



Milwaukee County COVID-19 Public Health Emergency Fiscal Actions Administrative Order 20-9v1

Version 1 Issued and Effective as of 7:00 a.m. on Monday, March 30, 2020

COVID-19 Fiscal Action Administrative Order

Given Governor Evers' declaration of a public health emergency associated with COVID-19 on March 12, 2020, the County's principal goal is to protect the health of its employees and the public. The Governor's order on March 24, 2020, for all Wisconsin residents to "Stay At Home" is a necessary measure to promote the health and welfare of Wisconsinites. Unfortunately, these vital actions to keep our communities safe have negative impacts on the Milwaukee County budget. Substantial portions of the County's budget depend on robust economic activity in our region. Areas such as sales tax, investment income, and program revenue will fall short of budgeted amounts in 2020 due to operations and businesses being closed.

In response to this emergency situation, this Administrative Order involves actions that will pose short-term challenges to County departments and services, but these vital fiscal actions will allow Milwaukee County to sustainably serve the community. Please know that the County Executive's Office will monitor the County's fiscal situation with the Department of Administrative Services (DAS) and the Comptroller and will rescind or amend this order, as needed.

This Order includes actions pertaining to expenditure reductions in the 2020 budget year. This policy is effective at 7:00 a.m. Monday, March 30, 2020.

If you have questions about this, or any other Administrative Order or policy, please email: COVID-19@milwaukeecountywi.gov

I. Hiring Freeze

With the exceptions listed below, hiring a vacant position is suspended.

A. Exemptions

- i. Positions that are directly responsible for public safety.
- ii. Positions that are directly responsible for public health/emergency response.
- iii. Positions that are directly responsible for patient care.
- iv. Positions that are 100% directly funded by outside revenue that continues to be generated by a department during the public health emergency.
- v. Positions that are necessary to earn program revenue in an amount greater than the position cost for operations that remain open during the public health emergency.
- vi. The following positions are exempt from the hiring freeze and a request form is **not** required: Corrections Officers, Deputy Sheriffs, Nurses, Psych Techs, all elections staff, and all OEM staff.

B. Process for Making Exemptions

Exemptions not listed in I.A.vi, but where department believe a position qualifies for an exemption in I.A.i – I.A.v, should submit their exemption request using the process below:

- i. Department completes the [Fiscal Actions Exemption Form](#).¹
- ii. Send completed form via email to psb@milwaukeecountywi.gov
- iii. DAS will review all requests and make a recommendation to the EOC.
- iv. EOC will approve/deny the exemption and notify the department and DAS.

Positions that do not qualify for an exemption and are currently in the requisition process may be filled only if the candidate has accepted an offer before the enactment of this Order.

II. Personnel Action Freeze

New personnel actions² are suspended, with the exception of Temporary Assignments to a Higher Classification (TAHC). New TAHCs may be implemented at the discretion of department heads.

III. Overtime Freeze

With the exceptions listed below, employees that are non-exempt from the Fair Labor Standards Act shall not work in excess of forty (40) hours per week and shall not earn overtime:

A. Exemptions

- i. Employees that are directly responsible for public safety.
- ii. Employees that are directly responsible for public health/emergency response.
- iii. Employees that are directly responsible for patient care.
- iv. Positions that are 100% directly funded by outside revenue that continues to be generated by a department during the public health emergency.
- v. Positions that are necessary to earn program revenue in an amount greater than the position cost for operations that remain open during the public health emergency, including the cost of any overtime.

B. Process for Making Exemptions

- i. Department Heads may authorize overtime for employees that are covered by an exemption.
- ii. DAS and the EOC will monitor overtime usage and the County's fiscal position. If needed, this order may be amended to require pre-approval of Overtime by DAS and/or the EOC.

¹ Full URL to form: <https://countyconnect.milwaukeecountywi.gov/New---County-Intranet-Files/COVID19/AdminOrderExemptionRequestForm.xlsx>

² **Personnel Actions** include, but are not limited to: reclassifications, reallocations, and creating a new position.

IV. Freeze on New Contracts and Contract Amendments

Departments shall not enter into any new contracts³ or make amendments to any existing contracts unless the new contract or amendment is exempted below. DAS and/or Comptroller will determine if a contract meets the criteria and will now become a required signatory to any contract, to note such acceptance.

A. Exemptions

- i. Contracts/amendments that directly support essential public safety operations.
- ii. Contracts/amendments that directly support public health/emergency response operations.
- iii. Contracts/amendments that directly support patient care operations.
- iv. Contracts that are 100% funded by outside revenue that continues to be generated during the public health emergency.
- v. Contracts/amendments that are necessary to earn program revenue in an amount greater than the contract cost for operations and that remain open during the public health emergency.
- vi. Amendments that do not increase the overall cost of the contract.
- vii. Contracts that are necessary to avoid significant and imminent adverse fiscal impacts, as determined by the Department of Administrative Services.

B. Process for Making Exemptions

- i. Department completes the [Fiscal Actions Exemption Form](#).
- ii. Send completed form via email to psb@milwaukeecountywi.gov
- iii. DAS will review all requests and either approve, deny, or forward the request to the EOC with a recommendation.

V. Voluntary Time Off (VTO)

Currently, the County is providing paid leave codes related to the Public Health Emergency. Voluntary Time Off (VTO) is a means for employees to provide unpaid time-off during the year. Managers and employees may wish to consider VTO. Under the authority of MCGO 17.176 and Civil Service Rule VIII, Section 2, department supervisors are encouraged to work with staff to identify employees who are willing to voluntarily take time off without pay for a period of time in the 2020 calendar year. Time off includes, but is not limited to, an unpaid continuous break or a reduced work schedule for equivalently reduced pay. Requests for VTO should be submitted by the employee's supervisor to the Director of Human Resources (Julie.landry@milwaukeecountywi.gov) for approval prior to use. The use of VTO is discretionary on the part of supervisors and should be voluntary on the part of employees.

VI. Work Travel, Training, and Professional Development

Non-essential work travel, training, and professional development opportunities with any associated cost to the County are suspended for the remainder of 2020. Departments should cancel such travel and/or training where deposits have been made. The County will reimburse the cost of any cancellation. Any

³ **New Contracts** refers to any contract that is not yet signed by all parties; this is all inclusive of contracts for service providers and professional service workers.

exception to this rule will require approval from DAS. The Treasurer's Office will no longer process any travel request advances.

VII. Operating Capital

Operating Budget capital accounts (accounts 8500-8599) are frozen. Requests for spending from these accounts must be pre-approved by DAS. Encumbered contracts for operating capital accounts, where work has not begun, should be reviewed to determine if such contracts can be cancelled.

VIII. Operating Commodity/Services Purchases

Departments should put in place a process for ensuring that only the most essential commodities/services are purchased for the remainder of the year. DAS and the Comptroller will monitor these accounts to ensure nonessential purchases are not occurring and will request additional information from department heads if deemed necessary. DAS has the authority to freeze these accounts if needed in the future. Additional criteria and guidance on essential commodities and services is forthcoming.

IX. Capital Cash Projects (agency 120)

Review of capital cash projects that have not started is underway to identify potential projects that can be delayed or cancelled.

X. Encumbrances

DAS will work with the Comptroller and departments to perform a review of open encumbrances for potential liquidations.