



Department of Employee Relations

Cavalier Johnson
Mayor

Harper Donahue, IV
Director

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Employee Benefits Director

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Labor Negotiator

Job Evaluation Report

City Service Commission Meeting: November 7th, 2023

City Attorney – Assistant City Attorneys

Current	Recommended
Assistant City Attorney V PR: 2QX (\$101,356-\$141,906) FN: Recruitment is at \$111,316 and appointment may be at any rate in the pay range at the discretion of the City Attorney. (10 Positions)	Assistant City Attorney V PR: 2TX (\$122,746-\$171,838) FN: Appointment may be at any rate in the pay range at the discretion of the City Attorney. (10 Positions)
Assistant City Attorney IV PR: 2PX (\$95,097-\$133,131) FN: Recruitment is at \$101,196 and appointment may be at any rate in the pay range at the discretion of the City Attorney. (Underfill title)	Assistant City Attorney IV PR: 2SX (\$115,161-\$161,221) FN: Appointment may be at any rate in the pay range at the discretion of the City Attorney. (Underfill title)

Background

The City Attorney's Office has requested a second look at market rates of pay for select Assistant City Attorney positions. Discussions were held with City Attorney Tearman Spencer, Deputy City Attorney Robin Pederson, and City Attorney Human Resources Administrator Sharon Crowe.

The City Attorney's office stated concerns about the pay rates of senior level Assistant City Attorneys. These positions represent incumbents who have long term legal experience with the City and have skill sets that are highly valued in the private sector and other municipalities. They asked DER to consider and reconsider key market study factors, such as the focus of practice selected for market rates of pay, the relevancy of other municipalities or organizations, and the unique "volume, diversity, intensity, and complexity of the legal work performed" in the City Attorney's office.

DER has provided new market data for consideration in this report. Our recommendation considers the high level of technical and specialized knowledge and education, self-management, and complexity of the work performed. Assistant City Attorneys must provide effective decision making in high-consequence situations, sometimes in advisement to City officials and high level employees.

DER is including pay flexibility throughout the recommended pay ranges to aid the department in acknowledging long term incumbents and/or highly experience external candidates. This flexibility is also provided to address any compression that might occur through the Assistant City Attorney title series and to assist the department in retention and recruitment efforts.

Duties & Responsibilities

Assistant City Attorneys perform professional legal services for the City of Milwaukee by acting in matters relating to legal work and protecting the interests of the City of Milwaukee. All Assistant City Attorneys perform some basic job functions but as incumbents progress through title levels, they complete tasks related to more complex or highly important cases, perform more complex legal research and discovery, and advise and counsel City directors, commissioners, Council members, and the Mayor.

Essential functions for all titles:

Legal Proceedings:

- Represent the City in court and before administrative agencies.
- Handle any and all litigation in any court of this state and in connection with the City's action.
- Conduct litigation as assigned.
- Handles appeals in state and federal courts of appeal.
- Prosecute violations of offenses against City ordinances.

Advisory and Administrative:

- Interpret laws, rulings and regulations for clients.
- Review opinions, resolutions and ordinances.
- Draft and review legal documents.
- Advise departments, committees, boards and commissions on legal matters.
- Negotiate on behalf of the City and its departments.

Assistant City Attorney IV

Performs essential functions. This position prepares for and tries complex and/or highly important cases before the court and is distinguished from the III level based on the complexity of the litigation and legal research required. This position also serves as a resident expert in a specialty area of the law for the city and provides consultative expertise in that area (specialty areas include public employment law; real estate, education, litigation, etc).

Minimum requirements include graduation from a law school accredited by the American Bar Association, a license to practice law in the State of Wisconsin, seven years of practicing law, and the legal range and experience to perform all duties and responsibilities of the position.

Assistant City Attorney V

Performs essential functions. Incumbents in the position must perform all levels of Assistant City Attorney functions, additionally handling any and all litigation in any court of Wisconsin and in connection with the City's action. This position also prosecutes offenses against City ordinances and manages special projects as they arise.

Minimum requirements include graduation from a law school accredited by the American Bar Association, a license to practice law in the State of Wisconsin, 10 or more years of experience., and the legal range and experience to perform all duties and responsibilities of the position.

Market Rates

In conducting a market cost of labor analysis for these titles, rates of pay from the Economic Research Institute (ERI) were considered.

General Attorney

Level*	10th Percentile	25th Percentile	Mean	75th Percentile	90th Percentile
Level 1	\$103,598	\$114,505	\$128,487	\$143,135	\$157,541
Level 2	\$128,090	\$141,774	\$159,249	\$177,575	\$195,458
Level 3	\$157,790	\$174,768	\$196,368	\$219,090	\$241,154

Source: ERI, as of August 14th, 2023

The following table provides wage information from ERI for General Attorney in southeastern Wisconsin communities:

General Attorney (Corporate Attorney, Staff Attorney): Five years of experience

Area Name	10th Percentile	25th Percentile	Survey Mean	75th Percentile	90th Percentile
Madison	\$118,419	\$130,624	\$146,247	\$163,216	\$179,777
Milwaukee	\$125,671	\$138,770	\$155,278	\$172,638	\$189,680
Racine	\$120,792	\$133,585	\$149,771	\$166,631	\$183,227
Waukesha	\$126,145	\$139,273	\$155,788	\$173,137	\$190,218
Wauwatosa	\$125,696	\$138,805	\$155,311	\$172,633	\$189,669
West Allis	\$126,123	\$139,280	\$155,828	\$173,142	\$190,202

Source: ERI, as of August 14th, 2023

ERI defines a General Attorney as a position that Advises, consults, litigates and performs trial work, and carries out the legal processes necessary to effect the rights, privileges, and obligations of the organization. Studies Constitution, statutes, decisions, and ordinances of quasi-judicial bodies. Gathers evidence and information for management decision making. Prepares and reviews various legal instruments and documents, such as contracts, leases, licenses, purchases, sales, real estate, etc. Examines legal data to determine advisability of defending or prosecuting lawsuit. Examines material, such as advertisements, publications, etc., for legal implications, advising officials of proposed legislation that might affect the organization. Applies for copyrights or registration of the organization's products, processes, devices, and trademarks, advising whether to initiate or defend law suits. Conducts pretrial preparations and defends the organization in lawsuits. Advises officials on tax matters, government regulations, and/or legal rights. Represents the company before quasi-judicial or administrative agencies of the government. Requires completion of law school with an LLB degree or JD degree and admission to the bar. Interprets laws, rulings, and regulations for individuals and businesses. Advises concerning transactions of business involving internal affairs, stockholders, directors, officers, and corporate relations with general public. May act as agent of the organization in various transactions. May confer with colleagues with specialty in areas of law to establish and verify basis for legal personnel. May prepare business contracts, pay taxes, settle labor disputes, and administer other legal matters. May teach college courses in law. May apply for patents. May specialize in specific phase of law. Education expectations: Doctorate (Law degree).

***Level Descriptions**

Levels	Description
Level 1	Beginning Level. Employees in this first (1st) level satisfy the basic job requirements. As the employee gains knowledge and experience, the work reviews, checks, and supervision may be reduced. Complexity or variety of work is typical, and there are no additional technical, mathematical, or scientific requirements beyond the basic requirements at this first (1st)

	level. Some organizations refer to level 1 as the entry level of the job. Typically requires experience and advanced specialized training.
Level 2	Intermediate Level. Employees in this second (2nd) level require greater knowledge, training, and/or experience than level 1. The amount of work review, checks, and supervision are less for an employee at level 2 than at level 1. Complexity or variety of work is moderately higher than level 1 and may involve greater technical, mathematical, or scientific skills than level 1. Some organizations refer to level 2 as the intermediate level. Typically requires experience and advanced specialized training.
Level 3	Senior Level. Employees in this third (3rd) level require greater knowledge, training, and/or experience than level 2. The amount of work review, checks, and supervision are less for an employee at level 3 than at level 2. Complexity or variety of work is higher than level 2 and may involve greater technical, mathematical, or scientific skills than level 2. The scope of assignments may vary when compared to level 2. Some organizations refer to level 3 as the senior level. Typically requires experience and advanced specialized training.

Action Required – Effective Pay Period 25, 2023 (November 26th, 2023)

*** Please see submitted addendum to CCFN for Salary and Position Ordinance changes.**

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