



## Legislation Details (With Text)

**File #:** 191473 **Version:** 2  
**Type:** Ordinance **Status:** Passed  
**File created:** 12/17/2019 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 3/24/2020  
**Effective date:**  
**Title:** A substitute ordinance relating to employee wages, benefits, and regulations.  
**Sponsors:** THE CHAIR  
**Indexes:** EMPLOYEE BENEFITS, WAGES AND BENEFITS  
**Attachments:** 1. Cover Letter, 2. Fiscal Impact Statement, 3. City Attorney Review and Signature

| Date       | Ver. | Action By                     | Action                  | Result | Tally |
|------------|------|-------------------------------|-------------------------|--------|-------|
| 12/17/2019 | 0    | COMMON COUNCIL                | ASSIGNED TO             |        |       |
| 3/13/2020  | 1    | CITY CLERK                    | DRAFT SUBMITTED         |        |       |
| 3/18/2020  | 1    | FINANCE & PERSONNEL COMMITTEE | SUBSTITUTED             | Pass   | 4:0   |
| 3/18/2020  | 2    | FINANCE & PERSONNEL COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 4:0   |
| 3/24/2020  | 2    | COMMON COUNCIL                | PASSED                  | Pass   | 14:0  |
| 4/2/2020   | 2    | MAYOR                         | SIGNED                  |        |       |
| 4/10/2020  | 2    | CITY CLERK                    | PUBLISHED               |        |       |

191473  
SUBSTITUTE 2

### THE CHAIR

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

350-37-0 am  
350-37-1-a am  
350-37-13 am  
350-237-3-b-7 am  
350-237-3-b-8 cr  
350-237-3-c-1 rp

This ordinance allows an employee to use sick leave to care for the employee's immediate family member, as defined by the federal family and medical leave act. This ordinance further grants city laborers eligibility, upon appointment, to sick leave with pay and to taking earned vacation time. This ordinance also corrects an out-of-date reference to the city service commission.

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

Part 1. Section 350-37-0 of the code is amended to read:

**350-37. Sick and Disability Leave.** Sick leave shall cover necessary absence from duty of an employee because of the employee's personal illness or pregnancy-related disability, bodily injury or exclusion from employment because of exposure to contagious disease by the employee>>, or for

the care of an employee's immediate family member. For the purpose of this section only, "immediate family member" has the meaning given in the federal family and medical leave act<<. In addition, an employee may request the substitution of sick leave for family leave under the state family and medical leave act, s. 103.10, Wis. Stats. Employees may not use sick leave for furlough days. Employees may accrue time earned for sick leave purposes while serving mandatory furlough time.

Part 2. Section 350-37-1-a of the code is amended to read:

**1. TIME GRANTED.**

a. Unless stated otherwise in a certified collective bargaining agreement while it is in force and in effect, an eligible employee of the city who serves on a full-time basis may accrue 12 working days' sick and disability leave with pay during any year. ~~[[City seasonal laborers shall be eligible to accrue sick and disability leave credit for a maximum of one year of actual service, but they may not be paid sick and disability leave until they become regular city laborers or sanitation workers.]]~~ Employees who serve the city on less than a full-time basis who qualify in all other respects may be granted a proportionate amount of sick and disability leave.

Part 3. Section 350-37-13 of the code is amended to read:

**13. ~~[[CITY SERVICE COMMISSION]]~~ >>DEPARTMENT OF EMPLOYEE RELATIONS<< TO PREPARE RULES.** The ~~[[city service commission]]~~ >>department of employee relations<< shall prepare rules and regulations, forms and procedures of reporting sick leave.

Part 4. Section 350-237-3-b-7 of the code is amended to read:

**350-237. Exclusion from Benefits.**

**3. BENEFITS PROVIDED.**

b-7. Vacation pay. ~~[[Employees may take vacation time earned after working 2,080 hours.]]~~

Part 5. Section 350-237-3-b-8 of the code is created to read:

b-8. Sick leave with pay.

Part 6. Section 350-237-3-c-1 of the code is repealed.

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  
Dana J. Zelazny

LRB175961-3  
March 16, 2020