



## Legislation Details (With Text)

**File #:** 100241 **Version:** 1

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

**File created:** 6/15/2010 **In control:** FINANCE & PERSONNEL COMMITTEE

**On agenda:** **Final action:** 7/7/2010

**Effective date:**

**Title:** A substitute charter ordinance relating to retirement benefits for employees represented by certain bargaining units.

**Sponsors:** ALD. MURPHY

**Indexes:** CHARTER ORDINANCES, LABOR CONTRACTS, RETIREMENT BENEFITS

**Attachments:** 1. Letter Regarding Building Trades from MPS, 2. Fiscal Note, 3. Hearing Notice List, 4. Notice Published on 7-23-10

| Date      | Ver. | Action By                     | Action                  | Result | Tally |
|-----------|------|-------------------------------|-------------------------|--------|-------|
| 6/15/2010 | 0    | COMMON COUNCIL                | ASSIGNED TO             |        |       |
| 6/22/2010 | 1    | CITY CLERK                    | DRAFT SUBMITTED         |        |       |
| 6/25/2010 | 1    | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/30/2010 | 1    | FINANCE & PERSONNEL COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 7/7/2010  | 1    | COMMON COUNCIL                | PASSED                  | Pass   | 15:0  |
| 7/9/2010  | 1    | MAYOR                         | SIGNED                  |        |       |
| 7/23/2010 | 1    | CITY CLERK                    | PUBLISHED               |        |       |

100241

SUBSTITUTE 1

100173

ALD. MURPHY

A substitute charter ordinance relating to retirement benefits for employees represented by certain bargaining units.

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 Milwaukee public school employees represented by Milwaukee Building and Construction Trades Council, AFL-CIO as follows:

1. Effective for employees who retire on or after January 1, 2007, the expiration date for granting creditable service for prior military service is eliminated.
2. A bonus year is added to the pension payment formulary thus qualifying an employee to retire earlier or add pension-eligible service time, or both. Only employees who retire from August 1, 2010 to December 31, 2010 are eligible.
3. Employees retiring from August 1, 2010 to December 31, 2010 shall receive a cost-of-living increase of 2% effective the first anniversary of their retirement.

4. Employees hired on or after August 1, 2010, shall contribute 5.5% of their earnable compensation as a contribution to the retirement system.

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 city charter, as affected by common council file number 100173, passed June 15, 2010, 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 employees, 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 employees, who participate in the combined fund and who retire on a service retirement allowance on or after January 1, 2003; city of Milwaukee employees 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 Association of Law Enforcement Allied Services Personnel; or Local #218, I.U.P.A., AFL-CIO (Police Support Service Personnel); city of Milwaukee employees 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 employees 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 employees represented by the Technicians, Engineers and Architects of Milwaukee, the Association of Scientific Personnel, the Association of Municipal Attorneys, SEIU Healthcare District 1199 Wisconsin/Staff Nurses Council, Local 195, IBEW, AFL-CIO, Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, Local 494, IBEW, AFL-CIO, Machine Shop, District 10, IAMAW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO and Local 494, IBEW, AFL-CIO, Fire Equipment Dispatchers who participate in the combined fund and who retire on a service retirement or allowance on or after January 1, 2007; city of Milwaukee employees represented by 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 1053, District Council 48 >>, << Local 950, International Union of Operating Engineers >> and << 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; >> and Milwaukee public schools employees represented by Milwaukee Building and Construction Trades Council, AFL-CIO who participate in the combined fund and who retire on a service retirement allowance on or after July 1, 2007; << and employees of Veolia Water Milwaukee, LLC., represented by District Council 48, AFSCME, AFL-CIO, Local 366, or IBEW, Local 494, or Steamfitters, Local 601, or International Union of Operating

Engineers, Local 317, or District No. 10, I.A.M.A.W., Lodge 66, who participate in the combined fund and retire on a service retirement allowance on or after March 1, 2008; employees of the Milwaukee Metropolitan Sewerage District represented by District Council 48, AFSCME, AFL-CIO, Local 366, who participate in the combined fund and retire on a service retirement allowance on or after March 8, 2010.

Part 2. Section 36-04-1-f of the city charter is amended 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, the Association of Municipal Attorneys, SEIU Healthcare District 1199 Wisconsin/Staff Nurses Council, Local 195, IBEW, AFL-CIO, Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, Local 494, IBEW, AFL-CIO, Machine Shop, District 10, IAMAW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO, Local 494, IBEW, AFL-CIO, Fire Equipment Dispatchers 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. Employees of the Milwaukee Metropolitan Sewerage District represented by District Council 48, AFSCME, AFL-CIO, Local 366, who during the period commencing May 1, 2010 and ending April 30, 2011, 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 pursuant to this paragraph and must give notice by February 1, 2011, of their intent to retire in order to be eligible for the bonus year. This provision shall expire at the end of April 30, 2011. Employees of Local 494, IBEW-AFL-CIO, Electrical Group, who during the period commencing June 1, 2010, and ending December 31, 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 pursuant to this paragraph. This provision shall expire at the end of December 31, 2010. >> Employees of Milwaukee public schools represented by Milwaukee Building and Construction Trades Council, AFL-CIO, who during the period commencing August 1, 2010, and ending December 31, 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 pursuant to this paragraph. This provision shall expire January 1, 2011.<<

Part 3. Section 36-05-1-h-5-b of the city 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, the Association of Municipal Attorneys, SEIU Healthcare District 1199 Wisconsin/Staff Nurses Council, Local 195, IBEW, AFL-CIO, Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, Local 494, IBEW, AFL-CIO, Machine Shop, District 10, IAMAW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO, Local 494, IBEW, AFL-CIO, Fire

Equipment Dispatchers 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, and their surviving spouses, shall receive a 2% pension escalator effective with the installment next following the first anniversary of their retirement. Employees of Local 494, IBEW-AFL-CIO, Electrical Group, who during the period commencing June 1, 2010, and ending December 31, 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, and their surviving spouses, shall receive a 2% pension escalator effective with the installment next following the first anniversary of their retirement.

>> Employees of Milwaukee public schools represented by Milwaukee Building and Construction Trades Council, AFL-CIO, who during the period commencing August 1, 2010, and ending December 31, 2010, 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, and their surviving spouses, 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 city charter is amended to read:

**36-08. Method of Financing.**

**7. MEMBER CONTRIBUTIONS**

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, the Association of Municipal Attorneys, SEIU Healthcare District 1199 Wisconsin/Staff Nurses Council, Local 195, IBEW, AFL-CIO, Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, Local 494, IBEW, AFL-CIO, Machine Shop, District 10, IAMAW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO, management and nonmanagement/nonrepresented employees; Local 494, IBEW-AFL-CIO, Electrical Group employees hired on or after June 1, 2010; [[and]] Local 494, IBEW, AFL-CIO, Fire Equipment Dispatchers employees hired on or after June 15, 2010 >> ; and employees of Milwaukee public schools represented by Milwaukee Building and Construction Trades Council, AFL-CIO, hired on or after August 1, 2010<< shall contribute 5.5% of their earnable compensation.

Part 5. Section 36-08-7-m of the city 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 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, the Association of Municipal Attorneys, SEIU Healthcare District 1199 Wisconsin/Staff Nurses Council, Local 195, IBEW, AFL-CIO, Local 75, Journeyman Plumbers and Gasfitters Union, AFL-CIO, Local 494, IBEW, AFL-CIO, Machine Shop, District 10, IAMAW, AFL-CIO, Joint Bargaining Unit Local 139, IUOE, AFL-CIO/Milwaukee District Council 48, AFSCME, AFL-CIO, management and nonmanagement/nonrepresented employees; Local 494, IBEW-AFL-CIO, Electrical Group employees hired on or after June 1, 2010; [[and]] Local 494, IBEW, AFL-CIO, Fire Equipment Dispatchers employees hired on or after June 15, 2010 >> ; and employees of Milwaukee public schools represented by Milwaukee Building and Construction Trades Council, AFL-CIO, hired on or after August 1, 2010<<.

Part 6. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 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: \_\_\_\_\_

LRB10282-2

MET

6/22/2010