



Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paol X. Lor
Sarah W. Morgan
Commissioners

October 15, 2009

Alderman Willie L. Hines, Jr.
Common Council President
City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202

Re: Milwaukee Police Department and Milwaukee Fire Department 2010 Compensation and Furloughs

Dear President Hines:

On October 15, 2009, the Fire and Police Commission (FPC) considered the request of Budget and Management Director Mark Nicolini pursuant to his correspondence of October 14, 2009.

The FPC has reviewed the 2009 and proposed 2010 budgets of the Milwaukee Police Department and Milwaukee Fire Department. The FPC publicly noticed the review specifically with reference to consideration of department furloughs. Testimony was received from Mr. Nicolini and any other interested persons.

Upon conclusion of its review, the Board of Fire and Police Commissioners unanimously approved a resolution to recommend to the Milwaukee Common Council a decrease in the salary and compensation of members of the Police and Fire Departments in 2010, up to and including a decrease that is associated with four unpaid furlough days for each affected member, subject to and in accordance with sec. 62.50(10) Wis.Stats.

Sincerely,

Richard C. Cox
Chairman

Michael G. Tobin
Executive Director

Att. 10/14/09 Letter from M. Nicolini

cc: Ald. Michael Murphy
Mark Nicolini
Grant Langley, City Attorney



Department of Administration
Budget and Policy Division

Tom Barrett
Mayor

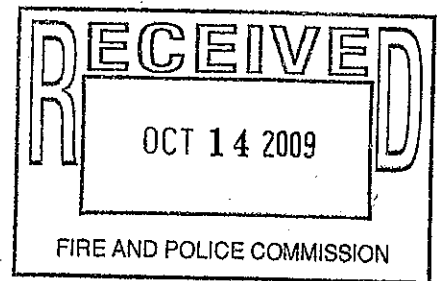
Sharon Robinson
Administration Director

Mark Nicolini
Budget and Management Director

October 14, 2009

File Ref: BF 10-

Board of Fire and Police Commissioners
Fire and Police Commission
City Hall Room 706A



Dear Commissioners:

I ask that you consider at your meeting this Thursday, October 15th, a matter relative to the city's adoption of the budget for 2010. The Mayor's 2010 budget proposal is now being reviewed by the Common Council's Finance and Personnel Committee and will thereafter be acted upon by the full Common Council.

As you may be aware, due to budget constraints the proposed budget for 2010 provides that all members, both sworn and civilian, of the Milwaukee Police Department take four furlough days in 2010. The Police Department would schedule these furloughs much as occurs when its staff are off for vacations or sick leave.

In addition, the Proposed 2010 Budget provides that approximately 50 Fire Department employees would also be required to take four furlough days. The Fire Chief would have control over the scheduling of the furloughs.

The City Attorney has advised that a recently filed lawsuit has alleged that furloughs for 2009 and any additional furloughs in 2010 are subject to the provisions of sec. 62.50(10), Stats. Although the City Attorney has reviewed this matter and is of the opinion that these allegations are, for multiple reasons, without merit, we have been nonetheless advised that it is prudent to bring this to your attention and seek your assistance.

Sec. 62.50(10), Stats. provides in pertinent part as follows:

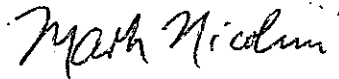
The salary and compensation of all members of the force in such departments shall be at all times subject to change by the common council, but the salary or compensation of the members of the force in the service of either [the fire or police] department may not be decreased, except upon the previous recommendations of such change made in writing by the board to the common council.

October 14, 2009

(Emphasis added).

Obtaining the Fire and Police Commission's prior approval of pay adjustments associated with furlough days for Police Department and Fire Department personnel in 2010 would help ensure that no challenges citing a violation of the underscored language above occur. Accordingly, we ask that the Fire and Police Commission formally recommend to the Common Council a decrease in the salary and compensation of members of the Police and Fire Departments in 2010, up to and including the decrease in salary and compensation that is associated with four unpaid furlough days for each affected member in that year. Additionally, given the language of the statute, we ask that this recommendation be promptly communicated in writing to the Common Council through correspondence signed by the Commission's Chair and its Executive Director.

Sincerely,



Mark Nicolini
Budget and Mangement Director

MN:dmr

Common/budget/10budget/f&purlughltr