

From, the Director of Benefits Administration, Department of Human Resources, requesting authorization to modify the current paid time off policy to address inequities and help attract and retain staff by amending Sections 17.17(1)(a) of the Milwaukee County Code of General Ordinances, by recommending adoption of the following:

**A RESOLUTION/ORDINANCE**

WHEREAS, various sections of Chapter 17 of the Milwaukee County Code of General Ordinances relate to vacation accrual for Milwaukee County (the County) employees; and

WHEREAS, the 2023 Recommended Budget proposes changes to the accrual of vacation for County employees to reduce inequities based on tenure, and provide a competitive benefit to attract and retain employees; and

WHEREAS, the vacation accrual would change as follows for most full-time general employees:

Existing Vacation Policy		Proposed Vacation Policy	
Years of Service	Vacation Days/Hours	Years of Service	Vacation Days/Hours
1 to less than 5	10 Days or 80 Hours	0 to less than 3	15 Days or 120 Hours
5 to less than 10	15 Days or 120 Hours	3 to less than 6	18 Days or 144 Hours
10 to less than 15	20 Days or 160 Hours	6 to less than 11	21 Days or 168 Hours
15 to less than 20	25 Days or 200 Hours	11 to less than 20	25 Days or 200 Hours
20+	30 Days or 240 Hours	20+	30 Days or 240 Hours

; and

WHEREAS, in addition to paid vacation, most full-time County employees receive three personal days, accrue 3.7 hours of sick time per pay period, and receive a generous allotment of paid holidays; and

WHEREAS, to promote employee wellness, the use of accrued sick time should also be accessible immediately; it currently accrues from the date of hire, but may not be used for the first six months of employment; and

WHEREAS, the Committee on Personnel, at its special meeting of October 7, 2022, recommended adoption of File No. 22-1038 (vote 4-0); and

WHEREAS, the Committee on Finance-Budget, at its meeting of October 14, 2022, recommended adoption of File No. 22-1038 (vote 6-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends Sections 17.17, 17.18, 17.182, and 17.26 of the Milwaukee County Code of General Ordinances by adopting the following:

41  
42 **AN ORDINANCE**  
43

44 The County Board of Supervisors of the County of Milwaukee does ordain as follows:  
45

46 **SECTION 1.** Section 17.17(1)(a) of the General Ordinances of Milwaukee County is  
47 hereby amended as follows:  
48

49 17.17. - Vacations and holidays.

50 ~~(1) (a) The heads of all departments, bureaus, institutions, boards or~~  
51 ~~commissions shall make provision for, designate, and allow annual leaves~~  
52 ~~with pay to serve as vacation equivalent to eighty (80) hours for each~~  
53 ~~employee who has completed one (1) year or more of service, unless as~~  
54 ~~otherwise may be provided for by collective bargaining agreements; one~~  
55 ~~hundred twenty (120) hours for each employee who has completed five (5)~~  
56 ~~years or more of service; one hundred sixty (160) hours for each employee~~  
57 ~~who has completed ten (10) years or more of service; two hundred (200)~~  
58 ~~hours for each employee who has completed twenty (20) years or more of~~  
59 ~~service; assistant chiefs of airport rescue and firefighting, employes shall~~  
60 ~~be allowed annual leave with pay to serve as vacation equivalent to one~~  
61 ~~hundred four (104) hours for each employee who has completed one (1) year~~  
62 ~~or more of service; one hundred fifty six (156) hours for each employee who~~  
63 ~~has completed five (5) years or more of service; two hundred eight (208)~~  
64 ~~hours for each employee who has completed ten (10) years or more of~~  
65 ~~service; two hundred sixty (260) hours for each employee who has~~  
66 ~~completed fifteen (15) years or more of service; and three hundred twelve~~  
67 ~~(312) hours for each employee who has completed twenty (20) years or more~~  
68 ~~of service; firefighter and equipment operators, employes paid on an~~  
69 ~~hourly or per diem basis who customarily work less than forty (40) hours~~  
70 ~~per week or two thousand eighty (2,080) hours per annum, employes paid~~  
71 ~~on a per call or clinic hourly basis, and part-time employes paid on a~~  
72 ~~biweekly basis whose services are required less than half-time, unless as~~  
73 ~~otherwise provided for by collective bargaining agreements; firefighter and~~  
74 ~~equipment operators shall be allowed annual leave with pay to serve as~~  
75 ~~vacation as follows: five (5) work days for each employee who has~~  
76 ~~completed one (1) year or more of service, seven (7) work days for each~~  
77 ~~employee who has completed five (5) years or more of service, ten (10) work~~  
78 ~~days for each employee who has completed ten (10) years or more of~~  
79 ~~service, and twelve (12) work days for each employee who has completed~~  
80 ~~twenty (20) years or more of service. During the first year of employment,~~  
81 ~~or in a return to service, an employe will be granted a proportional share of~~  
82 ~~their hours of vacation entitlement based on the number of full calendar~~  
83 ~~months remaining in the calendar year in which the employe was first hired~~  
84 ~~or in which the employe was rehired, divided by twelve (12) and rounded up~~  
85 ~~to the nearest whole hour, and shall be granted their full vacation~~  
86 ~~entitlement on January 1 of the calendar year after being hired or rehired~~

87 ~~by the county. Except for represented public safety worker employees,~~  
 88 ~~years of service for a new employe, or an employe returning to service,~~  
 89 ~~who was not discharged or involuntarily separated from the county, shall~~  
 90 ~~include any pension service earned with Milwaukee County, the State of~~  
 91 ~~Wisconsin or any municipality within the State of Wisconsin. An employe~~  
 92 ~~shall not receive payment for unused vacation credit upon any termination~~  
 93 ~~of employment, including, but not limited to, a retirement, unless the~~  
 94 ~~employe has served two thousand eighty (2,080) hours after the employe's~~  
 95 ~~initial date of hire or rehire. Effective in 2002 all non-represented employes~~  
 96 ~~shall be eligible for five (5) weeks of vacation (two hundred (200) hours)~~  
 97 ~~after fifteen (15) years of service and six (6) weeks of vacation (two~~  
 98 ~~hundred forty (240) hours) after twenty (20) years of service.~~

99  
 100 (1) (a) The heads of all departments, bureaus, institutions, boards or  
 101 commissions shall make provision for, designate, and allow annual leaves  
 102 with pay, unless as otherwise provided for by collective bargaining  
 103 agreements, as shown in the following charts:  
 104

<u>General Employees</u>	
<u>Years of Service</u>	<u>Vacation Days/Hours</u>
<u>0 to 3</u>	<u>15 Days or 120 Hours</u>
<u>3 to 6</u>	<u>18 Days or 144 Hours</u>
<u>6 to 11</u>	<u>21 Days or 168 Hours</u>
<u>11 to 20</u>	<u>25 Days or 200 Hours</u>
<u>20+</u>	<u>30 Days or 240 Hours</u>

105

<u>Assistant Fire Chiefs</u>	
<u>Years of Service</u>	<u>Vacation Hours</u>
<u>0 to 3</u>	<u>156 Hours</u>
<u>3 to 6</u>	<u>187 Hours</u>
<u>6 to 11</u>	<u>218 Hours</u>
<u>11 to 20</u>	<u>260 Hours</u>
<u>20+</u>	<u>312 Hours</u>

106

107 During the first year of employment, or in a return to service, an employee  
108 will be granted a proportional share of their hours of vacation entitlement  
109 based on the number of full calendar months remaining in the calendar  
110 year in which the employee was first hired or in which the employee was  
111 rehired, divided by twelve (12) and rounded up to the nearest whole hour,  
112 and shall be granted their full vacation entitlement on January 1 of the  
113 calendar year after being hired or rehired by the county. Except for  
114 represented public safety worker employees, years of service for a new  
115 employee, or an employee returning to service, who was not discharged or  
116 involuntarily separated from the county, shall include any pension service  
117 earned with Milwaukee County, the State of Wisconsin or any municipality  
118 within the State of Wisconsin. An employee shall not receive payment for  
119 unused vacation credit upon any termination of employment, including, but  
120 not limited to, a retirement, unless the employee has served two thousand  
121 eighty (2,080) hours after the employee's initial date of hire or rehire.  
122 Unless provided for in an approved collective bargaining agreement,  
123 employees shall not receive vacation benefits which differ from the  
124 provisions of chapter 17 without the approval of the county board.  
125

126 **SECTION 2.** Section 17.18(2) of the General Ordinances of Milwaukee County is  
127 hereby amended as follows:  
128

129 17.18. - Leave of absence with pay on account of illness or other special causes.  
130 (2) Such leave of absence with pay shall accrue **and be granted** during the first six  
131 (6) months of service, ~~but shall not be granted until the completion of six (6)~~  
132 ~~months of service, unless injury or disability is incurred in line of duty.~~  
133

134 **SECTION 3.** Section 17.182(1) of the General Ordinances of Milwaukee County is  
135 hereby amended as follows:  
136

137 17.182. - Pro rata benefits.  
138 (1) Any employe employed as a ~~lifeguard III, lifeguard supervisor, or food~~  
139 ~~service operator~~ (seasonal) who works one thousand forty (1,040) or more hours  
140 per calendar year shall accrue vacation, sick leave, and personal days on a pro  
141 rata basis. At the end of calendar year 1981 and each year thereafter, such  
142 employes who work one thousand forty (1,040) or more hours during calendar year  
143 1981 and each year thereafter shall be credited with accrued accounts based on  
144 the number of hours worked in the preceding year. Such account other than sick  
145 leave must be exhausted in the calendar year following that in which they were  
146 accrued. Such employes shall not be laid off for the purpose of avoiding the accrual  
147 of pro rata benefits. **Any non seasonal employee who has a scheduled work**  
148 **week of less than 40 hours (part-time) shall accrue vacation, sick leave, and**  
149 **personal days on a pro rata basis.**  
150

151 **SECTION 4.** Section 17.26 of the General Ordinances of Milwaukee County is hereby  
152 amended as follows:

153

154 ~~17.26. -- Fringe benefits for incumbents of positions transferred to the unclassified~~  
155 ~~service and for incumbents of unclassified positions.~~

156

157 ~~(1) The incumbent of any position transferred from the classified service to~~  
158 ~~the unclassified service pursuant to the provisions of s. 63.03(3), Wis. Stats.,~~  
159 ~~shall retain, accumulate and be eligible for the same fringe benefits under~~  
160 ~~chapter 17 of the Code, the rules of the civil service commission and the~~  
161 ~~resolutions and ordinances of the county board as any other person holding~~  
162 ~~a position in the classified service, during his/her entire employment with the~~  
163 ~~county whether the position he/she holds is in the classified or unclassified~~  
164 ~~service.~~

165

166 ~~(2) Persons appointed to all other regular exempt positions except (a) those~~  
167 ~~represented by a certified collective bargaining unit, (b) elected officials and~~  
168 ~~their deputies, (c) all members of boards and commissions and (d) all interns,~~  
169 ~~students and trainees shall earn, accrue and liquidate leave of absence with~~  
170 ~~pay on account of illness or other special causes under the provisions of~~  
171 ~~section 17.18 of the Code.~~

172

173 ~~(3) Persons appointed to positions in the unclassified service except (a)~~  
174 ~~those represented by a certified collective bargaining unit, (b) elected~~  
175 ~~officials and their deputies, (c) all members of boards and commissions and~~  
176 ~~(d) all interns, students and trainees shall be eligible for the utilization of~~  
177 ~~vacation and holidays in accordance with the provisions of section 17.17 of~~  
178 ~~this Code and personal days in accordance with the provisions of section~~  
179 ~~17.172 of this Code. However, appointees to unclassified positions included~~  
180 ~~in the executive compensation plan shall be entitled to three (3) weeks of~~  
181 ~~vacation in each calendar year which shall be prorated in the calendar year of~~  
182 ~~appointment, at a rate of ten (10) hours per month, or portion thereof~~  
183 ~~remaining in the calendar year, and shall be eligible for the accrual and use of~~  
184 ~~sick leave upon appointment.~~

185

186 ~~Appointees to unclassified positions included in the executive compensation~~  
187 ~~plan shall be eligible for four (4) weeks of annual vacation after ten (10) years~~  
188 ~~of county service and five (5) weeks of annual vacation after twenty (20) years~~  
189 ~~of county service. The provisions of this section shall not reduce the vacation~~  
190 ~~entitlement provided to an unclassified employe prior to the adoption of this~~  
191 ~~section. Unclassified employes appointed after adoption of this resolution~~  
192 ~~may receive vacation or other benefits which differ from the provisions of~~  
193 ~~chapter 17 upon adoption of a resolution by the county board.~~

194

195 **SECTION 5.** The provisions of this Ordinance shall be effective beginning January 1,  
196 2023, after passage and publication.

197

198

199 srb

200 10/07/2022

201 S:\Committees\2022\October\PER Special\Resolutions\22-1038 DHR - Paid Time Off Ordinance Change.docx