifications and compensation levels for various positions created or changed in conjunction with the implementation of the 2012 City of Milwaukee budget. This report contains recommendations for positions in the Department of Employee Relations and the Department of Administration – Business Operations Division.

In reviewing these positions, staff analyzed new job descriptions and held discussions with management representatives from affected departments. The following chart summarizes the recommended changes.

EMPLOYEE RELATIONS

Current	Request	Recommendation
Management Services Adjuster PR 2FX (\$47,109 - \$65,957)	Management Services Adjuster PR 1D (\$53,519 - \$74,922)	Management Services Adjuster PR 1D (\$53,519 - \$74,922)

DOA-BUSINESS OPERATIONS DIVISION

Current	Request	Recommendation
New Position	Purchasing Agent-Senior PR 2EX (\$44,194 - \$61,871)	Purchasing Agent-Senior PR 2EX (\$44,194 - \$61,871)

ACTION REQUIRED – Effective Pay Period 1, 2012 (December 25, 2011)

In the Salary Ordinance, under Pay Range 2FX, delete the title “Management Services Adjuster”; and under Pay Range 1D, add the title “Management Services Adjuster”.

In the Positions Ordinance, under Department of Administration, Business Operations Division, Procurement Services, delete one position of “Purchasing Agent – DPW (Y)” and add one position of “Purchasing Agent-Senior (Y).”

DEPARTMENT OF EMPLOYEE RELATIONS

Current: Management Services Adjuster PR 2FX
Request: Management Services Adjuster PR 1D
Recommended: Management Services Adjuster PR 1D

This position is responsible for adjusting Workers’ Compensation claims at all levels of Adjusting as well as supervision and conducting claims quality review of the Worker’s Compensation Adjusting Staff under the direction of the Worker’s Compensation and Safety Manager. Duties, responsibilities and requirements are as follows.

- Responsible for supervising the Worker’s Compensation staff including conducting quality reviews of all adjusting staff work. Training Workers Compensation staff.
- Responsible for adjusting claims with a high degree of complexity to include serious injuries that usually result in long and chronic disabilities including stress claims, occupational hearing lost, litigation, and subrogation claims. Adjusts litigated claims up

to and including negotiating settlements. This requires the critical problem solving ability and expert negotiation skills.

- Responsible for the coordination, monitoring and coordination of all pending Workers Compensation claims and reports as required by the State of Wisconsin. This includes research with adjusting staff, Doctors' offices, and the State of WI to avoid any potential penalty situations. Also responsible for the final closure of all claims to ensure compliance.
- Responsible for make determinations on Subrogation claims, negotiating settlements, responding to confidential record requests, Federal Medicare reporting, and resolving outstanding issues with claims.
- Acts as a backup to the Workers Compensation & Safety Manager on claims matters and assists with Occupational/Safety matters when needed.
- Coordinates the Duty Disability application process.

The position requires a Bachelor's degree in Business Administration, Health Care Administration or closely related field and 3 years of professional experience adjusting Worker's Compensation Claims at the Senior Adjuster level.

The position functions as the assistant to the Workers Compensation and Safety Manager and in the absence of the Manager oversees staff and operations. This includes assisting the Manager in the day to day operations of staff including training adjusting staff, performing quality control checks of claims at all levels, providing guidance and direction to staff in relation to difficult cases, identifying performance issues, assisting in managing workflow processes and making recommendations to Manager.

In addition this position has taken on expanded responsibility for complex subrogation claims negotiations, settlements of litigated matters, confidential and sensitive requests under the open records law and federal Medicare reporting. Changes to the level of work of this position over the last several years have included a significant increase in the nature and volume of subrogation work as Health Insurance carriers are now aggressively acting to recover expenses. The knowledge and skill of the incumbent in this position has a direct impact on mitigating the cost of these recovery requests on the City of Milwaukee's Worker's Compensation fund.

Changes to this position's responsibility for negotiating complex subrogation claims and litigated settlements, as well as the change to functioning as a supervisor/adjuster have increased the impact and accountability as well as knowledge and skill of the position. We therefore recommend that the position be of Management Services Adjuster by reclassified from Pay Range 2FX (\$47,109-\$65,957) to PR 1D (\$53,519-\$74,922) to reflect an increased level of responsibility which includes supervision.

DOA-BUSINESS OPERATIONS DIVISION

Current:	New Position
Request:	Purchasing Agent Senior PR 2EX
Recommended:	Purchasing Agent Senior PR 2EX

In January of 2012, a vacant position of Inventory and Purchasing Coordinator was transferred from the Department of Public Works (DPW) to the Business Operations Division in the


Department of Administration. City Purchasing Director Rhonda Kelsey requested that this position be classified as a Purchasing Agent-Senior. In studying this request, a job description written by the department was reviewed.

The basic function of this job will be to procure a wide variety of commodities and services for the Department of Public Works. Specific duties will include:

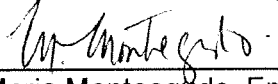
- Editing requisitions for proper commodity/service descriptions and other pertinent information
- Preparing specifications for bids and bid materials
- Preparing specifications with DPW managers
- Researching sources of suppliers
- Developing and implementing cooperative purchasing agreements
- Analyzing bids and recommending awards to bidders
- Inspecting complex or unusual purchases and deliveries
- Responding to inquiries and complaints from vendors and customer departments
- Obtaining information from trade shows, association meetings, seminars, trade magazines and journals regarding products and advises departments.
- Making substitutions as appropriate and seeking stock items from municipal warehouses in consultation with DPW staff.
- Monitoring the use of DPW ProCard purchases
- Creating new blanket purchase orders when required.
- Checking invoices that are complex and not in concurrence with purchase orders
- Communicating with DPW managers the on status of requested procurements, market trends and forecasts to determine if any increase in purchases, forward buying or the establishment of long-term contracts is required to avoid price increases and work stoppages.
- Making recommendations and/or changes in estimated dollar values for commodities and services when necessary

The City procures approximately 60,000 items covering a variety of industries. Each Purchasing Agent is responsible for a minimum of approximately \$33 million dollars' worth of annual purchases. For this reason, the individual performing this job must be extremely well organized, able to communicate effectively with a variety of internal and external customers, and able to produce a high volume of work under changing circumstances.

The job analysis indicates that the nature of work and level of work performed by this position will be the same as that of other Purchasing Agents in the Procurement Services Division. It is therefore recommended that this position be classified as a Purchasing Agent - Senior in PR 2EX (\$44,194 - \$61,871).

Prepared by: 
Laura Sutherland, Human Resources Representative

Reviewed by: 
Andrea Knickerbocker, Human Resources Manager

Reviewed by: 
Maria Monteagudo, Employee Relations Director



City of Milwaukee Fiscal Impact Statement

A

Date	January 26, 2012	File Number	111267
Subject	Classification and pay recommendations approved by the City Service Commission .		

B

Submitted By (Name/Title/Dept./Ext.)	Sarah Trotter, Human Resources Representative Dept. of Employee Relations/X2398.
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C

This File	<input checked="" type="checkbox"/> Increases or decreases previously authorized expenditures. <input type="checkbox"/> Suspends expenditure authority. <input type="checkbox"/> Increases or decreases city services. <input type="checkbox"/> Authorizes a department to administer a program affecting the city's fiscal liability. <input type="checkbox"/> Increases or decreases revenue. <input checked="" type="checkbox"/> Requests an amendment to the salary or positions ordinance. <input type="checkbox"/> Authorizes borrowing and related debt service. <input type="checkbox"/> Authorizes contingent borrowing (authority only). <input type="checkbox"/> Authorizes the expenditure of funds not authorized in adopted City Budget.
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D

This Note	<input type="checkbox"/> Was requested by committee chair.
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E

Charge To	<input checked="" type="checkbox"/> Department Account <input type="checkbox"/> Contingent Fund <input type="checkbox"/> Capital Projects Fund <input type="checkbox"/> Special Purpose Accounts <input type="checkbox"/> Debt Service <input type="checkbox"/> Grant & Aid Accounts <input type="checkbox"/> Other (Specify) _____
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F

Assumptions used in arriving at fiscal estimate.

G			
Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages	Classification and Pay recommendations.	See the attached spreadsheet.	
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

H

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

1-3 Years 3-5 Years _____

1-3 Years 3-5 Years _____

1-3 Years 3-5 Years _____

I

List any costs not included in Sections E and F above.

J

Additional information.

**Department of Employee Relations
Fiscal Note Spreadsheet**

Finance & Personnel Committee Meeting of February 1, 2012
City Service Commission Meeting of January 24, 2012

NEW COST FOR 2012										
No.	Dept	From	PR/SG	To	PR/SG	Present Annual	New Annual	New Cost	Rollup	Total Rollup+ Sal
1	Employee Relations	Management Services Adjuster	2FX	Management Services Adjuster	1D	N/A	N/A	N/A	N/A	N/A
1	Administration	New Position	N/A	Purchasing Agent - Senior	2EX	N/A	N/A	N/A	N/A	N/A
2								\$0	\$0	\$0

Assume changes are effective Pay Period 1 (December 25, 2011)

PROJECTED NEW COST FOR FULL YEAR										
No.	Dept	From	PR/SG	To	PR/SG	Present Annual	New Annual	New Cost	Rollup	Total Rollup+ Sal
1	Employee Relations	Management Services Adjuster	2FX	Management Services Adjuster	1D	N/A	N/A	N/A	N/A	N/A
1	Administration	New Position	N/A	Purchasing Agent - Senior	2EX	N/A	N/A	N/A	N/A	N/A
2								\$0	\$0	\$0



Legislation Details (With Text)

File #: 111355 **Version:** 0

Type: Communication **Status:** In Committee

File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the Department of Employee Relations relating to Part II of the 2012 Salary Ordinance.

Sponsors: THE CHAIR

Indexes: DEPARTMENT OF EMPLOYEE RELATIONS, SALARY ORDINANCE

Attachments: Cover Letter, Salary Ordinance PART II Draft Changes, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111355
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Communication from the Department of Employee Relations relating to Part II of the 2012 Salary Ordinance.

Requestor

Drafter
CC-CC
tb
1/26/12



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Troy Hamblin
Labor Negotiator

January 27, 2012

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

File # 111265

Dear Finance and Personnel Committee Members;

The Department of Employee Relations is recommending the following changes to Part II Section 11 of the 2012 Salary Ordinance. These changes include clarification of original language approved by the Common Council in December of 2011 pertaining to administration of special pay practices. These changes are recommended based on discussions with Payroll Administration staff in the Comptroller's Office. The changes are identified below (**in bold**) and a brief explanation follows.

Sec. 11. Supplemental Pay Practices

a. Holiday Hours Worked: all hours worked on a holiday by an eligible non-exempt FLSA employee shall be considered overtime as provided for under Chapter 350-3 of the Milwaukee Code of Ordinances.

New language: Employees working on a Holiday shall not be eligible for shift differential for the hours worked on a Holiday. *This change precludes employees working on a Holiday from getting shift differential as well as overtime given the Council action to consider holiday hours worked as overtime and paid at 1.5X.*

d. 12-Hr Differential Compensation: Employees holding positions designated as non-exempt under FLSA shall be eligible for a twenty five cent (\$.25) premium per hour to be added to the employee's base salary for any continuous time worked in excess of twelve or more consecutive hours.

Deleted language: Any payments made under this provision shall not have any sum deducted for pension benefits nor shall such payments be included in the determination of pension benefits or other fringe benefits. *This change will facilitate payroll processing and will allow this differential to be included in the determination of pension benefits.*

f. Shift Differential: Employees holding positions classified as non-exempt under the FLSA whose hours of work occur between the time period beginning at 5:00 p.m. and ending at 5:00 a.m. shall receive, in addition to base salary, a shift differential of \$.45 per hour. To be eligible for shift differential, the employee shall be required to work not less than 4 hours of his or her regular workday within this time frame, and when the employee satisfies that requirement, the employee's entire workday shall be compensated at a rate that includes the shift differential. Eligible employees in the Department of Public Works whose workday begins after 1:00 a.m. and before 4:00 a.m. shall be eligible to receive the shift differential for all hours worked.

Shift differential shall be paid for all hours for which an employee would have received a regular shift assignment but for the fact that the employee was on vacation, holiday, sick leave, or funeral leave. In no case shall an employee receive both shift and weekend differential rates for the same hours worked.

New language: Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays. *This change clarifies the intent of the original language approved by the Council intended to limit eligibility for shift differential to 40 hours worked (including holidays). This language continues to preclude employees from earning the differential for hours that are considered overtime hours under the new rules.*

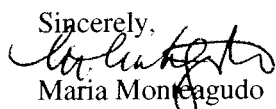
g. **Snow and Ice Control Operations:** bonus payments for support personnel in the Operations Division, Fleet Services Section who work (~~overtime~~) during Snow and Ice Control Operations. Support personnel in the Operations Division, Fleet Services Section shall receive a one (\$1) dollar per hour premium for all time worked in excess of eight (8) hours in one 24 hour day worked during snow and ice control operations. These bonus payments shall also be paid to support personnel in the Fleet Services Repairs Unit at the Central Repair Garage for all time worked in excess of eight (8) hours in one 24 hour day worked repairing snow plow blades and to Repairs Unit personnel time worked in excess of eight (8) hours in one 24 hour day worked on a snow related assignment during the winter season. These support personnel shall be Operations Division employees in the Fleet Services Section, Stock Room or Tire Shop employees in the Administration Section or Garage Attendants, Garage Custodians, Field Service Mechanics, Communications Assistants III or IV in the Operations Section, or Driving Training Instructors.

This change deletes the reference to "overtime" because the \$1 per hour premium is due for hours in excess of 8 and those may or may not be "overtime" hours.

h. **Weekend Differential:** Employees holding positions classified as non-exempt under the FLSA shall receive fifty cents (\$.50) per hour for regularly scheduled Saturday work and sixty cents (\$.60) per hour for scheduled Sunday work. In no case shall an employee receive both shift and weekend differential rates for the same hours worked. Weekend differential shall be paid for all hours for which an eligible employee would have received the differential but for the fact that the employee was on **vacation, holiday, sick leave, or funeral leave.** **Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays.**

This change makes the language consistent with the provision under shift differential when employees who are eligible for weekend differential are on vacation, holiday, sick leave or funeral leave. This change also clarifies the intent of the original language approved by the Council intended to limit eligibility for weekend differential to 40 hours worked (including holidays). This language continues to preclude employees from earning the differential for hours that are considered overtime hours under the new rules.

These changes have been discussed with representatives from AFSCME and they have indicated no objection. I will be present at the Finance and Personnel Committee meeting to answer questions you may have.

Sincerely,

Maria Montenegro
Employee Relations Director

Part II. Administration *Revised 12/18/11*
Revised 01/19/12

Sec. 1. Organization:

The rates of pay for offices and positions in the City of Milwaukee are organized by sections as presented below.

- I. Officials and Administrators: Positions in which employees set broad policies, exercise overall responsibility for execution of policies, or direct work units and personnel in their respective areas. Examples of classifications included are department directors and deputies (except sworn), division managers and administrators, and technical and service supervisors.
- II. Professionals: Positions which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Examples of classifications include engineering and technical professionals, accounting, budgeting and finance professionals, research and procurement professionals, attorneys, scientists and health professionals, enforcement/property professionals, personnel, community service, and community relations professionals, librarians, and nurses.
- III. Technicians: Positions which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job-training. Examples of classifications include information management technicians, engineering and drafting technicians, and field health technicians.
- IV. Protective Service Workers: Occupations in which workers are entrusted with public safety, security and protection including all sworn positions in the Fire and Police departments.
- V. Paraprofessionals: Positions in which workers perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Examples of classifications include purchasing assistants, library services assistants, clinic assistants, human resources assistants, program assistants, and accounting assistants.
- VI. Administrative Support: Positions in which workers are responsible for internal and external communication, recording, retrieving data and/or information in support of a function or program. Examples of classifications include office assistants, communications assistants, and customer service representatives.
- VII. Skilled Craft Workers: Positions in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through an apprenticeship or other formal training program. Examples of classifications include mechanics and repairers, construction trades, electricians, water meter technicians, and skilled machining occupations.
- VIII. Service and Maintenance: Positions in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Examples of classifications include truck drivers, traffic sign workers, garage attendants, custodial personnel, laboratory assistants, and delivery drivers.
- IX. Hourly, Part-time, Intermittent positions.
- X. Boards and Commissions
- XI. Elected Officials

Sec. 2. Rates of Pay

- a. Official Rates: Hourly, biweekly, and annual rates of pay are listed in all sections of this ordinance. The official rates of pay are noted accordingly by the salary range. Hourly and annual rates of pay listed in any section of this ordinance are for informational purposes only. Payrolls for positions with an official hourly rate shall be based upon the number of hours or days employees are actually employed.
- b. Intent: This ordinance is intended to provide the policies and procedures for administering all Sections within the Salary Ordinance. It is intended that all officers and employees shall fully cooperate with the Department of Employee Relations in the administration of the Salary Ordinance. The Department of Employee Relations is authorized to develop procedures and guidelines necessary to carry out the intent of this ordinance. The provisions of this ordinance are not intended and shall not be construed to be in conflict with state statutes regarding collective bargaining or any provisions of collective bargaining agreements in full force and effect. The 2012 Salary Ordinance includes a complete re-structuring of sections and pay ranges. All positions are assigned to a new Section and new pay ranges. In implementing the Salary Ordinance, employees will be placed in new sections and pay ranges at their current rates of pay. No employee's current pay rate will be increased or decreased by placement into a new pay range. Placement into a new pay range is not considered a transfer, promotion, reclassification or reallocation.
- c. Equal Opportunity: Principles of merit and equity shall prevail in all aspects of the administration of this Ordinance. As specified in ch. 109 of the Milwaukee Code of Ordinances, it is unlawful to discriminate because of sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or an individual's affiliation with, or perceived affiliation with any of these categories in regard to job posting, hiring, training, tenure, promotion, compensation, or enforcement of any rule or employment policy and other terms and conditions of employment.
- d. Correction of Obvious Errors, Omissions or Inequities: In the event that a transaction made pursuant to this ordinance results in an obvious misapplication of its intent, the Director of Employee Relations, with the approval of the Finance and Personnel Committee Chair, is authorized to make equity adjustments or corrections.
- e. Budgeted Amount for a Position Versus Salary Ordinance: In case of a variation between the amount of money set up in the budget for a particular position and the amount an incumbent of a position would normally receive under the terms of this ordinance, the employee shall be paid according to the terms of this ordinance.

Sec. 3. Salary at Time of Appointment

Appointment to City positions shall be at the minimum rate in the range except as otherwise provided. Department heads are directed insofar as possible to make appointments effective at the beginning of a biweekly pay period.

- a. Recruitment above the minimum: Except as provided elsewhere, to recruit qualified persons, appointment of a person to a position may be at a rate above the minimum rate within the established pay range provided it is determined by the Common Council that such rate is necessary and provided there is a footnote authorizing it. Otherwise a recruitment study request must be made to the Department of Employee Relations to determine the appropriate pay range and recruitment rate necessary to recruit qualified candidates.
- b. Recruitment for Officials and Administrators (Section I) and Professionals (Section II): In the event it becomes necessary to recruit at a rate above the minimum for positions classified as Officials and Administrators and Professionals, recruitment may be authorized at a rate up to 60% of the salary grade with the approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. A listing of appointments made pursuant to this provision shall be communicated to the Committee on Finance and Personnel.

c. Hourly Employees – Job Change: Whenever an employee in a position compensated on an hourly basis is appointed, transferred, or reinstated to a position with a salary that is determined under this Ordinance, the amount of earnings in the twelve month period immediately preceding such appointment, transfer, or reinstatement shall be calculated. The rate of pay in the new position shall represent the equivalent biweekly rate calculated under this provision.

d. Part-time service: Service of a part-time nature shall carry pro rata compensation. Such part-time service shall be treated as proportionately fractional for determining the number of incumbents allowed in any position. Where employment in any position is on a part-time basis the calculation of the prorated compensation shall be made by the Comptroller.

Sec. 4. Salary Advancement and Salary Anniversary Dates

Salary Advancement above the rate of initial appointment shall be as authorized in this Ordinance. Effective Pay Period 1, 2012, through Pay Period 26, 2012, there shall be no salary advancement for employees, unless otherwise provided in a collective bargaining agreement in full force and effect. Salary advancement practices frozen in 2012 include all special attainment steps footnoted within each pay range.

a. Timing of Salary Advancement for Employees: When salary advancements are authorized by Common Council action, such advancements shall follow the completion of 26 biweekly pay periods and not the precise anniversary date in order to eliminate two rates of pay for the same officer or employee in any period and to reduce and simplify payroll preparation and the auditing thereof. For the purpose of determining the proper time for the initiation of salary advancements, appointments during a pay period shall be considered as having been made at the beginning of such period. Absence or absences from work without pay, for any cause, except mandatory furloughs, for 10 or more work days in the aggregate shall defer salary advancement for one additional pay period for each such 10 days' absence. In determining the completion of each year of service, mandatory furlough time shall be regarded as being regularly at work and shall not be counted against salary advancement.

b. Return from Authorized Layoff or Leave: It is hereby declared to be the intention of the Common Council not to reduce the pay rate or range of any officer or employee or of any officer or employee returning to City service from a duly authorized layoff or leave of absence including military leave, sick leave, Family Medical Leave or further education or vocational training, unless subject to the terms of a mandatory furlough.

c. Hourly Employees: Payrolls for positions with an official hourly rate listed in Section IX shall be based upon the number of hours or days employees are actually employed. Salary advancement above the rate at initial appointment, when approved by Council action, shall be made as authorized in this Ordinance upon the completion of each year of service, unless otherwise indicated in a footnote within the specific pay range at that particular rate, until the maximum rate is received except, effective Pay Period 1, 2012 through Pay Period 26, 2012, there shall be no salary advancement.

Sec. 5. Salary Adjustments

a. Promotions, Reclassifications, and Reallocations: Appointment of a person in the service of the City to a reclassified position (title change and pay range change) or promotion to a position with a higher pay range maximum, shall be at 5% above the rate received prior to the promotion or the minimum of the new pay range (or the footnoted recruitment rate), whichever is greater. The rate of pay after a "promotion after under-fill" that is part of an official promotional program as determined by DER will be at the footnoted rate as applicable.

A promotion into a classification designated as Leadership (limited to Department Heads and Deputies, Public Officials appointed pursuant to section 62.51 of the Wisconsin State Statutes, and Department of Public Works

Division Directors) shall be at 7% above the rate currently received or the minimum of the new salary range, whichever is greater. At no time shall the rate after appointment or promotion exceed the maximum of the range. The Department of Employee Relations shall certify and authorize the salary rates after promotions. In calculating the promotion rate, all base wages and applicable supplemental pay practices as determined by the Department of Employee Relations shall be considered.

b. Salary Anniversary Date upon Promotion, Reclassification, or Reallocation: All employees will receive a new salary anniversary date when promoted, reclassified, or reallocated to higher-level, except that adjustments are made for time off the payroll or deferred salary increments. Mandatory furlough time shall be regarded as being regularly at work and will not adversely affect the employee's salary anniversary date.

c. Retention and Pay Equity Adjustments: In order to establish flexibility to address retention and internal equity problems, the Department of Employee Relations in consultation with the Budget and Management Division is authorized to recommend retention and pay equity salary adjustments at the request of appointing authorities for employees holding positions in the Officials and Administrators (Section I), Professionals (Section II), and non-represented sworn positions under Protective Service Workers, Section IV. Such adjustments shall be approved by the Chair of the Finance and Personnel Committee.

1. Retention Adjustments: Salary adjustments limited to no more than 10% of the employee's current salary when an eligible non-probationary employee has a verifiable job offer from another employer (not an agency of the City) that will result in separation and significant loss to the department. Such adjustment shall not exceed the maximum of the pay range. The decision to request and grant the retention adjustment should take into consideration total compensation received and offered, not just base salary. Retention adjustments shall not create pay compression problems within the work unit or be used as a justification for a request for an equity adjustment. When approved, such adjustments must be funded via the wage supplement fund, subject to availability.

2. Internal Equity Adjustments: Salary adjustments limited to no more than 10% of the employee's current salary when an eligible non-probationary employee is being compensated at a rate of pay that is below the rate approved for a new or newly appointed employee with less experience in the same classification or performing similar work. The adjustment shall not exceed the rate of pay of the new employee, must be approved prospectively, and must not exceed the maximum of the range. The adjustment shall not create pay compression problems within the work unit and must be funded via departmental budgets.

d. Professional Development Awards: Employees holding positions classified as Officials and Administrators (Section I), Professional (Section II), and non-represented sworn position under Section IV, Protective Service Workers, who attain a professional degree, designation or certification that is not a minimum requirement of the job but that is related to the mission, goals, and objectives of the department may be awarded a non-pensionable, non-base building, lump sum award of \$700 as requested by the appointing authority and approved by the Department of Employee Relations. This provision does not apply to employees receiving additional compensation for a degree, a professional designation or certification otherwise authorized under Part I of this Ordinance or comparable provision under Chapter 350 of the Milwaukee Code of Ordinances.

e. Transfers: City Departments may request a 3% salary adjustment for employees voluntarily transferring to positions allocated to Section I, Officials and Administrators or Section II, Professionals, subject to approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. Transfers under this section are defined as the appointment to a position within the Official and Administrators or Professionals Sections within the same salary grade. Employees receiving a 3% salary adjustment under this provision shall receive a new salary anniversary date. The salary of an employee who voluntarily transfers back to the position originally held, will be decreased by 3%. This provision shall only apply to voluntary transfers within a department to a different

classification or the same classification with significantly different responsibilities or voluntary transfers between departments into the same or different classification.

Sec. 8. Demotions

Demotions are under the authority of and administered by the Department of Employee Relations. Demotion is defined as movement from a pay range with a higher maximum to a pay range with a lower maximum. In no event shall a demoted employee be paid in excess of the rate the employee was earning prior to the reduction unless otherwise authorized.

- a. Demotions in anticipation of or as a result of layoff: The salary will be the current rate of pay if it falls within the range of the position demoted to or the maximum of the new pay range, whichever is lower. In no event shall the employee be paid in excess of the rate he/she was receiving prior to the demotion.
- b. Voluntary Demotions (Career Change): The salary will be the current rate of pay if it falls within the range of the position demoted to or the maximum of the new pay range, whichever is less. In no event shall the employee be paid in excess of the rate he/she was receiving prior to the voluntary demotion. When the demotion is to a position previously held within 12 months, the employee shall revert back to the rate of pay in effect prior to the promotion.
- c. Disciplinary Demotions: A decrease in pay of 5% or a decrease in pay of 7% if the demotion is from a position designated as Leadership, or the maximum of the new pay range whichever is lower. Under no circumstance should the rate after the demotion exceed the maximum of the range. When the demotion is to a position held within the prior 12 months, the employee shall revert to the rate of pay that represents the rate of pay in effect prior to the promotion.
- d. Eligibility for Special Attainment Steps after a Demotion: An employee who elects to take a position in a pay range which has special attainment rates, who meets the qualifications prescribed shall be paid the appropriate special attainment rates, regardless of the rate of pay prior to demotion, subject to not exceeding the maximum of the demoted pay range.

Sec. 9. Hours of Work and Work Schedules

- a. Starting and Ending Day - Permanent Employees: Employment shall normally be started on the first working day of the week and not on Saturdays, Sundays, or holidays and compensation shall be effective from the first work day. Termination of service shall be effective on the last day of work or the last working day of the week and not on Saturdays, Sundays, or holidays except where it is absolutely necessary for said employees to work on such days and except that in cases of City employees shifting from one City position to another, employment shall be deemed to be continuous and there shall be no interruption of compensation.
- b. Flexible Schedule: Employees holding positions classified as exempt from the overtime provisions of the Fair Labor Standards Act and who are excluded from the provision of s. 350-5 of the Milwaukee Code of Ordinances (Exclusion from Overtime) may, upon department head approval, work on a flexible schedule, so that the daily work schedule may be adjusted from time to time as necessary and appropriate to fulfill assigned duties and responsibilities. Such adjustments may include starting and quitting times that are earlier or later than established in the normal work schedule of the department, and may include more or less than eight hours in any particular day and more or less than forty hours in any particular week.

Sec. 10. Holiday Pay

- a. Eligibility: Unless stated otherwise in a collective bargaining agreement in full force and effect, eligible employees shall receive holiday pay when the employee has been on paid status for at least two days during

the calendar week in which the holiday occurred. No holiday pay shall be allowed in any case where such holiday occurred within, immediately before or immediately after a period of disciplinary suspension, unauthorized absence or unpaid absence. Additionally, no holiday pay shall be authorized in cases where the holiday occurred within or immediately after a period of layoff. An employee who is on mandatory furlough shall be regarded as being on "paid status" for purposes of interpreting this paragraph. Nothing herein shall be construed to deny holiday pay to any employee who has been on paid status on the working day immediately before, and on the working day immediately following said holiday.

- b. Whenever Independence Day, July 4, falls on a Saturday, the preceding Friday shall be observed as a holiday. Whenever New Year's Day, Independence Day, or Christmas Day falls on a Sunday, the following Monday shall be observed as a holiday. Whenever New Year's Day or Christmas falls on a Saturday, the following Monday shall be observed as a holiday.

b. Holiday Pay - Part-Time Employees: Non-exempt employees who work an average of 20 hours per week on a year-round basis in positions which are budgeted at half-time or more shall be eligible for holiday pay to the extent they are normally scheduled. Administration of these provisions shall be in accordance with the preceding paragraph on holiday pay.

Sec. 11. Supplemental Pay Practices

a. Holiday Hours Worked: all hours worked on a holiday by an eligible non-exempt FLSA employee shall be considered overtime as provided for under Chapter 350-3 of the Milwaukee Code of Ordinances.

Employees working on a Holiday shall not be eligible for shift differential for the hours worked on a Holiday.

b. Interpreter pay: Employees of the Municipal Courts shall be eligible for a premium of \$1 per hour while performing interpreter duties (Spanish to English and vice versa) during court proceedings. Eligibility for interpreter pay provisions for positions outside of the Municipal Court is subject to approval from the Common Council.

c. On-Call Pay: Employees holding positions designated as non-exempt from FLSA required by the department to be on a mandatory on-call rotation to respond to emergencies shall be paid \$15 per 24-hour regularly scheduled workday and \$36 for regularly scheduled off days, holidays, or furlough days. If employees are required to be on-call for a period less than 24 hours, the amounts shall be prorated. This benefit shall not apply to employees in the Department of Public Works performing snow or salting operations.

An employee who is on a mandatory on-call assignment must be available to work and be able to report to work within a short timeframe as established by the department. An eligible employee on an authorized on-call assignment who is called into work shall be compensated at straight time or overtime in accordance with applicable overtime policies.

d. 12-Hr Differential Compensation: Employees holding positions designated as non-exempt under FLSA shall be eligible for a twenty five cent (\$.25) premium per hour to be added to the employee's base salary for any continuous time worked in excess of twelve or more consecutive hours.

e. Reporting Pay (Call-In/Show-Up Pay): Employees holding positions designated as non-exempt from FLSA who are required to report to work for an emergency overtime assignment at the direction of a competent authority on an off day or outside of their regular work hours, and who are officially excused before completing 2 hours of work shall receive straight time cash compensation for the difference between the actual amount of time worked and 2 hours. The difference between the actual amount of time worked and hours paid shall not be credited as hours worked. The following employees are not eligible for this

benefit, and instead shall be credited with a minimum of one (1) hour of work when required to report to perform certain duties:

- Eligible employees in the Department of City Development, Housing management Division, who are required to unlock doors for tenants
- Eligible employees assigned to the Library Maintenance Department who report for authorized call-ins to unlock or lock doors

f. Shift Differential: Employees holding positions classified as non-exempt under the FLSA whose hours of work occur between the time period beginning at 5:00 p.m. and ending at 5:00 a.m. shall receive, in addition to base salary, a shift differential of \$.45 per hour. To be eligible for shift differential, the employee shall be required to work not less than 4 hours of his or her regular workday within this time frame, and when the employee satisfies that requirement, the employee's entire workday shall be compensated at a rate that includes the shift differential. Eligible employees in the Department of Public Works whose workday begins after 1:00 a.m. and before 4:00 a.m. shall be eligible to receive the shift differential for all hours worked.

Shift differential shall be paid for all hours for which an employee would have received a regular shift assignment but for the fact that the employee was on vacation, holiday, sick leave, or funeral leave. In no case shall an employee receive both shift and weekend differential rates for the same hours worked. **Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays.**

g. Snow and Ice Control Operations: bonus payments for support personnel in the Operations Division, Fleet Services Section who work during Snow and Ice Control Operations. Support personnel in the Operations Division, Fleet Services Section shall receive a one (\$1) dollar per hour premium for all time worked in excess of eight (8) hours in one 24 hour day worked during snow and ice control operations. These bonus payments shall also be paid to support personnel in the Fleet Services Repairs Unit at the Central Repair Garage for all time worked in excess of eight (8) hours in one 24 hour day worked repairing snow plow blades and to Repairs Unit personnel time worked in excess of eight (8) hours in one 24 hour day worked on a snow related assignment during the winter season. These support personnel shall be Operations Division employees in the Fleet Services Section, Stock Room or Tire Shop employees in the Administration Section or Garage Attendants, Garage Custodians, Field Service Mechanics, Communications Assistants III or IV in the Operations Section, or Driving Training Instructors.

h. Weekend Differential: Employees holding positions classified as non-exempt under the FLSA shall receive fifty cents (\$.50) per hour for regularly scheduled Saturday work and sixty cents (\$.60) per hour for scheduled Sunday work. In no case shall an employee receive both shift and weekend differential rates for the same hours worked. Weekend differential shall be paid for all hours for which an eligible employee would have received the differential but for the fact that the employee was on **vacation, holiday, sick leave, or funeral leave.** **Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays.**

Sec. 12. Rates of Pay for Police Liaison and Fire Contract Administrator

Police Liaison Officer: The salary rate of the position of Police Liaison Officer shall be equivalent to the pay step in the pay range the employee would normally occupy had he or she remained a member of the Milwaukee Police Department. In addition, Effective Pay Period 1, 2004, an employee occupying the position of Police Liaison Officer shall receive \$150 biweekly as compensation in lieu of overtime and certain other payments and allowances received by a member of the Milwaukee Police Department. Effective for employees retiring on normal service retirement between January 1, 2007, and December 31, 2009, such \$150 biweekly payment shall be included in the final average salary for purposes of computing an employee's retirement allowance. The amount an employee is entitled to include in the final average salary shall be the total amount of the \$150 biweekly payments the employee

received in any twelve (12) month period.

Fire Contract Administrator: The salary rate of the Association Fire Contract Administrator shall be equivalent to the step in the pay range the employee would normally occupy had he remained a member of the Milwaukee Fire Department, except the employee shall under no circumstances be eligible for any salary payments for any work performed outside his/her regularly scheduled work shift, on a holiday, on an off day, or on a vacation day.

Part III. Boards and Commissions: Compensation and Reimbursement

- a. Members of City boards may not receive other compensation for employment from the city. A member of a city board shall receive compensation for serving on a city board specified under Section X as long as the member is not receiving compensation for employment by the city or a city agency, apart from compensation for service on a board or commission; or as long as the member's name does not appear on a city biweekly payroll apart from serving on a board or commission; or as long as the member's name does not appear on a regular payroll of the city apart from serving on a board or commission.
- b. Reimbursement allowances for members of certain city boards are for estimated average expenditures in attending board meetings. A flat allowance of \$20 per meeting shall be provided for the reimbursement of members of those city boards, commissions, committees and authorities listed below for a maximum of 20 meetings per calendar year (\$400 per year). This flat allowance is intended as reimbursement for estimated average expenses, such as traveling, parking and other related expenses, normally incurred by members of such city boards as a consequence of their attending regular meetings of duly authorized city boards. Meetings eligible for reimbursement allowance do not include preparation meetings or subcommittee meetings.
- c. Types of boards and commissions not eligible for reimbursement allowances. It is clearly intended that members of the following types of boards and commissions shall not be eligible for any reimbursement allowances authorized by this section of the salary ordinance:
 1. Boards and commissions whose members are compensated under Section X.
 2. Boards and commissions having separate corporate identities who have the power to establish their own reimbursement policies for their members, such as the Housing Authority and the Redevelopment Authority.
 3. Boards and commissions established other than by common council action.
- d. Reimbursement allowance shall be made once each year. To simplify the payment of reimbursement allowances for members of eligible boards, such payments shall be made once each year. At the end of the year such board chair shall submit to the Comptroller's office a list of members eligible for such compensation payments together with a record of the number of meetings each member has attended during that calendar year. Reimbursement shall be made at the end of the calendar year or when administratively feasible in the subsequent year. Members of the following city boards shall be eligible for a reimbursement allowance under the provisions of this section:
 - Anti-Graffiti Policy Committee
 - Arts Board
 - Capital Improvements Committee
 - Charter School Review Committee
 - Commissioners of Election
 - Deferred Assessment Board
 - Deferred Compensation Board

- Equal Rights Commission
 - Ethics Board
 - Food License Review Board
 - Fourth of July Commission
 - Frank P. Zeidler Community Service Award Selection Committee
 - Harbor Commission
 - Historic Preservation Commission
 - Library Board
 - Milwaukee Commission on Domestic Violence and Sexual Assault
 - Public Debt Commission
 - Safety Commission
 - Sister Cities Committee
- e. Board of Assessment: Members of the Board of Assessment shall be compensated at the rate of \$60 per meeting, for a maximum of 20 meetings per calendar year. To simplify the payment of compensation for members of the board of assessment, payments shall be made once each year. At the end of the year the chair shall submit to the comptroller's office a list of members eligible for payment together with a record of the number of meetings each member has attended during that calendar year. Compensation shall be made at the end of the calendar year or when administratively feasible in the subsequent year.
- f. Administrative Review Appeals Board: Regular and alternate members of the Administrative Review Appeals Board shall be compensated at the rate of \$187 per meeting for up to 12 meetings per year and payments shall be made every six months. Every six months the chair shall submit to the Comptroller's office a list of members eligible for payment together with a record of the number of meetings each member has attended during that six month period. Compensation shall be made at six months and at the end of the calendar year or when administratively feasible.

Part IV. Elected Officials

- a. Mayor, President of the Common Council, Aldermen: are paid according to s. 350-100 of the Milwaukee Code of Ordinances, and Part I, Section XI of the Salary Ordinance.
- b. City Attorney, Comptroller, and City Treasurer: The rates of pay for these offices are established per Common Council action. The rates of pay for the 2012-2016 term are established under Section XI of the Salary Ordinance.
- c. Municipal Judges: The rate of pay for Municipal Judges is established per Common Council action pursuant to Wis. Stat. §755.05. The rate of pay for Municipal Judges in 2012 is established under Section XI of the Salary Ordinance.

Part V.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Milwaukee hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Part VI.

All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part VII.

This ordinance shall take effect and be in force from and after January 8, 2012 (Pay Period 2, 2012), et al, and shall

be interpreted consistent with the applicable rulings thereunder.



Legislation Details (With Text)

File #: 111325 **Version:** 1
Type: Ordinance **Status:** In Committee
File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE
On agenda: **Final action:**
Effective date:

Title: A substitute ordinance relating to the composition of the Deferred Compensation Plan Board.
Sponsors: ALD. MURPHY
Indexes: DEFERRED COMPENSATION PLAN BOARD
Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111325
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. MURPHY
Title

A substitute ordinance relating to the composition of the Deferred Compensation Plan Board.

Sections

320-17-1 rc

Analysis

This ordinance increases the size of the Deferred Compensation Plan Board from 9 to 10 by adding as a member the executive director of the employees' retirement system. In addition, the former pay range category requirements for the appointed members have been eliminated to reflect the change in design of the city's compensation system and the associated salary ordinance.

Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 320-17-1 of the code is repealed and recreated to read:

320-17. Deferred Compensation Plan Board.

1. CREATION. a. There is created a deferred compensation plan board consisting of 10 members:
 - a-1. The mayor.
 - a-2. The chair of the common council's finance and personnel committee.
 - a-3. The city attorney.

- a-4. The city comptroller.
- a-5. The city treasurer.
- a-6. The director of employe relations.
- a-7. The executive director of the employes' retirement system.
- a-8. Two employes appointed by the mayor for a term of 2 years.
- a-9. One employe appointed by the common council president for a term of 2 years.
- b. Members listed under par. a-1 to 7 may name designees.
- c. The following members shall be members of the city's deferred compensation plan at the time of appointment:
 - c-1. Members appointed pursuant to par. a-8 to 9.
 - c-2. Designees of members listed under par. a-1 to 7.
- d. Members appointed pursuant to par. a-8 to 9 shall be confirmed by the common council.
- e. Members appointed pursuant to par. a-8 to 9 shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to 2-year terms expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in a board position, the appointing authority shall make an appointment within 60 days after the vacancy occurs.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____
Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

Requestor
Drafter
LRB136609-2
Mary E. Turk
1/20/2012



Legislation Details (With Text)

File #: 111275 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to revisions of chapter 350 for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

Indexes: CHARTER ORDINANCES, RETIREMENT BENEFITS

Attachments: Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111275
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR
Title

A substitute ordinance relating to revisions of chapter 350 for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

- Sections
- 350-1-1 am
 - 350-1-3 am
 - 350-2-2 rc
 - 350-3-3 am
 - 350-4-1 rp
 - 350-4-2 rn
 - 350-4-2 cr
 - 350-35-2-a am
 - 350-35-5-a am
 - 350-35-5-c rp
 - 350-37-2-a am
 - 350-37-5 rp
 - 350-37-8 am
 - 350-37-15-a am

Subch. 4 of ch. 350 am
350-40-1-a am
350-40-3-a-1-i cr
350-40-4 am
350-40-12 cr
350-45-2-h rp
350-90-6 rp
350-90-7 rn
350-92-5 cr
350-94 am
350-110 rp
350-183-1 am
350-183-3 am
350-204 am
350-205-2 am
350-237-3-b am
350-237-3-c am

Analysis

This ordinance revises provisions of the code of chapter 350 for purposes of correcting errors, clarifying language and eliminating obsolete provisions. Included in the corrections is an increase in the annual safety work shoe allowance from \$125 to \$130 for employees required to wear approved safety shoes.

Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 350-1-1 of the code is amended to read:

350-1. Definitions. In this chapter, unless stated otherwise in a certified collective bargaining agreement while it is in force and in effect, the following definitions shall apply:

1. HOLIDAY, except as specifically covered by other provisions of the code ~~[[such as those pertaining to or for employees represented by a collective bargaining unit,]]~~ means:

- a. New Year's Day - January 1.
- b. Good Friday.
- c. Memorial Day - Last Monday in May.
- d. Independence Day - July 4.
- e. Labor Day - The 1st Monday in September.
- f. Thanksgiving Day - The 4th Thursday in November or the day appointed by the governor of Wisconsin as a day of public thanksgiving in each year.
- g. The day after Thanksgiving Day.
- h. Christmas Day - December 25.
- i. The last normal work day before Christmas Day.
- j. The last normal work day before New Year's Day.
- k. Dr. Martin Luther King Jr.'s birthday - the 3rd Monday in January.

Part 2. Section 350-1-3 of the code is amended to read:

3. TIME AND ONE-HALF means compensation per hour worked, determined by dividing the biweekly rate by 80 and multiplying by 1.5, unless otherwise provided >>, consistent with the fair

labor standards act<<.

Part 3. Section 350-2-2 of the code is repealed and recreated to read:

350-2. Holidays, General Provisions.

2. EXCEPTION. Fire equipment dispatchers shall receive 11 days off in lieu of holidays or holiday pay.

Part 4. Section 350-3-3 of the code is amended to read:

350-3. Uniform Overtime Policies.

3. RATE. Overtime shall be compensated, whether as cash or compensatory time, at >>time and one-half<< the rate at which it was earned.

Part 5. Section 350-4-1 of the code is repealed.

Part 6. Section 350-4-2 of the code is renumbered 350-4-1.

Part 7. Section 350-4-2 of the code is created to read:

350-4. General Overtime Procedures and Regulations.

2. EARNED OVERTIME UPON SEPARATION. All earned overtime, whether earned as cash or compensatory time, shall be paid as cash upon separation from city service.

Part 8. Section 350-35-2-a of the code is amended to read:

350-35. Leave of Absence Policies.

2. RUNNING FOR POLITICAL OFFICE.

a. Candidacy. Any ~~[[exempt or nonexempt]]~~ city employee may be a candidate for any political office and may actively campaign therefore without jeopardizing his or her employment with the city.

Part 9. Section 350-35-5-a of the code is amended to read:

350-35. Leave of Absence Policies.

5. FUNERAL LEAVE. a. Immediate Family. Unless stated otherwise in a certified collective bargaining agreement while it is in force and in effect, funeral leave shall cover necessary absence from duty of a ~~[[general]]~~ city employee because of death in the immediate family of the employee. "Immediate family" is defined as husband or wife, child, stepchild, brother, sister, parent, stepparent, mother-in-law, father-in-law, brother-in-law, sister-in-law or grandchild of the employee. "Brother-in-law" and "sister-in-law" includes a spouse's sibling's spouse. "Immediate family" includes stepparents and stepchildren by virtue of the employee's current spouse. Eligibility to use stepparent funeral leave benefits shall be limited to one stepmother and one stepfather regardless of the number of stepparents. "Immediate family" also includes an employee's domestic partner, if the domestic partnership is registered with the department of employee relations under s. 350 245 or was registered with the city clerk as provided in s. 111-3 in effect prior to October 30, 2009. In the case of a death in the immediate family, an employee working a regular or alternative work schedule may be granted a leave of absence not to exceed 3 8-hour work days with pay. These work days shall be limited to work days falling within the 10 consecutive calendar-day period that begins on the day of death. One day with pay may be used to attend the funeral of a grandparent of the employee. If

funeral leave coincides with any mandatory furlough dates, the mandatory furlough time shall be rescheduled as approved by the department head.

Part 10. Section 350-35-5-c of the code is repealed.

Part 11. Section 350-37-2-a of the code is amended to read:

350-37. Sick and Disability Leave.

2. ACCUMMULATIVE BASIS.

a. Every permanent employee shall be granted sick and disability leave with pay at the rate of 3.7 work hours for each 2 weeks of service. The unused balance of sick and disability leave allowance shall be accumulated to the employee's credit up to 120 working days or 960 hours. >>Employees having accumulated a balance of greater than 960 hours as of January 1, 2012, shall be allowed to retain their balance but shall not be granted additional leave until their balance falls below 960 hours.
<<

Part 12. Section 350-37-5 of the code is repealed.

Part 13. Section 350-37-8 of the code is amended to read:

8. INJURY PAY. ~~[[When an]]~~ >>Unless stated otherwise in a certified collective bargaining agreement while it is in force and in effect, when a non-probationary~~<<~~ employee sustains an injury while within the scope of employment, as provided by ch. 102, Wis. Stats., and as determined by workers' compensation, the employee shall receive 66.67% of full salary as injury pay in lieu of workers' compensation for the period of time the employee is temporarily totally or temporarily partially disabled because of the injury, not to exceed 250 working days. In no case shall an employee receive injury pay for more than 250 working days during his or her period of employment with the city regardless of the number of compensable injuries. If time-off coincides with any mandatory furlough dates, the mandatory furlough time shall be rescheduled upon return to service as approved by the department head.

Part 14. Section 350-37-15-a is amended to read:

15. SICK LEAVE CONTROL INCENTIVE PROGRAM.

a. For each trimester period for which an individual employee has not used any sick leave ~~[[or]]~~ >>~~<<~~ injury leave ~~[[or]]~~ >>~~<<~~ been absent because of disciplinary actions >>~~<<~~ or been on unpaid leave ~~<<~~, the employee shall earn 8 hours of special incentive leave, provided that the employee has a minimum of 12 days sick leave accumulation in his or her account prior to the trimester period. An employee shall maintain eligibility for a trimester sick-leave benefit if he or she suffered a verifiable lost-time work-related injury and returned to work for the next regularly-scheduled work shift following the occurrence of the injury.

Part 15. Subchapter 4 of ch. 350 of the code is amended to read:

VACATIONS ~~[[AND SHIFT DIFFERENTIAL]]~~

Part 16. Section 350-40-1-a of the code is amended to read:

350-40. Vacations. 1. DEFINITIONS. a. "Active service" means the time spent as an appointed employee on the city payroll in a position qualifying for fringe benefits. For this time spent to count as active service for vacation purposes, the time, together with any ~~[[authorized unpaid leaves of absence and]]~~ mandatory furlough time, shall be continuous from the date of appointment. Active service shall also include the time an employee taking a military leave would have spent on the city payroll in a position qualifying for fringe benefits if he or she had not taken a military leave.

Part 17. Section 350-40-3-a-1-i of the code is created to read:

3. TIME EARNED FOR ANNUAL VACATION PERIOD.

a. Full Time Employees.

a-1-i. Transitional vacation accounts shall be created and maintained according to guidelines developed by the department of employee relations.

Part 18. Section 350-40-4 of the code is amended to read:

350-40. Vacations.

4. UNEARNED TIME DEDUCTIBLE. Vacation taken before the full amount has been earned shall be considered time owed the city until it is earned. An employee ~~[[who has completed one year of vacation eligible service]]~~ may borrow up to 80 hours of vacation before it is earned >>at the discretion of the department head<<. In no case may an employee's vacation account balance be less than 80 negative hours. Any employee who leaves the service of the city due to resignation, retirement, termination, discharge, layoff or death will have the compensation for vacation time owed the city deducted from the final paycheck. Any employee who leaves the service of the city due to resignation, retirement, layoff or death or who takes military leave will be paid for earned vacation time that has accumulated. Discharged employees are not entitled to pay for accumulated vacation time.

Part 19. Section 350-40-12 of the code is created to read:

12. EARNED VACATION UPON SEPARATION. Employees eligible for payment of earned vacation upon separation from city service shall be paid in cash for such earned vacation.

Part 20. Section 350-45-2-h of the code is repealed.

Part 21. Section 350-90-6 of the code is repealed.

Part 22. Section 350-90-7 of the code is renumbered 350-90-6.

Part 23. Section 350-92-5 of the code is created to read:

350-92. Police Department: Uniform and Clothing Allowance.

5. PAYMENTS NOT TO AFFECT PENSION. Payments made under this section shall not be construed as being part of the employee's base salary and shall not be included in the computation of any fringe benefits. Such payments shall not have any sum deducted for pension benefits, nor shall such payments be included in any computation establishing pension benefits or payments.

Part 24. Section 350-94 of the code is amended to read:

350-94. Safety Shoe Allowance. Employees working in a classification which management has determined requires the wearing of approved safety shoes shall be eligible for the standard safety shoe allowance of ~~[[\\$125]]~~ >>\$130<< annually for the reimbursement of the purchase of safety shoes. Payments made under this section shall not be construed as being part of an employee's base salary and shall not be included in the computation of any fringe benefits. Such payments shall not have any sum deducted for pension benefits, nor shall such payments be included in any computation establishing pension benefits or payments.

Part 25. Section 350-110 of the code is repealed.

Part 26. Section 350-183-1 of the code is amended to read:

350-183. Private Transportation Reimbursement.

1. AUTHORIZATION. Proper city officers are authorized to reimburse city officials and employees occupying positions designated in the positions ordinance as being eligible to be paid for the use of their private automobiles on city business when at the discretion of the department head it is necessary that such automobiles be used on city business. ~~[[Effective June 13, 2010, departments]]~~ >>Departments<< shall adhere to the administrative guidelines for automobile and travel allowance ~~[[for management pay plan employees]]~~.

Part 27. Section 350-183-3 of the code is amended to read:

3. MILEAGE REPORT. The authorized employee or official incurring mileage on his or her private automobile in the conduct of official business for the city shall submit a record of mileage incurred on city business during the month and attest to the accuracy of the mileage through the online program "City Time" and comply with a specific timetable for entering the data and for approval by the department head or designee that has been provided by the comptroller's office. The applicable rate for mileage shall be the IRS travel reimbursement rate~~[[, which is \$0.50 per mile for 2010]]~~.

Part 28. Section 350-204 of the code is amended to read:

350-204. Direct Deposit for ~~[[Certain]]~~ City Employees. Each employee who is capable of maintaining a financial relationship with a banking institution shall participate in the direct deposit of city pay checks.

Part 29. Section 350-205-2 of the code is amended to read:

350-205. Flexible Spending Account.

2. ELIGIBILITY. City ~~[[management and nonrepresented]]~~ employees eligible for benefits shall be eligible for participation in the flexible spending account plan. ~~[[Other employees shall be eligible in accordance with applicable collective bargaining agreements.]]~~ In order to participate, employees must file a written election.

Part 30. Section 350-237-3-b of the code is amended to read:

350-237. Exclusion from Benefits.

3. BENEFITS PROVIDED.

b. City laborers (seasonal) >>and operations driver/workers who have not completed 2,080 hours of employment<< shall be eligible for the following employee benefits upon appointment:

b-1. Salary Increments.

- b-2. Overtime in cash or compensatory time-off.
- b-3. Workers' compensation.
- b-4. Pay during time-off for military induction examinations.
- b-5. Call-in pay.
- b-6. Medical benefits.
- b-7. Vacation pay. Employees may take vacation time earned after working 2,080 hours.

Part 31. Section 350-237-3-c of the code is amended to read:

c. City laborers (seasonal) ~~[[shall]]~~ >>who<< become city laborers (regular) after completing 2,080 hours of work and >>operations driver/workers who have completed 2,080 hours of employment<< shall become eligible for the following additional employment benefits:

- c-1. Sick leave with pay. The 6-month waiting period shall be waived.
- c-2. Injury pay.
- c-3. Holiday pay.
- c-4. Shift differential pay.
- c-5. Weekend differential pay.
- c-6. Jury duty with pay.
- c-7. Military training leave of absence with pay.
- c-8. Dental insurance.
- c-9. Group life insurance.
- c-10. Retirement benefits.
- c-11. Sick leave incentive program.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____
Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

Requestor
Department of Employee Relations
Drafter
LRB136602-2
Mary E. Turk
1/30/2012



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Troy M. Hamblin
Labor Negotiator

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

RE: Common Council File #111275

Dear Committee Members:

This file makes changes Chapter 350 that could be placed in one of three categories. The first category is technical corrections and includes eliminating redundant statements from the code, correcting items that are in error, and modifying the code to conform with actual practice.

The second category is a reconciling of the approved version of Chapter 350 submitted by the Legislative Reference Bureau with the final draft that was submitted by the Department of Employment Relations. There were paragraphs that were included that should not have been and there were paragraphs that were excluded that should not have been.

The last category would be the increasing of one benefit. The annual safety shoe reimbursement is being increased from \$125 to \$130 at the request of the Department of Public Works.

Sincerely,

Troy M. Hamblin
Labor Negotiator



City of Milwaukee Fiscal Impact Statement

A

Date 1-30-12 **File Number** 111275
Subject An Ordinance relating to revisions of Chapter 350 for purposes of correcting errors and clarifying language.

B

Submitted By (Name/Title/Dept./Ext.) Nicole Fleck/Labor Relations Officer/DER/x3371

C

- This File**
- Increases or decreases previously authorized expenditures.
 - Suspends expenditure authority.
 - Increases or decreases city services.
 - Authorizes a department to administer a program affecting the city's fiscal liability.
 - Increases or decreases revenue.
 - Requests an amendment to the salary or positions ordinance.
 - Authorizes borrowing and related debt service.
 - Authorizes contingent borrowing (authority only).
 - Authorizes the expenditure of funds not authorized in adopted City Budget.

D

This Note Was requested by committee chair.

E

Charge To

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) _____
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

F

Assumptions used in arriving at fiscal estimate.

Expenditure based on 1,525 employees who received the safety shoe allowance in 2011 and the increase of \$5, from \$125 to \$130.

G			
Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other	Safety Shoe Allowance	\$7,625	
TOTALS		\$7,625	

H	
For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.	
<input type="checkbox"/> 1-3 Years <input type="checkbox"/> 3-5 Years	_____
<input type="checkbox"/> 1-3 Years <input type="checkbox"/> 3-5 Years	_____
<input type="checkbox"/> 1-3 Years <input type="checkbox"/> 3-5 Years	_____

I
List any costs not included in Sections E and F above.

J
Additional information.



Legislation Details (With Text)

File #: 111124 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

Sponsors: ALD. BAUMAN

Indexes: MANAGEMENT EMPLOYEES

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/10/2012	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/12/2012	1	FINANCE & PERSONNEL COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/27/2012	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111124

Version
SUBSTITUTE 1

Reference

Sponsor
ALD. BAUMAN

Title
Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

Analysis
This resolution creates a 3-person committee to study how to create and administer a Management Training Program consisting of a pool of full-time employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of hire. Eligible pool candidates must be either graduates of Milwaukee Public School high schools, or of colleges or universities located in the City of Milwaukee. City departments

can draw upon this employee pool as needed to fill vacated positions in the future, and for assistance on temporary projects or initiatives.

The 3-person committee, one member each from the Department of Employee Relations, the Budget and Management Division and the Department of Public Works, is tasked by this resolution to submit to the Common Council for consideration by the Finance and Personnel Committee at its March, 2012, meeting its recommendations on how to create this Management Training Program and its employee pool.

This resolution does not create a Management Training Program, and a follow-up resolution, either based on the Management Training Program Committee's recommendations or otherwise, will be necessary actually creating such a program.

The size of the pool will be based on available funding, and be consistent with relevant management and operating considerations.

Funding will come from the actual savings the City will realize through work rule changes embodied in recent revisions made to chapter 350 of the Code of Ordinances in the absence of labor union contracts.

The pool is expected to:

1. Stem Milwaukee's "brain drain" by encouraging local college graduates to remain in Milwaukee after graduation, and apply their professional skills locally to meet the City's future challenges.
2. Stem Milwaukee's "brain drain" by encouraging local residents graduating from colleges and universities outside of Milwaukee to return to their hometown after graduation to pursue their professional careers.
3. Attract college-trained professionals to careers in public service.
4. Provide a pool of high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
5. Provide an opportunity for college-trained minority professionals to enter public service.
6. Improve the City's operating efficiency and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

Body

Whereas, A 2010 Wisconsin Policy Research Institute survey indicated that 68% of Milwaukeeans believe the best and brightest college graduates from Wisconsin's colleges and universities choose not to pursue their professional careers in Wisconsin, creating a "brain drain" in the City; and

Whereas, Many believe this same "brain drain" of professional talent exists with young Milwaukeeans who graduate from out-of-state colleges and universities and then fail to return to their hometown to pursue their professional careers; and

Whereas, This perceived "brain drain" particularly affects minority college graduates as well and deprives the minority community - 58% of Milwaukee's 2010 population - of valuable community resources and role models for its youth; and

Whereas, The creation of a pool of full-time, permanent, management-qualified employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of hire that City departments can draw upon to fill vacated management positions in the future, and to assist with temporary projects or initiatives may:

1. Stem Milwaukee's "brain drain."
2. Provide an opportunity for college-trained minority professionals to enter public service.
3. Attract college-trained professionals to careers in public service.

; and

Whereas, Creating such a pool may further benefit the City by:

1. Providing high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
2. Improving the City's operating efficiency and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

; and

Whereas, Such a program will be funded by the actual savings the City will save through work rule changes embodied in recent revisions made to chapter 350 of the Code of Ordinances with passage of Common Council File Number 110744 on November 30, 2011; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a 3-person Management Training Program Committee, chaired and staffed by Department of Employee Relations, is established with membership as follows:

1. Employee Relations Director, or designee.
2. Budget and Management Division Director, or designee.
3. Commissioner of Public Works, or designee.

; and, be it

Further Resolved, The Management Training Program Committee shall meet as needed to study how to best create and administer a Management Training Program consisting of a pool of full-time employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of hire that City departments can draw upon as needed to fill vacated positions in the future, and for assistance on temporary projects

needed to fill vacated positions in the future, and for assistance on temporary projects or initiatives; and, be it

Further Resolved, The Management Training Program Committee shall make its recommendations to the Common Council for consideration by the Finance and Personnel Committee at its March, 2012, meeting; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall include how to fund such a Management Training Program with the actual savings the City realizes as a result of work changes embodied in recent revisions made to chapter 350 of the Code of Ordinances, and such funding, and the utilization of the Management Training Program pool by individual City departments shall conform to any limitations and restrictions of the City's annual budget; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall include what size the pool will be based on available funding, and how to administer the program to be consistent with relevant management and operating considerations; and, be it

Further Resolved, The Budget and Management Division shall calculate the actual monthly savings by department the City realizes as a result of revisions made to chapter 350 of the Code of Ordinances through passage of Common Council File Number 110744 on November 30, 2011, and shall report these savings to the Management Training Program Committee when calculated until the committee makes its recommendations, and afterward as directed by the Common Council; and, be it

Further Resolved, Eligible pool candidates must be either graduates of Milwaukee Public School high schools, or of a colleges or universities located in the City of Milwaukee. City; and, be it

Further Resolved, The Management Training Program Committee shall include in its recommendations that the Management Training Program created shall make all reasonable efforts, consistent with the City's Fair Employment Practices policies and complying to all Civil Service guidelines, to:

1. Recruit eligible minority college graduates for the employee pool.
2. Ensure that eligible minority employees in the pool are fully considered and interviewed by all departments when filling vacated management positions in the future.

; and, be it

Further Resolved, Any recommendations by the Management Training Program Committee to establish a Management Training Program shall commence the program on July 1, 2012, if practical; and, be it

Further Resolved The Management Training Program Committee shall be dissolved

Further Resolved, The Management Training Program Committee shall be dissolved upon making its recommendations to the Common Council.

Requestor

Drafter

CC-CC

Jim Owczarski

11/30/11

LRB #135887-2

Aaron Cadle

12/09/2011

..Number

111124

..Version

PROPOSED SUBSTITUTE A

..Reference**..Sponsor**

ALD. BAUMAN

..Title

Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

..Analysis

This resolution creates a 3-person committee to study how to create and administer a Management Training Program consisting of a pool of full-time employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of hire. Eligible pool candidates must be either graduates of Milwaukee Public School high schools, or of colleges or universities located in the City of Milwaukee. City departments can draw upon this employee pool as needed to fill appropriate vacancies, and for assistance on temporary projects or initiatives.

The 3-person committee, one member each from the Department of Employee Relations, the Budget and Management Division and the Department of Public Works, is tasked by this resolution to submit to the Common Council for consideration by the Finance and Personnel Committee at its April, 2012, meeting its recommendations on how to create and administer this Management Training Program and its employee pool.

This resolution does not create a Management Training Program, and a follow-up resolution, either based on the Management Training Program Committee's recommendations or otherwise, will be necessary actually creating such a program.

The size of the pool will be based on available funding, and be consistent with relevant management and operating considerations.

Funding will come from the actual savings the City will realize through work rule changes embodied in recent revisions made to chapter 350 of the Code of Ordinances in the absence of labor union contracts, or other appropriate funding source.

The pool is expected to:

1. Stem Milwaukee's "brain drain" by encouraging local college graduates to remain in Milwaukee after graduation, and apply their professional skills locally to meet the City's future challenges.
2. Stem Milwaukee's "brain drain" by encouraging local residents graduating from colleges and universities outside of Milwaukee to return to their hometown after graduation to pursue their professional careers.
3. Attract college-trained professionals to careers in public service.
4. Provide a pool of high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
5. Provide an opportunity for college-trained minority professionals to enter public service.
6. Improve the City's operating efficiency and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

..Body

Whereas, A 2010 Wisconsin Policy Research Institute survey indicated that 68% of Milwaukeeans believe the best and brightest college graduates from Wisconsin's colleges and universities choose not to pursue their professional careers in Wisconsin, creating a "brain drain" in the City; and

Whereas, Many believe this same "brain drain" of professional talent exists with young Milwaukeeans who graduate from out-of-state colleges and universities and then fail to return to their hometown to pursue their professional careers; and

Whereas, This perceived "brain drain" particularly affects minority college graduates as well and deprives the minority community – 58% of Milwaukee's 2010 population – of valuable community resources and role models for its youth; and

Whereas, The creation of a pool of full-time, permanent, management-qualified employees who have earned degrees from 4-year, accredited

colleges or universities within 2 years of hire that City departments can draw upon to fill vacated management positions in the future, and to assist with temporary projects or initiatives may:

1. Stem Milwaukee's "brain drain."
2. Provide an opportunity for college-trained minority professionals to enter public service.
3. Attract college-trained professionals to careers in public service.

; and

Whereas, Creating such a pool may further benefit the City by:

1. Providing high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
2. Improving the City's operating efficiency and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

; and

Whereas, Such a program will be funded by the actual savings the City will save through work rule changes embodied in recent revisions made to chapter 350 of the Code of Ordinances with passage of Common Council File Number 110744 on November 30, 2011, or through another appropriate funding source; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a 3-person Management Training Program Committee, chaired and staffed by Department of Employee Relations, is established with membership as follows:

1. Employee Relations Director, or designee.
2. Budget and Management Division Director, or designee.
3. Commissioner of Public Works, or designee.

; and, be it

Further Resolved, The Management Training Program Committee shall meet as needed to study how to best create and administer a Management Training Program consisting of a pool of full-time employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of hire that City departments can draw

upon as needed to fill appropriate vacancies, and for assistance on temporary projects or initiatives; and, be it

Further Resolved, The Management Training Program Committee shall make its recommendations to the Common Council for consideration by the Finance and Personnel Committee at its April, 2012, meeting; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall include how to fund such a Management Training Program with the actual savings the City realizes as a result of work changes embodied in recent revisions made to chapter 350 of the Code of Ordinances, or another appropriate funding source, and such funding, and the utilization of the Management Training Program pool by individual City departments shall conform to any limitations and restrictions of the City's annual budget; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall include what size the pool will be based on available funding, and how to administer the program to be consistent with applicable legal and employment requirements, including civil service; and, be it

Further Resolved, The Budget and Management Division shall calculate the actual monthly savings by department the City realizes as a result of revisions made to chapter 350 of the Code of Ordinances through passage of Common Council File Number 110744 on November 30, 2011, and shall report these savings to the Management Training Program Committee when calculated until the committee makes its recommendations, and afterward as directed by the Common Council; and, be it

Further Resolved, Eligible pool candidates must be either graduates of Milwaukee Public School high schools, or of a colleges or universities located in the City of Milwaukee; and, be it

Further Resolved, The Management Training Program Committee shall include in its recommendations that the Management Training Program created shall make all reasonable efforts, consistent with all applicable federal and state employment laws and civil service rules and statutes, to:

1. Recruit eligible minority college graduates for the employee pool.

2. Ensure that eligible minority employees in the pool are fully considered by all departments when filling vacated management positions in the future.

; and, be it

Further Resolved, Any recommendations by the Management Training Program Committee to establish a Management Training Program shall commence the program on July 1, 2012, if practical; and, be it

Further Resolved, The Management Training Program Committee shall be dissolved upon making its recommendations to the Common Council.

..Requestor

..Drafter

cc-cc

Jim Owczarski

11/30/11

LRB #135887-2

Aaron Cadle

01/30/2012

..Number
111124
..Version
Proposed Substitute B
..Reference

..Sponsor
Ald. Bauman
..Title

Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

..Analysis

This resolution creates a 3-person committee to study how to create and administer a Management Training Program consisting of a pool of individuals who have earned degrees from 4-year, accredited colleges or universities within 2 years of placement into the Program. The program will focus on recruiting eligible candidates who are either graduates of Milwaukee Public School high schools, or of colleges or universities located in the City of Milwaukee. City departments can draw upon these individuals as needed to fill appropriate vacancies, and for temporary assistance on special projects or initiatives pending and anticipated vacancy.

The 3-person committee, one member each from the Department of Employee Relations, the Budget and Management Division and the Department of Public Works, is tasked by this resolution to submit to the Common Council for consideration by the Finance and Personnel Committee at its April , 2012, meeting its recommendations on how to create and administer this Management Training Program..

This resolution does not create a Management Training Program, and a follow-up resolution, either based on the Management Training Program Committee's recommendations or otherwise, will be necessary to create such a program.

The number of positions available for the Program will be based on available funding, and be consistent with relevant management and operating considerations.

The Committee must identify funding sources or a funding mechanism to make this a viable and sustainable initiative.

The creation of this Program is expected to:

1. Address Milwaukee's "brain drain" by encouraging local college graduates to remain in Milwaukee after graduation, and apply their professional skills locally to meet the City's future challenges.
2. Address Milwaukee's "brain drain" by encouraging local residents graduating from colleges and universities outside of Milwaukee to return to their hometown after graduation to pursue their professional careers.

3. Attract college-trained professionals to careers in public service.
4. Provide a pool of high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
5. Expand available opportunities for college-trained professionals, including minorities and women to enter public service.
6. Improve the City's operating effectiveness and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

..Body

Whereas, A 2010 Wisconsin Policy Research Institute survey indicated that 68% of Milwaukeeans believe the best and brightest college graduates from Wisconsin's colleges and universities choose not to pursue their professional careers in Wisconsin, creating a "brain drain" in the City; and

Whereas, Many believe this same "brain drain" of professional talent exists with young Milwaukeeans who graduate from out-of-state colleges and universities and then fail to return to their hometown to pursue their professional careers; and

Whereas, This perceived "brain drain" particularly affects minority college graduates as well and deprives the minority community – 58% of Milwaukee's 2010 population – of valuable community resources and role models for its youth; and

Whereas, The creation of a Management Training Program with qualified employees who have earned degrees from 4-year, accredited colleges or universities within 2 years of placement that City departments can draw upon to fill vacated professional positions in the future, and to assist with temporary projects or initiatives may:

1. Address Milwaukee's "brain drain."
2. Provide an opportunity for college-trained professionals, including minorities and women to enter public service.
3. Attract college-trained professionals to careers in public service.

; and

Whereas, Creating such a Program may further benefit the City by:

1. Providing high-caliber, college-trained professionals to be part of the next generation managing City operations in the future.
2. Improving the City's operating effectiveness and service commitment by attracting college-trained professionals who know and appreciate the amenities of living in Milwaukee.

; and

Whereas, Such a program must be funded in a way that is financially viable and sustainable given the City's fiscal challenges; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a 3-person Management Training Program Committee, chaired and staffed by Department of Employee Relations, is established with membership as follows:

1. Employee Relations Director, or designee.
2. Budget and Management Division Director, or designee.
3. Commissioner of Public Works, or designee.

; and, be it

Further Resolved, The Management Training Program Committee shall meet as needed to study how to best create and administer a Management Training Program consisting of individuals who have earned degrees from 4-year, accredited colleges or universities within 2 years of placement that City departments can draw upon as needed to fill appropriate vacancies , and for assistance on temporary projects or initiatives; and, be it

Further Resolved, The Management Training Program Committee shall make its recommendations to the Common Council for consideration by the Finance and Personnel Committee at its April 5, 2012, meeting; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall include how to fund such a Management Training Program in a way that is financially viable and sustainable given the City's fiscal challenges; and, be it

Further Resolved, The Management Training Program Committee's recommendations shall also include how to administer the program to be consistent with applicable legal and employment, including civil service, requirements; and, be it

Further Resolved, The Budget and Management Division shall identify the most viable ways to secure funding for this Program; and, be it

Further Resolved, the program will focus on recruiting eligible pool candidates who are either graduates of Milwaukee Public School high schools, or of a colleges or universities located in the City of Milwaukee; and, be it

Further Resolved, The Management Training Program Committee shall include in its recommendations that the Management Training Program created shall make all reasonable efforts to attract a diverse pool of candidates to be considered for participation consistent with all applicable federal and state employment laws and civil service rules and statutes.
; and, be it

Further Resolved, Any recommendations by the Management Training Program Committee to establish a Management Training Program shall commence the program on July 1, 2012, if practical; and, be it

Further Resolved, The Management Training Program Committee shall be dissolved upon making its recommendations to the Common Council.

..Requestor

..Drafter
Budget and Management Division
1-31-12

Reply to Common Council File No. 111124
From DOA-Budget and Management Division

January 31, 2012

Ref: 110744

Common Council File 111124 contains a substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

Earlier this year the Common Council adopted File 110744, which made numerous modifications to Chapter 350 of the Milwaukee Code of Ordinances regarding employee benefits and employment practices. Projected savings from the changes were estimated as \$985,000 on an annual basis.

This file establishes a new management training program that would be directed primarily towards enhancing career opportunities for individuals that have graduated with a Bachelors degree and who graduated from Milwaukee Public Schools. The file provides that a three person committee would establish program specifics. Follow-up legislation would be required.

The resolution also provides that the projected savings from the aforementioned changes to Chapter 350, or another funding source, be utilized as this new program's funding source, and that the Budget and Management Division calculate and report the actual monthly savings the city realizes as a result of those revisions.

The Administration supports the development of a Management Training Program that would be consistent with the goals of this resolution, but has concerns regarding the sustainability of proposed funding, reporting requirements, and certain program specifics that appear to be in conflict with applicable state statutes, civil service rules, and the Uniform Guidelines on Employee Selection.

Savings from *terminal leave pay*, *new overtime policies*, and *injury pay* will vary both in the aggregate and by department. The Budget Office has initiated a process to monitor the extent to which savings from the other benefit changes may occur, but views a monthly reporting requirement as impractical and of limited value.

More importantly, the Administration's intent driving the changes to Chapter 350 was the necessity to reduce the ongoing cost of the city's operations, given the need to deal with challenges such as Shared Revenue reductions, levy limits, and the return of substantial employer pension contributions in the 2013 and future budgets. Each annual budget process presents an opportunity to review the competing demands of various worthy expenditure programs, which can be evaluated in light of available revenues.

In addition to the financial considerations, it is important to note that Uniform Guidelines on Employee Selection Procedures require that selection processes be based on job related knowledge, skills, and abilities. Requiring that applicants must have degrees from Milwaukee colleges, universities, or high schools is not job related and may raise legal issues. Furthermore, state statutes require strict

adherence to certification rules (only the top 5 scores on an eligible list are certified and referred for interviews). Under certification rules it would be illegal to “ensure that eligible minority employees are fully considered”. This would imply that the city would be making a decision based on race to “fully consider” all minorities, independent of standing on eligible list.

The Administration has prepared a Substitute that it believes addresses its concerns with the current version and which can be funded on a sustainable basis if the Common Council and the Mayor believe it should be a budget priority.

**RECOMMENDATION: ADOPT THE ADMINISTRATION'S
SUBSTITUTE VERSION FOR A MILWAUKEE MANAGEMENT
TRAINING PROGRAM, WHOSE SPECIFICS WOULD BE
AVAILABLE FOR CONSIDERATION AT THE COMMITTEE'S
APRIL 5 MEETING.**



Mark Nicolini
Budget and Management Director

MN:dmr

FINANCE: 111123sr.doc



Department of Administration
Budget and Management

Tom Barrett
Mayor

Sharon Robinson
Administration Director

Mark Nicolini
Budget and Management Director

January 23, 2012

File Ref: BF13

To: Department Directors and Business Managers

From: Mark Nicolini *MN*
Budget and Management Director

Re: **Budget Impacts from File 110744**

File 110744 modified several benefit provisions in Chapter 350 of the Milwaukee Code of Ordinances. Provisions from changes made to *glove/coverall/tool allowance, weather pay, education bonus, clothing/cleaning allowances, and the taxable portion of auto allowance* are expected to generate projected savings of approximately \$430,000 (see attachment F that is available as part of the file in the Legislative Research Center for department specific estimates of avoided costs).

The purpose of this memo is to establish projected savings from each department during 2012 in order to enable a lapse into the Tax Stabilization Fund. In addition, the process will help identify budgeted 2012 expenditures that will be non-recurring elements for the 2013 budget.

Your assigned Budget Analyst will contact you regarding the amounts that are included in the 2012 operating budget for these purposes, and the account code to which these amounts are assigned. After this analysis is completed, the Budget Office will establish an expected minimum lapse for these accounts for 2012. Departments should not view these amounts as available for reallocation during 2012.

Thank you.

MN:dmr

Cc: Patrick Curley
Alderman Michael Murphy
Maria Monteagudo



Legislation Details (With Text)

File #: 111260 **Version:** 0

Type: Communication **Status:** In Committee

File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the City Comptroller relating to an External Network Security Audit.

Sponsors: THE CHAIR

Indexes: AUDITS, COMPTROLLER, SECURITY

Attachments: Audit Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111260

Version
ORIGINAL

Sponsor
THE CHAIR

Title
Communication from the City Comptroller relating to an External Network Security Audit.

Requestor

Drafter
Comptroller
MJD Ltr
1/6/12



Office of the Comptroller

W. Martin Morics, C.P.A.
Comptroller

Michael J. Daun
Deputy Comptroller

John M. Egan, C.P.A.
Special Deputy Comptroller

Craig D. Kammholz
Special Deputy Comptroller

January 5, 2012

To the Honorable Common Council
City of Milwaukee

External Network Security Audit

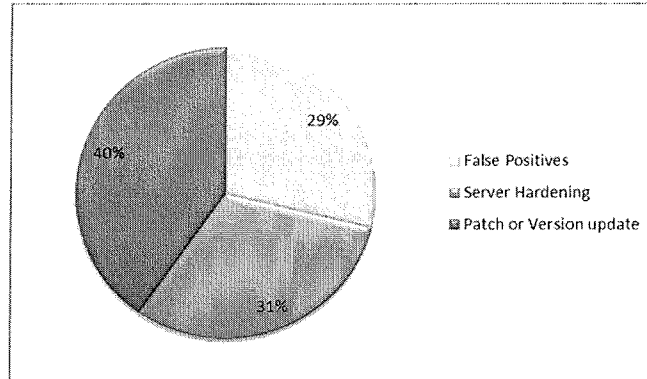
Dear Council Members:

As a component of the Comptroller's comprehensive information systems audit work plan, Securance Consulting was engaged to complete the external network security test of the City's computer network. The Comptroller's Office recently received the enclosed final report detailing the results of the external network security assessment performed by Securance in August 2011. The report contains 31 unique vulnerabilities that break down into 148 types of possible threats with Securance's recommendations and City management responses to each of them. The 31 vulnerabilities were identified across 8 divisions.

Vulnerabilities are commonly identified through penetration testing and allow the system owners to better configure technical security controls in order to strengthen the organization's protection against external exploits. This Securance audit provided the City with a targeted and focused analysis of its externally facing network environment. Using a series of industry standard "hacking" tools and manual hacking techniques, Securance attempted to access from the Internet any firewalls, border gateways, VPN concentrators, servers, routers, and any other network perimeter devices protecting the City's internal network.

Securance rated the identified vulnerabilities on a four tier scale based on the significance of risk to the business unit. A "Medium Risk" rating represents vulnerabilities that expose some sensitive information from the host. A "High" rating represents a vulnerability that provide possible hackers with access to specific security related information about the host. A "Critical" rating represents a vulnerability that provides possible hackers with remote user access but not remote administrator access. An "Urgent" rating represents a vulnerability that provides possible hackers with remote root or administrator access. Of the 31 vulnerabilities identified during the audit, 22 were rated "Medium Risk," 9 were rated "High" and 0 were rated "Critical" or "Urgent." The Penetration test results represent a very strong external security posture and the City's information technology leadership should be commended for their ongoing commitment to strengthening external facing security.

The Comptroller's Senior IS Auditor, Isaak Lerner followed up on all 148 possible vulnerabilities within the Securance report with a requested management response from the various server owners. All of the Vulnerabilities fell in two major categories; The first, which constitutes 29% of the vulnerabilities are agreed upon false positives that do not require remediation. The second, which constitutes 31% of the vulnerabilities are issues related to server hardening, like closing various ports and turning off risky services. The third category, which constitutes 40% of the vulnerabilities are issues related to un-updated patches and outdated software versions.



After compiling all the management responses, 100% of the vulnerabilities and recommendations have been acknowledged and an acceptable management response or remediation plan was presented for all vulnerabilities. As of January 1, 2012

24 of the 31 unique vulnerabilities have already been resolved and the outstanding 7 unique vulnerabilities have been scheduled for remediation in 2012 through various software and hardware updates.

As a result of this audit, the Comptroller's Office is recommending;

- 1) ITMD should engage with the CIMC and IS security professionals to write and adopt a City wide policy regarding patch management for software and hardware.
- 2) City wide IT security governance should be centralized under one DOA/ITMD Information Security Officer position for timelier and more efficient resolution of IS security vulnerabilities.

The City's action in resolving these vulnerabilities has made external network security stronger. All City divisions that participated in this audit should be commended for their diligence in resolving identified security weaknesses and the Comptroller thanks all parties involved in this audit for their enthusiastic cooperation in strengthening our network security.

Sincerely,


Michael J. Daun
Deputy Comptroller



CITY OF MILWAUKEE
External Network
Vulnerability Assessment Report

Securance

Risk

Intelligence



[EXECUTIVE SUMMARY]

INTRODUCTION AND SCOPE

During August 2011, Securance Consulting conducted an external network security vulnerability analysis for the City of Milwaukee. The overall objective of the engagement was to perform a controlled vulnerability assessment to determine the current state of the City's external network security posture. The scope of the engagement was limited to the external Internet-facing Internet Protocol (IP) network.

The review was limited to those areas specifically defined by the City's Internal Audit department and was not intended to be a comprehensive examination of the City's entire information systems function.

We designed an approach and applied our Vulnerability Assessment | Penetration methodology which ensured a comprehensive capture and review of the technical vulnerabilities that exist within the City's IP network. The approach included the use of commercial and proprietary security tools designed to identify vulnerabilities in the City's external Internet-facing network. Our procedures included:

- Network Foot-printing - Researching public information on the target, including technical listings (e.g., ARIN, WHOIS, DNS Lookup, etc.) and public information (newsgroups, search engines, Weblogs, etc.);
- Scanning - Utilizing automated tools to identify specific systems and services, software and operating system version levels, hardware devices, and other information; and
- Enumeration - Identifying specific vulnerabilities and avenues of attack through both automated and manual means.

The tools utilized and our procedures, including the timing of our fieldwork, were configured and conducted to eliminate the possibility of any disruption to the City's Information Technology (IT) infrastructure.

The logo for Securance, consisting of the word 'Securance' in a bold, sans-serif font, enclosed within a stylized oval shape that resembles a brushstroke or a thick line.

Securance

Risk

Intelligence

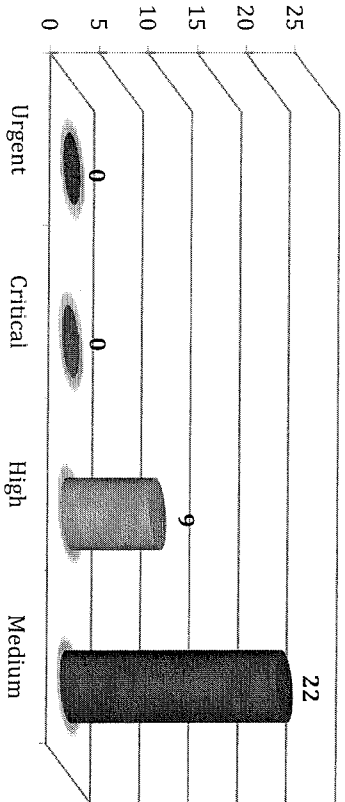


The following section provides a summary and graphical analysis of the vulnerabilities identified that are considered urgent, critical, or high risk to the City's IP network; and, our conclusion of the overall security posture of the external Internet-facing network.

External Unique System Vulnerabilities

- *Identified 9 high risk vulnerabilities that fall into these categories:*
 - There are various specialty application and web servers that do not have the latest patch applied;
 - There are various web servers that are configured with select default settings that should be adjusted; and
 - There is an obsolete web server running that the vendor is no longer supporting.

External Network Unique Vulnerabilities



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CONCLUSION

Based on the procedures we performed, our knowledge of the City's external Internet-facing network and our IT security experience, it is our opinion, as of the point-in-time of this review, that the external network is adequately controlled to prevent and/or detect an externally-originated breach. We recommend the review and implementation of the solutions referenced on pages 8 - 21 to improve external network security. As with all recommendations that may affect a computer system or network device, changes should be tested in a non-production environment prior to implementation in production.

The remainder of this report provides a detailed analysis of our approach and methodology and specific vulnerabilities identified.

Remainder of this page left blank intentionally.

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[EXTERNAL NETWORK SECURITY REPORT]

BACKGROUND

During August 2011, the City's Internal Audit department contracted with Securance Consulting to perform a vulnerability assessment of their entire external Internet-facing Internet Protocol (IP) network.

SPECIFIC OBJECTIVES AND SCOPE

The objective of the review was to identify technical vulnerabilities within the City's external Internet-facing network and to analyze them in an effort to eliminate any false positives.

Review tasks included system discovery analysis, system port discovery, and system vulnerability identification and assessment. The review was limited to the areas we considered necessary to complete this engagement and was not intended to be a comprehensive examination of the City's entire information systems function.

APPROACH AND METHODOLOGY

To achieve the objectives of this engagement, within the defined scope, we performed our diagnostic and vulnerability assessment activities utilizing our proven methodology. The following describes the high-level tasks performed for each component of the project:



EXTERNAL NETWORK:

During this phase, we performed step-by-step discovery and vulnerability assessment procedures aimed at identifying weaknesses in Internet Protocol (IP) network services. The following activities were performed:

- *Internet Discovery* – we created a profile of computer addresses and other information related to the City’s Internet-connected network using public tools, manual tasks, publicly available information, and information from the City’s IT personnel.
- *External IP Scan* – we performed a vulnerability scan against the approved range of external IP addresses noted above. The primary tools used were nmap and nessus host vulnerability scanner. We configured a scan policy that minimized disruption to the City’s Internet facing systems and network devices. This included disabling denial of service and brute force attack attempts.
- *False Positive Identification* – analyzed the results of the activities and based on our knowledge and information retrieved during the scanning attempted to identify and remove all false positive vulnerabilities.
- *Exploitation Analysis* – analyzed which systems to attempt to breach by exploiting the remaining high-risk vulnerabilities based on our experience and expertise.

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FINDINGS AND RECOMMENDATIONS

The following recommendations, which resulted from the external network vulnerability assessment and are submitted to assist in improving the security posture of the City's external network:



No. 1: External Network Vulnerabilities

We performed a detailed scan against the City's external network(s) and identified the following vulnerabilities. The scan results revealed technical vulnerabilities that increase the likelihood of an externally originated network breach.

The charts on the following page provide a snapshot of the vulnerabilities identified, prioritized by level of severity as defined by the Common Vulnerability Scoring System (CVSS) version 2, the globally recognized standard for assigning a severity level to each vulnerability. The pages that follow summarize unique vulnerabilities, the affected systems, and the recommended solutions. In many cases the recommended solution requires a system security patch.

Risk:

The City's external network is at a relative low to moderate risk of being compromised by an attacker. If the City's external network is attacked, depending upon the type of attack and if the attack is successful, systems could be rendered unresponsive, data could be compromised, or segments of the network could be used to breach internal systems.

Recommendation:

We strongly recommend that the City address all high, and medium-risk vulnerabilities. As with all recommendations that may affect a computer system or network device, changes should be tested in a non-production environment prior to implementation in production.

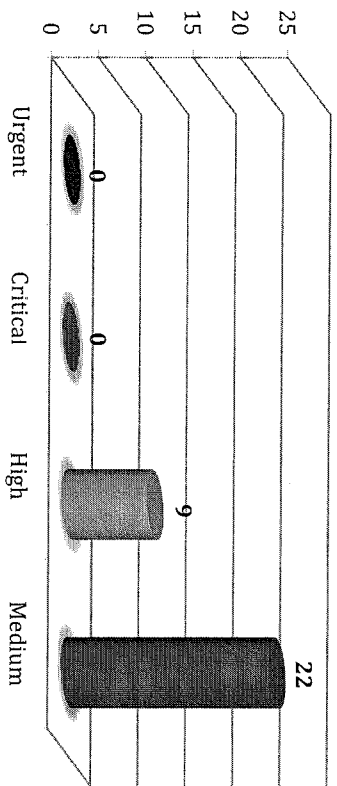
Vulnerability details are provided in the Technician's Report – Appendix B. All low risk vulnerabilities and informational disclosures are only provided in the technician's report.



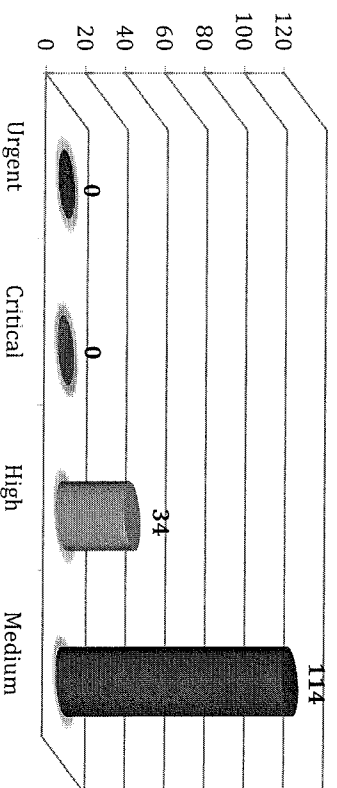
Finding & technical vulnerability legend provided on page 22.

Management's Response:

External Network Unique Vulnerabilities



External Network Total Vulnerabilities



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FINDING RISK PRIORITY LEGEND:

B Immediate action recommended.

U Recommend action within the coming year...minimal risk to the organization.

G Effective control...no changes recommended.

ADVISORY Advisory comment..action suggested at the discretion of management.

SECURITY THREAT LEVEL LEGEND:

Urgent Urgent Risk (Level 5) vulnerabilities provide remote intruders with remote root or remote administrator capabilities.

Critical Critical Risk (Level 4) vulnerabilities provide intruders with remote user, but not remote administrator or root user capabilities.

High High Risk (Level 3) vulnerabilities provide hackers with access to specific information stored on the host, including security settings. This level of vulnerabilities could result in potential misuse of the host by intruders.

Medium Medium Risk (Level 2) vulnerabilities expose some sensitive information from the host, such as precise versions of services. With this information, hackers could research potential attacks to try against a host.

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Provided for:

August 15, 2011



Securance Consulting would like to **THANK YOU** for your business. Aside from benefiting from the highest level of service possible, you also received unique advantages that only Securance Consulting delivers. Our hands-on approach is tailored to fit both the needs of the compliance and information technology departments. Our technical expertise, outstanding reputation, and personalized attention ensure you a level of service surpassed by no other technology risk management firm in the market.

As a Securance customer, you can be confident in your sound decision to manage your technology risk with a co-sourced relationship with Securance!

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Legislation Details (With Text)

File #: 111265 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance to further amend the 2012 rates of pay of offices and positions in the City Service.

Sponsors: THE CHAIR

Indexes: SALARY ORDINANCE

Attachments: Part II of Salary Ordinance REVISED, Revised Amendment Request from DER, Amendment Request from DER

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111265
Version
Substitute 1
Reference
110440
Sponsor
THE CHAIR
Title

A substitute ordinance to further amend the 2012 rates of pay of offices and positions in the City Service.

Analysis

This substitute ordinance changes the rates of pay in the following departments:

All Departments

Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Part 1, Section 1 of ordinance File Number 110440 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 1D, add the title "Management Services Adjuster".

Part 2. Part 1, Section 2 of ordinance File Number 110440 relative to rates of pay of offices and positions in the

City Service is hereby amended as follows:

Under Pay Range 2FX, delete the title "Management Services Adjuster".

Part 3. Part 1, Section 7 of ordinance File Number 110440 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 7H, add the footnote designation "(8)" after the title "Fire Equipment Mechanic" and add footnote "(8)" to read as follows: "(8) An employee assigned to 'stand watch' from 4 p.m. to 12 midnight Monday through Friday and 8 a.m. to midnight on Saturday, Sunday, and holidays shall receive an additional fifty cents (\$.50) per hour added to base salary for each hour of watch duty performed; such additional compensation shall be granted only if the employee assigned to stand watch serves for the full watch period. Eligible employees working on a Holiday shall not be eligible for Watch Pay for the hours worked on a Holiday. Payments shall not have any sum deducted for pension benefits nor shall such payments be included in any computation of pension benefits, overtime benefits, or any other fringe benefits."

Part 4. Part II of ordinance File Number 110440 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

See attachment "Part II of Salary Ordinance REVISED".

Part 5. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 6. The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 2, 2012 (January 8, 2012).

The provisions of all other parts of this ordinance are deemed to be in force and effect from and after its passage and publication.

Part 7. This ordinance will take effect and be in force from and after its passage and publication.

Drafter
City Clerk's Office
tb
1/30/12

Part II. Administration *Revised 12/18/11*
Revised 01/19/12

Sec. 1. Organization:

The rates of pay for offices and positions in the City of Milwaukee are organized by sections as presented below.

- I. Officials and Administrators: Positions in which employees set broad policies, exercise overall responsibility for execution of policies, or direct work units and personnel in their respective areas. Examples of classifications included are department directors and deputies (except sworn), division managers and administrators, and technical and service supervisors.
- II. Professionals: Positions which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Examples of classifications include engineering and technical professionals, accounting, budgeting and finance professionals, research and procurement professionals, attorneys, scientists and health professionals, enforcement/property professionals, personnel, community service, and community relations professionals, librarians, and nurses.
- III. Technicians: Positions which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job-training. Examples of classifications include information management technicians, engineering and drafting technicians, and field health technicians.
- IV. Protective Service Workers: Occupations in which workers are entrusted with public safety, security and protection including all sworn positions in the Fire and Police departments.
- V. Paraprofessionals: Positions in which workers perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Examples of classifications include purchasing assistants, library services assistants, clinic assistants, human resources assistants, program assistants, and accounting assistants.
- VI. Administrative Support: Positions in which workers are responsible for internal and external communication, recording, retrieving data and/or information in support of a function or program. Examples of classifications include office assistants, communications assistants, and customer service representatives.
- VII. Skilled Craft Workers: Positions in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through an apprenticeship or other formal training program. Examples of classifications include mechanics and repairers, construction trades, electricians, water meter technicians, and skilled machining occupations.
- VIII. Service and Maintenance: Positions in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Examples of classifications include truck drivers, traffic sign workers, garage attendants, custodial personnel, laboratory assistants, and delivery drivers.
- IX. Hourly, Part-time, Intermittent positions.
- X. Boards and Commissions
- XI. Elected Officials

Sec. 2. Rates of Pay

- a. Official Rates: Hourly, biweekly, and annual rates of pay are listed in all sections of this ordinance. The official rates of pay are noted accordingly by the salary range. Hourly and annual rates of pay listed in any section of this ordinance are for informational purposes only. Payrolls for positions with an official hourly rate shall be based upon the number of hours or days employees are actually employed.
- b. Intent: This ordinance is intended to provide the policies and procedures for administering all Sections within the Salary Ordinance. It is intended that all officers and employees shall fully cooperate with the Department of Employee Relations in the administration of the Salary Ordinance. The Department of Employee Relations is authorized to develop procedures and guidelines necessary to carry out the intent of this ordinance. The provisions of this ordinance are not intended and shall not be construed to be in conflict with state statutes regarding collective bargaining or any provisions of collective bargaining agreements in full force and effect. The 2012 Salary Ordinance includes a complete re-structuring of sections and pay ranges. All positions are assigned to a new Section and new pay ranges. In implementing the Salary Ordinance, employees will be placed in new sections and pay ranges at their current rates of pay. No employee's current pay rate will be increased or decreased by placement into a new pay range. Placement into a new pay range is not considered a transfer, promotion, reclassification or reallocation.
- c. Equal Opportunity: Principles of merit and equity shall prevail in all aspects of the administration of this Ordinance. As specified in ch. 109 of the Milwaukee Code of Ordinances, it is unlawful to discriminate because of sex, race, religion, color, national origin or ancestry, age, disability, lawful source of income, marital status, sexual orientation, gender identity or expression, past or present membership in the military service, familial status, or an individual's affiliation with, or perceived affiliation with any of these categories in regard to job posting, hiring, training, tenure, promotion, compensation, or enforcement of any rule or employment policy and other terms and conditions of employment.
- d. Correction of Obvious Errors, Omissions or Inequities: In the event that a transaction made pursuant to this ordinance results in an obvious misapplication of its intent, the Director of Employee Relations, with the approval of the Finance and Personnel Committee Chair, is authorized to make equity adjustments or corrections.
- e. Budgeted Amount for a Position Versus Salary Ordinance: In case of a variation between the amount of money set up in the budget for a particular position and the amount an incumbent of a position would normally receive under the terms of this ordinance, the employee shall be paid according to the terms of this ordinance.

Sec. 3. Salary at Time of Appointment

Appointment to City positions shall be at the minimum rate in the range except as otherwise provided. Department heads are directed insofar as possible to make appointments effective at the beginning of a biweekly pay period.

- a. Recruitment above the minimum: Except as provided elsewhere, to recruit qualified persons, appointment of a person to a position may be at a rate above the minimum rate within the established pay range provided it is determined by the Common Council that such rate is necessary and provided there is a footnote authorizing it. Otherwise a recruitment study request must be made to the Department of Employee Relations to determine the appropriate pay range and recruitment rate necessary to recruit qualified candidates.
- b. Recruitment for Officials and Administrators (Section I) and Professionals (Section II): In the event it becomes necessary to recruit at a rate above the minimum for positions classified as Officials and Administrators and Professionals, recruitment may be authorized at a rate up to 60% of the salary grade with the approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. A listing of appointments made pursuant to this provision shall be communicated to the Committee on Finance and Personnel.

c. Hourly Employees – Job Change: Whenever an employee in a position compensated on an hourly basis is appointed, transferred, or reinstated to a position with a salary that is determined under this Ordinance, the amount of earnings in the twelve month period immediately preceding such appointment, transfer, or reinstatement shall be calculated. The rate of pay in the new position shall represent the equivalent biweekly rate calculated under this provision.

d. Part-time service: Service of a part-time nature shall carry pro rata compensation. Such part-time service shall be treated as proportionately fractional for determining the number of incumbents allowed in any position. Where employment in any position is on a part-time basis the calculation of the prorated compensation shall be made by the Comptroller.

Sec. 4. Salary Advancement and Salary Anniversary Dates

Salary Advancement above the rate of initial appointment shall be as authorized in this Ordinance. Effective Pay Period 1, 2012, through Pay Period 26, 2012, there shall be no salary advancement for employees, unless otherwise provided in a collective bargaining agreement in full force and effect. Salary advancement practices frozen in 2012 include all special attainment steps footnoted within each pay range.

a. Timing of Salary Advancement for Employees: When salary advancements are authorized by Common Council action, such advancements shall follow the completion of 26 biweekly pay periods and not the precise anniversary date in order to eliminate two rates of pay for the same officer or employee in any period and to reduce and simplify payroll preparation and the auditing thereof. For the purpose of determining the proper time for the initiation of salary advancements, appointments during a pay period shall be considered as having been made at the beginning of such period. Absence or absences from work without pay, for any cause, except mandatory furloughs, for 10 or more work days in the aggregate shall defer salary advancement for one additional pay period for each such 10 days' absence. In determining the completion of each year of service, mandatory furlough time shall be regarded as being regularly at work and shall not be counted against salary advancement.

b. Return from Authorized Layoff or Leave: It is hereby declared to be the intention of the Common Council not to reduce the pay rate or range of any officer or employee or of any officer or employee returning to City service from a duly authorized layoff or leave of absence including military leave, sick leave, Family Medical Leave or further education or vocational training, unless subject to the terms of a mandatory furlough.

c. Hourly Employees: Payrolls for positions with an official hourly rate listed in Section IX shall be based upon the number of hours or days employees are actually employed. Salary advancement above the rate at initial appointment, when approved by Council action, shall be made as authorized in this Ordinance upon the completion of each year of service, unless otherwise indicated in a footnote within the specific pay range at that particular rate, until the maximum rate is received except, effective Pay Period 1, 2012 through Pay Period 26, 2012, there shall be no salary advancement.

Sec. 5. Salary Adjustments

a. Promotions, Reclassifications, and Reallocations: Appointment of a person in the service of the City to a reclassified position (title change and pay range change) or promotion to a position with a higher pay range maximum, shall be at 5% above the rate received prior to the promotion or the minimum of the new pay range (or the footnoted recruitment rate), whichever is greater. The rate of pay after a "promotion after under-fill" that is part of an official promotional program as determined by DER will be at the footnoted rate as applicable.

A promotion into a classification designated as Leadership (limited to Department Heads and Deputies, Public Officials appointed pursuant to section 62.51 of the Wisconsin State Statutes, and Department of Public Works

Division Directors) shall be at 7% above the rate currently received or the minimum of the new salary range, whichever is greater. At no time shall the rate after appointment or promotion exceed the maximum of the range. The Department of Employee Relations shall certify and authorize the salary rates after promotions. In calculating the promotion rate, all base wages and applicable supplemental pay practices as determined by the Department of Employee Relations shall be considered.

b. Salary Anniversary Date upon Promotion, Reclassification, or Reallocation: All employees will receive a new salary anniversary date when promoted, reclassified, or reallocated to higher-level, except that adjustments are made for time off the payroll or deferred salary increments. Mandatory furlough time shall be regarded as being regularly at work and will not adversely affect the employee's salary anniversary date.

c. Retention and Pay Equity Adjustments: In order to establish flexibility to address retention and internal equity problems, the Department of Employee Relations in consultation with the Budget and Management Division is authorized to recommend retention and pay equity salary adjustments at the request of appointing authorities for employees holding positions in the Officials and Administrators (Section I), Professionals (Section II), and non-represented sworn positions under Protective Service Workers, Section IV. Such adjustments shall be approved by the Chair of the Finance and Personnel Committee.

1. Retention Adjustments: Salary adjustments limited to no more than 10% of the employee's current salary when an eligible non-probationary employee has a verifiable job offer from another employer (not an agency of the City) that will result in separation and significant loss to the department. Such adjustment shall not exceed the maximum of the pay range. The decision to request and grant the retention adjustment should take into consideration total compensation received and offered, not just base salary. Retention adjustments shall not create pay compression problems within the work unit or be used as a justification for a request for an equity adjustment. When approved, such adjustments must be funded via the wage supplement fund, subject to availability.

2. Internal Equity Adjustments: Salary adjustments limited to no more than 10% of the employee's current salary when an eligible non-probationary employee is being compensated at a rate of pay that is below the rate approved for a new or newly appointed employee with less experience in the same classification or performing similar work. The adjustment shall not exceed the rate of pay of the new employee, must be approved prospectively, and must not exceed the maximum of the range. The adjustment shall not create pay compression problems within the work unit and must be funded via departmental budgets.

d. Professional Development Awards: Employees holding positions classified as Officials and Administrators (Section I), Professional (Section II), and non-represented sworn position under Section IV, Protective Service Workers, who attain a professional degree, designation or certification that is not a minimum requirement of the job but that is related to the mission, goals, and objectives of the department may be awarded a non-pensionable, non-base building, lump sum award of \$700 as requested by the appointing authority and approved by the Department of Employee Relations. This provision does not apply to employees receiving additional compensation for a degree, a professional designation or certification otherwise authorized under Part I of this Ordinance or comparable provision under Chapter 350 of the Milwaukee Code of Ordinances.

e. Transfers: City Departments may request a 3% salary adjustment for employees voluntarily transferring to positions allocated to Section I, Officials and Administrators or Section II, Professionals, subject to approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. Transfers under this section are defined as the appointment to a position within the Official and Administrators or Professionals Sections within the same salary grade. Employees receiving a 3% salary adjustment under this provision shall receive a new salary anniversary date. The salary of an employee who voluntarily transfers back to the position originally held, will be decreased by 3%. This provision shall only apply to voluntary transfers within a department to a different

classification or the same classification with significantly different responsibilities or voluntary transfers between departments into the same or different classification.

Sec. 8. Demotions

Demotions are under the authority of and administered by the Department of Employee Relations. Demotion is defined as movement from a pay range with a higher maximum to a pay range with a lower maximum. In no event shall a demoted employee be paid in excess of the rate the employee was earning prior to the reduction unless otherwise authorized.

- a. Demotions in anticipation of or as a result of layoff: The salary will be the current rate of pay if it falls within the range of the position demoted to or the maximum of the new pay range, whichever is lower. In no event shall the employee be paid in excess of the rate he/she was receiving prior to the demotion.
- b. Voluntary Demotions (Career Change): The salary will be the current rate of pay if it falls within the range of the position demoted to or the maximum of the new pay range, whichever is less. In no event shall the employee be paid in excess of the rate he/she was receiving prior to the voluntary demotion. When the demotion is to a position previously held within 12 months, the employee shall revert back to the rate of pay in effect prior to the promotion.
- c. Disciplinary Demotions: A decrease in pay of 5% or a decrease in pay of 7% if the demotion is from a position designated as Leadership, or the maximum of the new pay range whichever is lower. Under no circumstance should the rate after the demotion exceed the maximum of the range. When the demotion is to a position held within the prior 12 months, the employee shall revert to the rate of pay that represents the rate of pay in effect prior to the promotion.
- d. Eligibility for Special Attainment Steps after a Demotion: An employee who elects to take a position in a pay range which has special attainment rates, who meets the qualifications prescribed shall be paid the appropriate special attainment rates, regardless of the rate of pay prior to demotion, subject to not exceeding the maximum of the demoted pay range.

Sec. 9. Hours of Work and Work Schedules

- a. Starting and Ending Day - Permanent Employees: Employment shall normally be started on the first working day of the week and not on Saturdays, Sundays, or holidays and compensation shall be effective from the first work day. Termination of service shall be effective on the last day of work or the last working day of the week and not on Saturdays, Sundays, or holidays except where it is absolutely necessary for said employees to work on such days and except that in cases of City employees shifting from one City position to another, employment shall be deemed to be continuous and there shall be no interruption of compensation.
- b. Flexible Schedule: Employees holding positions classified as exempt from the overtime provisions of the Fair Labor Standards Act and who are excluded from the provision of s. 350-5 of the Milwaukee Code of Ordinances (Exclusion from Overtime) may, upon department head approval, work on a flexible schedule, so that the daily work schedule may be adjusted from time to time as necessary and appropriate to fulfill assigned duties and responsibilities. Such adjustments may include starting and quitting times that are earlier or later than established in the normal work schedule of the department, and may include more or less than eight hours in any particular day and more or less than forty hours in any particular week.

Sec. 10. Holiday Pay

- a. Eligibility: Unless stated otherwise in a collective bargaining agreement in full force and effect, eligible employees shall receive holiday pay when the employee has been on paid status for at least two days during

the calendar week in which the holiday occurred. No holiday pay shall be allowed in any case where such holiday occurred within, immediately before or immediately after a period of disciplinary suspension, unauthorized absence or unpaid absence. Additionally, no holiday pay shall be authorized in cases where the holiday occurred within or immediately after a period of layoff. An employee who is on mandatory furlough shall be regarded as being on "paid status" for purposes of interpreting this paragraph. Nothing herein shall be construed to deny holiday pay to any employee who has been on paid status on the working day immediately before, and on the working day immediately following said holiday.

- b. Whenever Independence Day, July 4, falls on a Saturday, the preceding Friday shall be observed as a holiday. Whenever New Year's Day, Independence Day, or Christmas Day falls on a Sunday, the following Monday shall be observed as a holiday. Whenever New Year's Day or Christmas falls on a Saturday, the following Monday shall be observed as a holiday.

b. Holiday Pay - Part-Time Employees: Non-exempt employees who work an average of 20 hours per week on a year-round basis in positions which are budgeted at half-time or more shall be eligible for holiday pay to the extent they are normally scheduled. Administration of these provisions shall be in accordance with the preceding paragraph on holiday pay.

Sec. 11. Supplemental Pay Practices

a. Holiday Hours Worked: all hours worked on a holiday by an eligible non-exempt FLSA employee shall be considered overtime as provided for under Chapter 350-3 of the Milwaukee Code of Ordinances.

Employees working on a Holiday shall not be eligible for shift differential for the hours worked on a Holiday.

b. Interpreter pay: Employees of the Municipal Courts shall be eligible for a premium of \$1 per hour while performing interpreter duties (Spanish to English and vice versa) during court proceedings. Eligibility for interpreter pay provisions for positions outside of the Municipal Court is subject to approval from the Common Council.

c. On-Call Pay: Employees holding positions designated as non-exempt from FLSA required by the department to be on a mandatory on-call rotation to respond to emergencies shall be paid \$15 per 24-hour regularly scheduled workday and \$36 for regularly scheduled off days, holidays, or furlough days. If employees are required to be on-call for a period less than 24 hours, the amounts shall be prorated. This benefit shall not apply to employees in the Department of Public Works performing snow or salting operations.

An employee who is on a mandatory on-call assignment must be available to work and be able to report to work within a short timeframe as established by the department. An eligible employee on an authorized on-call assignment who is called into work shall be compensated at straight time or overtime in accordance with applicable overtime policies.

d. 12-Hr Differential Compensation: Employees holding positions designated as non-exempt under FLSA shall be eligible for a twenty five cent (\$.25) premium per hour to be added to the employee's base salary for any continuous time worked in excess of twelve or more consecutive hours.

e. Reporting Pay (Call-In/Show-Up Pay): Employees holding positions designated as non-exempt from FLSA who are required to report to work for an emergency overtime assignment at the direction of a competent authority on an off day or outside of their regular work hours, and who are officially excused before completing 2 hours of work shall receive straight time cash compensation for the difference between the actual amount of time worked and 2 hours. The difference between the actual amount of time worked and hours paid shall not be credited as hours worked. The following employees are not eligible for this

benefit, and instead shall be credited with a minimum of one (1) hour of work when required to report to perform certain duties:

- Eligible employees in the Department of City Development, Housing management Division, who are required to unlock doors for tenants
- Eligible employees assigned to the Library Maintenance Department who report for authorized call-ins to unlock or lock doors

f. Shift Differential: Employees holding positions classified as non-exempt under the FLSA whose hours of work occur between the time period beginning at 5:00 p.m. and ending at 5:00 a.m. shall receive, in addition to base salary, a shift differential of \$.45 per hour. To be eligible for shift differential, the employee shall be required to work not less than 4 hours of his or her regular workday within this time frame, and when the employee satisfies that requirement, the employee's entire workday shall be compensated at a rate that includes the shift differential. Eligible employees in the Department of Public Works whose workday begins after 1:00 a.m. and before 4:00 a.m. shall be eligible to receive the shift differential for all hours worked.

Shift differential shall be paid for all hours for which an employee would have received a regular shift assignment but for the fact that the employee was on vacation, holiday, sick leave, or funeral leave. In no case shall an employee receive both shift and weekend differential rates for the same hours worked. **Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays.**

g. Snow and Ice Control Operations: bonus payments for support personnel in the Operations Division, Fleet Services Section who work during Snow and Ice Control Operations. Support personnel in the Operations Division, Fleet Services Section shall receive a one (\$1) dollar per hour premium for all time worked in excess of eight (8) hours in one 24 hour day worked during snow and ice control operations. These bonus payments shall also be paid to support personnel in the Fleet Services Repairs Unit at the Central Repair Garage for all time worked in excess of eight (8) hours in one 24 hour day worked repairing snow plow blades and to Repairs Unit personnel time worked in excess of eight (8) hours in one 24 hour day worked on a snow related assignment during the winter season. These support personnel shall be Operations Division employees in the Fleet Services Section, Stock Room or Tire Shop employees in the Administration Section or Garage Attendants, Garage Custodians, Field Service Mechanics, Communications Assistants III or IV in the Operations Section, or Driving Training Instructors.

h. Weekend Differential: Employees holding positions classified as non-exempt under the FLSA shall receive fifty cents (\$.50) per hour for regularly scheduled Saturday work and sixty cents (\$.60) per hour for scheduled Sunday work. In no case shall an employee receive both shift and weekend differential rates for the same hours worked. Weekend differential shall be paid for all hours for which an eligible employee would have received the differential but for the fact that the employee was on **vacation, holiday, sick leave, or funeral leave.** **Shift and weekend differential shall be paid for no more than 40 hours worked, including holidays.**

Sec. 12. Rates of Pay for Police Liaison and Fire Contract Administrator

Police Liaison Officer: The salary rate of the position of Police Liaison Officer shall be equivalent to the pay step in the pay range the employee would normally occupy had he or she remained a member of the Milwaukee Police Department. In addition, Effective Pay Period 1, 2004, an employee occupying the position of Police Liaison Officer shall receive \$150 biweekly as compensation in lieu of overtime and certain other payments and allowances received by a member of the Milwaukee Police Department. Effective for employees retiring on normal service retirement between January 1, 2007, and December 31, 2009, such \$150 biweekly payment shall be included in the final average salary for purposes of computing an employee's retirement allowance. The amount an employee is entitled to include in the final average salary shall be the total amount of the \$150 biweekly payments the employee

received in any twelve (12) month period.

Fire Contract Administrator: The salary rate of the Association Fire Contract Administrator shall be equivalent to the step in the pay range the employee would normally occupy had he remained a member of the Milwaukee Fire Department, except the employee shall under no circumstances be eligible for any salary payments for any work performed outside his/her regularly scheduled work shift, on a holiday, on an off day, or on a vacation day.

Part III. Boards and Commissions: Compensation and Reimbursement

- a. Members of City boards may not receive other compensation for employment from the city. A member of a city board shall receive compensation for serving on a city board specified under Section X as long as the member is not receiving compensation for employment by the city or a city agency, apart from compensation for service on a board or commission; or as long as the member's name does not appear on a city biweekly payroll apart from serving on a board or commission; or as long as the member's name does not appear on a regular payroll of the city apart from serving on a board or commission.
- b. Reimbursement allowances for members of certain city boards are for estimated average expenditures in attending board meetings. A flat allowance of \$20 per meeting shall be provided for the reimbursement of members of those city boards, commissions, committees and authorities listed below for a maximum of 20 meetings per calendar year (\$400 per year). This flat allowance is intended as reimbursement for estimated average expenses, such as traveling, parking and other related expenses, normally incurred by members of such city boards as a consequence of their attending regular meetings of duly authorized city boards. Meetings eligible for reimbursement allowance do not include preparation meetings or subcommittee meetings.
- c. Types of boards and commissions not eligible for reimbursement allowances. It is clearly intended that members of the following types of boards and commissions shall not be eligible for any reimbursement allowances authorized by this section of the salary ordinance:
 1. Boards and commissions whose members are compensated under Section X.
 2. Boards and commissions having separate corporate identities who have the power to establish their own reimbursement policies for their members, such as the Housing Authority and the Redevelopment Authority.
 3. Boards and commissions established other than by common council action.
- d. Reimbursement allowance shall be made once each year. To simplify the payment of reimbursement allowances for members of eligible boards, such payments shall be made once each year. At the end of the year such board chair shall submit to the Comptroller's office a list of members eligible for such compensation payments together with a record of the number of meetings each member has attended during that calendar year. Reimbursement shall be made at the end of the calendar year or when administratively feasible in the subsequent year. Members of the following city boards shall be eligible for a reimbursement allowance under the provisions of this section:
 - Anti-Graffiti Policy Committee
 - Arts Board
 - Capital Improvements Committee
 - Charter School Review Committee
 - Commissioners of Election
 - Deferred Assessment Board
 - Deferred Compensation Board

- Equal Rights Commission
 - Ethics Board
 - Food License Review Board
 - Fourth of July Commission
 - Frank P. Zeidler Community Service Award Selection Committee
 - Harbor Commission
 - Historic Preservation Commission
 - Library Board
 - Milwaukee Commission on Domestic Violence and Sexual Assault
 - Public Debt Commission
 - Safety Commission
 - Sister Cities Committee
- e. Board of Assessment: Members of the Board of Assessment shall be compensated at the rate of \$60 per meeting, for a maximum of 20 meetings per calendar year. To simplify the payment of compensation for members of the board of assessment, payments shall be made once each year. At the end of the year the chair shall submit to the comptroller's office a list of members eligible for payment together with a record of the number of meetings each member has attended during that calendar year. Compensation shall be made at the end of the calendar year or when administratively feasible in the subsequent year.
- f. Administrative Review Appeals Board: Regular and alternate members of the Administrative Review Appeals Board shall be compensated at the rate of \$187 per meeting for up to 12 meetings per year and payments shall be made every six months. Every six months the chair shall submit to the Comptroller's office a list of members eligible for payment together with a record of the number of meetings each member has attended during that six month period. Compensation shall be made at six months and at the end of the calendar year or when administratively feasible.

Part IV. Elected Officials

- a. Mayor, President of the Common Council, Aldermen: are paid according to s. 350-100 of the Milwaukee Code of Ordinances, and Part I, Section XI of the Salary Ordinance.
- b. City Attorney, Comptroller, and City Treasurer: The rates of pay for these offices are established per Common Council action. The rates of pay for the 2012-2016 term are established under Section XI of the Salary Ordinance.
- c. Municipal Judges: The rate of pay for Municipal Judges is established per Common Council action pursuant to Wis. Stat. §755.05. The rate of pay for Municipal Judges in 2012 is established under Section XI of the Salary Ordinance.

Part V.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Milwaukee hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Part VI.

All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part VII.

This ordinance shall take effect and be in force from and after January 8, 2012 (Pay Period 2, 2012), et al, and shall

be interpreted consistent with the applicable rulings thereunder.



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Troy M. Hamblin
Labor Negotiator

January 27, 2012

REVISED

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

Dear Committee Members:

Re: Common Council File No. 111265

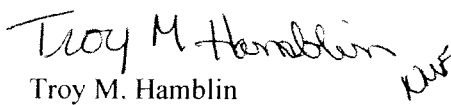
With all of the changes that have taken place regarding the Salary Ordinance and a footnote was inadvertently missed in Pay Range 7H for the title of Fire Equipment Mechanic. The footnote deals with Watch Pay which is a \$.50 premium per hour for being assigned to Watch Duty. This is a premium that was contained in the 2010-2011 IAMAW, District 10 Labor Agreement and should be carried forward.

We request that the Salary Ordinance be amended as follows:

Effective January 8, 2012, under Section 1, Pay Range 7H add the footnote designation "(8)" after the title Fire Equipment Mechanic and add footnote (8) to read as follows: "(8) An employee assigned to 'stand watch' from 4 p.m. to 12 midnight Monday through Friday and 8 a.m. to midnight on Saturday, Sunday, and holidays shall receive an additional fifty cents (\$.50) per hour added to base salary for each hour of watch duty performed; such additional compensation shall be granted only if the employee assigned to stand watch serves for the full watch period. Eligible employees working on a Holiday shall not be eligible for Watch Pay for the hours worked on a Holiday. Payments shall not have any sum deducted for pension benefits nor shall such payments be included in any computation of pension benefits, overtime benefits, or any other fringe benefits."

In view of the foregoing, we recommend adoption of the proposed Salary Ordinance correction.

Sincerely,


Troy M. Hamblin
Labor Negotiator

Common Council
January 27, 2012
Page 2

cc: Faranda Wragg
Michelle Stein
Gerard Washington
Tobie Black

TMH:NMF
111265 Footnote_watchpay_revised
ACT10\Salary Ordinance



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director

Michael Brady
Employee Benefits Director

Troy M. Hamblin
Labor Negotiator

January 27, 2012

To The Honorable
The Committee on Finance
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Re: Common Council File No. 111265

With all of the changes that have taken place regarding the Salary Ordinance and a footnote was inadvertently missed in Pay Range 7H for the title of Fire Equipment Mechanic. The footnote deals with Watch Pay which is a \$.50 premium per hour for being assigned to Watch Duty. This is a premium that was contained in the 2010-2011 IAMAW, District 10 Labor Agreement and should be carried forward.

We request that the Salary Ordinance be amended as follows:

Effective January 8, 2012, under Section 1, Pay Range 7H add the footnote designation "(8)" after the title Fire Equipment Mechanic and add footnote (8) to read as follows: "(8) An employee assigned to 'stand watch' from 4 p.m. to 12 midnight Monday through Friday and 8 a.m. to midnight on Saturday, Sunday, and holidays shall receive an additional fifty cents (\$.50) per hour added to base salary for each hour of watch duty performed; such additional compensation shall be granted only if the employee assigned to stand watch serves for the full watch period. Payments shall not have any sum deducted for pension benefits nor shall such payments be included in any computation of pension benefits, overtime benefits, or any other fringe benefits."

In view of the foregoing, we recommend adoption of the proposed Salary Ordinance correction.

Sincerely,

Troy M. Hamblin
Labor Negotiator

Common Council
January 27, 2012
Page 2

cc: Faranda Wragg
Michelle Stein
Gerard Washington
Tobie Black

TMH:NMF
111265 Footnote_watchpay
ACT10:Salary Ordinance



Legislation Details (With Text)

File #: 111266 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 1/18/2012 **In control:** FINANCE & PERSONNEL COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance to further amend the 2012 offices and positions in the City Service.

Sponsors: THE CHAIR

Indexes: POSITIONS ORDINANCE

Attachments:

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/27/2012	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number
111266
Version
Substitute 1
Reference
110441
Sponsor
THE CHAIR
Title
A substitute ordinance to further amend the 2012 offices and positions in the City Service.

Analysis
This substitute ordinance changes positions in the following departments:

Department of Administration

Body
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 1 of ordinance File Number 110441 relative to offices and positions in the City Service is hereby amended as follows:

Under "Department of Administration, Business Operations Division, Procurement Services", delete one position of "Purchasing Agent - DPW (Y)" and add one position of "Purchasing Agent-Senior (Y)".

Part 2. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

The provisions of this ordinance are deemed to be in force and effect from and after the first day of the first pay period following passage and publication.

Part 3. This ordinance will take effect and be in force from and after its passage and publication.

Drafter
City Clerk's Office
tb
1/30/12