



## Department of Employee Relations

**Tom Barrett**  
Mayor

**Maria Monteagudo**  
Director

**Renee Joos**  
Employee Benefits Director

**Nicole M. Fleck**  
Labor Negotiator

July 21, 2020

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

Dear Committee Members;

I am honored to appear before this Committee regarding my reappointment by Mayor Barrett as the City's Labor Negotiator. I look forward to serving the City of Milwaukee to the best of my abilities, which includes working with the Administration, the members of the Common Council and all City Departments to achieve the best possible Labor Management relations for the City of Milwaukee.

I started my career with the City of Milwaukee in April of 2007 as a Labor Research Analyst in the Labor Relations Division of DER. I was promoted three times within the Labor Relations Division and have held the positions of Labor Relations Analyst – Sr., Labor Relations Representative, and Labor Relations Officer. Each of these positions came with progressively more in-depth and independent duties related to Labor Relations. In 2015 I left Labor Relations for a brief time to take a promotional opportunity with the Milwaukee Police Department as their Human Resources Administrator. While I enjoyed my time with the MPD and learned a great deal, I realized that the work I really loved was the work of Labor Relations. At the end of 2015, I returned to the Labor Relations Division as the Labor Relations Officer and then was subsequently appointed to the Labor Negotiator position in April of 2017.

I hold a Master's Degree in Public Administration from the University of Wisconsin – Milwaukee (UWM) and a Bachelor of Science Degree, with a double major in Political Science and Public Administration, from the University of Wisconsin – Stevens Point. I also have a Certificate in Labor Relations Management from the UWM Continuing School of Education and will be taking a Certification course in Negotiation Mastery through the Harvard Business School Online starting in August of this year.

I have always known that I wanted to be a public servant with the idea that I would be able to help people that way. My parents were both public school teachers and dedicated public servants. I credit them with my desire to do the same. I have been very rewarded in my tenure with the City of Milwaukee and hope to continue my service for the foreseeable future. While my positions have not directly impacted the City of Milwaukee Community at large, my work in the Department of Employee Relations (DER) has allowed me to impact the lives of our City of Milwaukee employee community, which in large part, are members of the larger city community. I have been able to make an impact through my duties in Labor Relations related to the grievance process, both pre and post WI Act 10, as well as through investigations into employment related issues that have been brought to my attention by employees or by employee representatives. The DER has recently created a Dispute Resolution Procedure which will allow employees to file a complaint with the department regarding any employment related issues that are not disciplinary in nature or related to a Title VII complaint. As the independent reviewer of these complaints, I hope to be able to continue to provide a positive impact for our employee community.

The following is a brief summary of the responsibilities of the Labor Negotiator. Some may be surprised by the breadth of the job duties as they do not only relate to the represented employees. The Labor Negotiator is of course responsible for bargaining and administering the Labor Agreements between the City and the Milwaukee Police Association, the Milwaukee Police Supervisors' Organization, and the Milwaukee



Professional Fire Fighters Association, Lo. 215 as provided for in WI State Statutes 111.70 and 111.77. However, the responsibilities do not end when a new contract has been settled. Once a contract has been settled, that contract must be administered. The Labor Negotiator works with the departments to make sure the contract is administered as agreed to and deals with any conflicts that arise between the bargaining unit and the department or the bargaining unit and the City. This may entail grievance hearings or arbitrations, prohibited practice complaints, writing memorandum of understanding, or dealing with bad faith bargaining claims. The position is also responsible for administering Chapter 350 of the Milwaukee Code of Ordinances as well as Part II, Sections 8 and 9 of the Salary Ordinance. These documents contain many of the benefits that at one point in time had been provided for by the general city employee labor agreements and were moved into the Code or the Salary Ordinance once WI Act 10 became effective. These benefits include, but are not limited to, vacation accrual, sick leave accrual, sick leave control incentive payment, shift differential, holiday pay, and on-call pay.

Chapter 340 of the Milwaukee Code of Ordinances gives authority to the DER to Meet and Confer with employees and employee groups for the purpose of communicating and exchanging views and ideas concerning wages, hours, and other conditions of employment, establish a dispute resolution procedure (DRP), and be the official department to settle grievances stemming from disciplinary action which is not appealable to the City Service Commission. The Labor Negotiator is the independent reviewer of disciplinary grievances that are not settled within the department and the independent reviewer for the DRP. As the independent reviewer of the disciplinary grievance procedure, the Labor Negotiator reviews the circumstances of each grievance and based on those circumstances can affirm, reduce, or set aside the associated disciplinary action. As the independent reviewer in the DRP, the Labor Negotiator has the authority to investigate the dispute and recommend the appropriate course of action that is to be implemented by a department. With regards to the Meet and Confer process, the Labor Negotiator is to be present at any department meetings with employees or employee groups as a neutral third party to ensure that the discussions are fruitful and fair.

As a member of the management team and a Division Head in the DER I will be working with the department as a whole to implement the DER's Workforce Equity Plan specifically through the disciplinary grievance procedure and the dispute resolution procedure looking at the demographics of those filing the grievances and complaints and determining if there are any trends within that data that shows a larger pattern of concern and then addressing those concerns with individual departments if necessary. I will also lend my skill set to anyone else in the department to aid in their work to carry forward the items laid out in the DER Workforce Equity Plan in order to help ensure racial equity within the City of Milwaukee.

I thank you for your time and consideration and ask for your support of my reappointment to the position of Labor Negotiator.

Sincerely,



Nicole M. Fleck  
Labor Negotiator

Cc: Alderman Michael Murphy, Chair  
Alderman Scott Spiker, Vice Chair  
Alderwoman Milele Cogg  
Alderman Nik Kovac  
Alderwoman JoCasta Zamarripa

