



Department of Employee Relations

December 19, 2011

**Tom Barrett**  
Mayor

**Maria Monteagudo**  
Director

**Michael Brady**  
Employee Benefits Director

**Troy Hamblin**  
Labor Negotiator

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

Dear Committee Members;

Attached please find a revised version of Part II of the 2012 Salary Ordinance. This revised version includes the changes since the Committee heard the file on Wednesday, December 14<sup>th</sup>.

**Sec. 2. Rates of Pay**

Added “or any provisions of collective bargaining agreements in full force and effect” to the disclaimer language regarding conflict. This addition is necessary to recognize provisions of contracts that will be in force and effect as of the effective date of the 2012 Salary Ordinance.

**Sec. 4. Salary Advancement and Salary Anniversary Dates**

Added language that indicates that all special attainment steps footnoted within pay ranges remain frozen for 2012.

**Sec. 5. Salary Adjustments**

Section a. Promotions, Reclassifications and Reallocations: restated the rules for salary adjustments after promotion to clarify that the rate after a “promotion after under-fill” that is part of an official promotional program as determined by the Department of Employee Relations is at the footnoted rate. The intent of this language is to ensure that individuals who are under-filling positions that are part of an official promotional program receive the promotional rate in effect prior to this change in rules governing promotions when that rate is higher than 5%. The changes also include clarification of the language regarding DER’s role in certifying and authorizing rates after promotions.

Section c. Retention and Pay Equity Adjustments: added non-represented sworn positions under Section IV, Protective Service Workers to the list of positions eligible for these provisions. Under sub 2: added “or newly appointed” employee to expand eligibility when the inequity is created by an internal promotion.

Section d. Professional Development Awards: added non-represented sworn positions under Section IV, Protective Services to the list of positions eligible for awards. Added reference to ineligibility for a Professional Development Award when employees are eligible for additional compensation under Part I (corrected from Section I) of the Salary Ordinance and provisions under Chapter 350 of the Milwaukee Code of Ordinances for similar or comparable achievements.

**Sec. 10. Holiday Pay.**

Revised sub a. to reflect former language regarding eligibility for Holiday Pay benefits. The proposed language would have authorized holiday pay benefits for employees on unpaid leave. Also the revised

language restores the provision that allows furlough time to be considered as “paid status” for determining eligibility for benefit.

### **Sec. 11. Supplemental Pay Practices**

Language indicating “unless otherwise authorized in other sections of this ordinance” has been deleted due to the fact that eligibility for supplemental pay practices is limited to positions that are considered non-exempt from overtime provisions of the Fair Labor Standards Act (FLSA).

The majority of the changes made under Section 11 stem from discussions with payroll administration staff from the Comptroller’s Office. These changes are recommended to ensure compliance with applicable requirements under FLSA and ensure ease of administration of payroll processing functions across City agencies and departments.

#### Section a.

The following language was deleted: eligible employees working on a Holiday shall not be eligible for shift or weekend differential for the hours worked on a Holiday. This language is consistent with existing language under collective bargaining agreements.

#### Section c.

Eligibility for \$36 on-call premium was clarified to include “regularly off days (instead of weekend period) and holidays or furlough days”. Also, the following language was added to provide clarification regarding the conditions that must be met in order to be eligible for this benefit: *“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”*.

#### Section d.

The following language was deleted to comply with FLSA requirements: employees being paid at overtime rates shall not receive the 12-Hr differential for the same hours regardless of the period work.

#### Section f.

Changed the language to specify that eligibility for shift premium when employees is on paid status but not working is limited to vacation, holiday, sick leave or funeral leave consistent with contract language.

#### Section g.

Revised language to clarify positions eligible for bonus payment after consulting with DPW.

#### Section h.

The following language was deleted to comply with FLSA requirements: employees being paid at overtime rates shall not receive weekend differential for the same hours regardless of the period work.

With the introduction of the aforementioned revisions, it is recommended that Part II of the Salary Ordinance be approved.

Respectfully Submitted,  
*Maria Monteagudo*  
Maria Monteagudo  
Employee Relations Director