



Legislation Details (With Text)

**File #:** 211883      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 3/22/2022      **In control:** FINANCE & PERSONNEL COMMITTEE

**On agenda:**      **Final action:** 4/19/2022

**Effective date:**

**Title:** A substitute ordinance relating to employee wages, benefits, and regulations.

**Sponsors:** THE CHAIR

**Indexes:** EMPLOYEE BENEFITS, SICK LEAVE

**Attachments:** 1. Cover Letter, 2. Fiscal Impact Statement, 3. Hearing Notice List, 4. CAO Signature, 5. Notice published 5/6/2022

| Date      | Ver. | Action By                     | Action                  | Result | Tally |
|-----------|------|-------------------------------|-------------------------|--------|-------|
| 3/22/2022 | 0    | COMMON COUNCIL                | ASSIGNED TO             |        |       |
| 4/7/2022  | 1    | CITY CLERK                    | DRAFT SUBMITTED         |        |       |
| 4/13/2022 | 1    | FINANCE & PERSONNEL COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 4:0   |
| 4/19/2022 | 1    | COMMON COUNCIL                | PASSED                  | Pass   | 13:0  |
| 4/27/2022 | 1    | MAYOR                         | SIGNED                  |        |       |
| 5/6/2022  | 1    | CITY CLERK                    | PUBLISHED               |        |       |

211883  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to employee wages, benefits, and regulations.

- 350-45-1 am
- 350-45-3-c am
- 350-45-3-d am
- 350-45-4-c am

Under this ordinance, any individual who has exhausted all accrued time-off and is suffering from, or is taking care of an immediate family member who is suffering from, a serious health condition as defined under the federal family and medical leave act and is unable to work full-time is eligible for income protection through the accrued time-off donor program.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 350-45-1 of the code is amended to read:

**350-45. Accrued Time-Off Donor Program.**

**1. ESTABLISHED.** There is established a city-wide ~~[[catastrophic illness leave donation]]~~ >>accrued time-off donor<< program administered by the department of employee relations to provide income protection to eligible employees who have exhausted all accrued time off and are suffering from a ~~[[ terminal or major catastrophic illness]]~~ >>serious health condition as defined under the federal family

~~and medical leave act~~<< and are unable to work full-time or to eligible employees who have exhausted all accrued time-off with immediate family members who are suffering from a ~~[[terminal or major catastrophic illness]]~~ >>serious health condition as defined under the federal family and medical leave act<<. "Immediate family" in this section means a spouse, registered domestic partner as provided in s. 350-245, child or stepchild.

Part 2. Section 350-45-3-c and d of the code is amended to read:

**3. RECIPIENTS' ELIGIBILITY CRITERIA AND RULES.**

c. The employee, or his or her authorized agent, shall be responsible for completing the applications and obtaining a physician's statement certifying that the employee or the employee's immediate family member is suffering from a ~~[[terminal or major catastrophic illness]]~~ >>serious health condition as defined under the federal family and medical leave act<< that meets the program's medical requirements.

d. No determination regarding eligibility to receive donated time-off shall be made until the department of employee relations has received a completed application and physician's statement certifying that the employee or employee's immediate family member is suffering from a ~~[[terminal or major catastrophic illness]]~~ >>serious health condition as defined under the federal family and medical leave act or the applicable family and medical leave act certification establishing the employee or employee's immediate family member suffers from a serious health condition as defined under the federal family and medical leave act<<. An employee shall not be eligible to receive donated time-off unless and until he or she has exhausted all of his or her own accrued time-off. Although the decision of the department of employee relations respecting eligibility shall be final, employees who are denied this benefit shall be entitled to a written explanation as to why they did not qualify for participation in the program.

Part 3. Section 350-45-4-c of the code is amended to read:

**4. PARTICIPATION BY EMPLOYEE UNIONS.**

c. This program shall constitute the sole means by which employees may donate and receive time-off in cases of ~~[[terminal or major catastrophic illness]]~~ >>serious health condition as defined under the federal family and medical leave act<<.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

Department of Employee Relations

LRB177340-2  
Tea Norfolk  
4/7/2022