



Legislation Details (With Text)

**File #:** 090951      **Version:** 2  
**Type:** Charter Ordinance      **Status:** Passed  
**File created:** 11/6/2009      **In control:** FINANCE & PERSONNEL COMMITTEE  
**On agenda:**      **Final action:** 12/1/2009

**Effective date:**

**Title:** A substitute charter ordinance relating to retirement benefits for certain city employes.

**Sponsors:** THE CHAIR

**Indexes:** LABOR CONTRACTS, RETIREMENT BENEFITS

**Attachments:** 1. Dept of Employee Relations cover letter for unions, 2. Fiscal note for unions, 3. Revised Cover letter from Dept of Employee Relations re non management non represented, 4. Cover letter from Dept of Employee Relations for nonmanagement non represented employees, 5. Revised Fiscal note for non management non represented, 6. Fiscal note for nonmanagement non represented employees, 7. Revised cost information for non management non represented, 8. Costing information for non management non represented employees, 9. Revised cover letter for management pay plan employees, 10. Cover letter for management pay plan employees, 11. Revised fiscal note for management, 12. Fiscal note for management, 13. Comptroller letter, 14. Letter from Comptroller re revised fiscal notes, 15. Hearing Notice List, 16. Notice Published on 12-17-09

Date	Ver.	Action By	Action	Result	Tally
11/6/2009	0	COMMON COUNCIL	ASSIGNED TO		
11/19/2009	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
11/23/2009	1	CITY CLERK	DRAFT SUBMITTED		
11/24/2009	1	FINANCE & PERSONNEL COMMITTEE	SUBSTITUTED	Pass	5:0
11/24/2009	2	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/24/2009	2	CITY CLERK	DRAFT SUBMITTED		
12/1/2009	1	COMMON COUNCIL	PASSED	Pass	13:0
12/9/2009	1	MAYOR	SIGNED		
12/17/2009	1	CITY CLERK	PUBLISHED		

090951  
SUBSTITUTE 2  
090613  
THE CHAIR

A substitute charter ordinance relating to retirement benefits for certain city employes.

- 36-04-1-c      am
- 36-04-1-f      am
- 36-05-1-h-5-b      am
- 36-08-7-a-2      am
- 36-08-7-m      am

This charter ordinance changes retirement benefits for employes represented by the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel and the Association of

Municipal Attorneys as follows:

1. The sunset clause relating to creditable service for military service is eliminated.
2. A bonus year is added to the pension payment formulary thus qualifying an employe to retire earlier or add pension-eligible service time, or both. Employes who retire in 2010 are eligible.
3. Employes retiring in 2010 and 2011 shall receive an earlier cost-of-living increase of 2% effective the first anniversary of their retirement.
4. Employes hired on or after January 1, 2010, shall contribute 5.5% of their earnable compensation as a contribution to the retirement system.

This charter ordinance also changes retirement benefits for management employes, and nonmanagement/nonrepresented employes, with reference to benefits accorded to employes represented by unions specified in this charter ordinance:

1. Management employes - item #4.
2. Nonmanagement/nonrepresented employes- items #2, 3 and 4.

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

Part 1. The note appended to s. 36-04-1-c of the charter, as affected by Common Council File Number 090613, passed September 22, 2009, is amended to read:

### **36-04. Creditable Service.**

#### **1. SERVICE CREDITED. c.**

NOTE: The foregoing amendment to s. 36-04-1-c shall apply only to policemen represented by the MPA and firemen represented by Local 215, IAFF, who participate in the combined fund and who retire on a service retirement allowance between January 1, 1998 and December 31, 2002; policemen represented by the MPSO, and general city employes, who participate in the combined fund and who retire on a service retirement allowance between January 1, 1999 and December 31, 2002; non-represented firemen or policemen who participate in the combined fund and who retire on a service retirement allowance between January 1, 2000 and December 31, 2002; policemen represented by the MPA, firemen represented by Local 215, IAFF, nonrepresented firemen, and general city management and nonrepresented employes, who participate in the combined fund and who retire on a service retirement allowance on or after January 1, 2003; city of Milwaukee employes who participate in the combined fund and who retire on a service retirement allowance between January 1, 2003 and December 31, 2006, and who are represented by the Public Employees' Union 61, LIUNA, AFL-CIO; ~~[[the Technicians, Engineers and Architects of Milwaukee; the Association of Scientific Personnel]]~~, the Staff Nurses Council; Local 195, IBEW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO; Local 494, IBEW, AFL-CIO, Machine Shop; ~~[[the Association of Municipal Attorneys,]]~~ the Association of Law Enforcement Allied Services Personnel; or Local #218, I.U.P.A., AFL-CIO (Police Support Service Personnel); Local 494, IBEW, AFL-CIO, Fire Equipment Dispatchers; city of Milwaukee employes who participate in the combined fund and who retire on a service retirement allowance on or after January 1, 2003, and who are represented by Milwaukee District Council 48, AFSCME, AFL-CIO; city of Milwaukee employes represented by the Milwaukee Building and Construction Trades Council who participate in the combined fund and who retire on a service retirement allowance on or after August 1, 2007; >>city of Milwaukee employes represented by the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, and the Association of Municipal Attorneys who participate in the combined fund and who retire on a service retirement or allowance on or after January 1, 2007;<< city of Milwaukee employes represented by Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, and the International Association of Machinists and Aerospace Workers who participate in the combined fund and who retire on a service retirement

allowance between January 1, 2003 and December 31, 2006; and city of Milwaukee employees represented by Local 494, IBEW, AFL-CIO, Electrical Group, who participate in the combined fund and who retire on a service retirement allowance on or after June 1, 2007; and members represented by the Administrators and Supervisors Council who participate in the combined fund and retire on a service retirement allowance between January 1, 2003 and June 30, 2007; and Milwaukee public schools employees represented by Local 150, FSA/SNA/HCA; Local 150, BSH; Local 950, International Union of Operating Engineers; Local 1616, District Council 48 and Milwaukee Building and Construction Trades Council who participate in the combined fund and who retire on a service retirement between January 1, 2004 and June 30, 2007.

Part 2. Section 36-04-1-f of the charter is created to read:

f. City employees represented by Milwaukee District Council 48, AFSCME, AFL-CIO, >>the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, and the Association of Municipal Attorneys, and nonmanagement/nonrepresented employees<< who during the calendar year 2010 retire from active service on a normal service retirement allowance, including allowances under s. 36-05-1-d-3, or on an immediate retirement allowance under s. 36-05-6-c, shall be eligible for a bonus year. At the member's discretion, the bonus year may be added either to the member's age for purposes of retirement eligibility, or to creditable service. The bonus year may be divided into one month increments and used for a combination of additions to age and creditable service, not to exceed a total of 12 months. All or part of the bonus year cannot be applied to earn more than 35 years of creditable service or to exceed the 70% of final average salary limitation stated in s. 36-06-10-f. >>In order to be eligible for the bonus year provided in this paragraph, a nonrepresented/nonmanagement employee must provide notice of his or her intent to retire to his or her department head or designee by August 31, 2010.<<

Part 3. Section 36-05-1-h-5-b of the charter is amended to read:

### **36-05. Benefits.**

#### **1. SERVICE RETIREMENT ALLOWANCE.**

h-5-b. City employees represented by Milwaukee District Council 48, AFSCME, AFL-CIO, >>the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, and the Association of Municipal Attorneys and nonmanagement/nonrepresented employees << who during the calendar years 2010 and 2011 retire from active service on a normal service retirement allowance, including allowances under par. d-3, or on an immediate retirement allowance under par. 6-c, shall receive a 2% pension escalator effective with the installment next following the first anniversary of their retirement.

Part 4. Section 36-08-7-a-2 of the charter is amended to read:

a-2. City employees hired on or after January 1, 2010, who are represented by Milwaukee District Council 48, AFSCME, AFL-CIO, >>the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, and the Association of Municipal Attorneys, and management and nonmanagement/nonrepresented employees<< shall contribute 5.5% of their earnable compensation.

Part 5. Section 36-08-7-m of the charter is amended to read:

m. During the 8-year period immediately following their enrollment, general city employees who are

enrolled as members on or after January 1, 2000 shall contribute to the combined fund a sum expressed as 1.60% of the member's pensionable earnings if they participate in the combined fund. If a member who makes contributions under this par. separates from service without a vested pension or withdraws his or her accumulated contributions, amounts contributed under this par. shall be returned to the contributor without interest. This subsection shall not apply to city employes hired on or after January 1, 2010 who are represented by Milwaukee District Council 48, AFSCME, AFL-CIO, >>the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, and the Association of Municipal Attorneys, and management and nonmanagement/nonrepresented employes<<.

Part 6. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

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:\_\_\_\_\_

LRB09443-4  
BJZ:lp  
11/24/09