

## Part II. Administration

### 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. The 2012 Salary Ordinance includes a complete restructuring 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 prorate 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.

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 the greater of: 1) 5% above the rate received prior to the promotion, 2) the minimum of the new pay range, or 3) the footnoted recruitment rate, if 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 must review and authorize the salary rates prior to any promotion. 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) and Professionals (Section II). 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 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) or Professional (Section II) 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, designation or certification otherwise authorized in Section 1 of this Ordinance.

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 occurring during the course of employment if the employee is in pay status immediately preceding and following the holiday. The only exception to this rule is employees shall

receive holiday pay if the employee is on an approved unpaid Family and Medical Leave Act absence. No holiday pay shall be allowed in any cases where such holiday occurs within a period of disciplinary suspension. 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. Eligible employees working on a Holiday shall not be eligible for shift or weekend 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: Unless otherwise authorized in other sections of this ordinance, 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 per 48-hour or more weekend period or for holidays. 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.

d. 12-Hr Differential Compensation: Unless otherwise authorized in other sections of this ordinance, 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. Employees being paid at overtime rates shall not receive the 12-Hr differential for the same hours regardless of the period work. 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.

e. Reporting Pay (Call-In/Show-Up Pay): Unless otherwise authorized in other sections of this ordinance, 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: Unless otherwise authorized in other sections of this ordinance, 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 authorized paid leave. Employees being paid at overtime rates shall not receive shift differential for the same hours regardless of the period work. In no case shall an employee receive both shift and weekend differential rates for the same hours worked.

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 overtime or 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 on repairing snow plow blades and to Repairs Unit personnel for all overtime or 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, a Stock Room or Tire Shop employee 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: Unless otherwise authorized in other sections of this ordinance, 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. Employees being paid at overtime rates shall not receive, weekend differential for the same hours regardless of the period 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 authorized paid leave.

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

a. 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.

b. 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.