

1 FOR SUSPENSION

2 By Chairman Holloway

3 (Journal,)

4

5 **A RESOLUTION**

6 To clarify and extend, on an emergency and non-precedential basis,
7 employee compensation and benefits policies to employees formerly
8 represented by District Council 48 (DC48) of the American Federation of State,
9 County and Municipal Employees (AFSCME), in order to avoid administrative
10 confusion and uncertainty, until the County Board adopts applicable policies.

11 WHEREAS, at the time of consideration of this resolution, AFSCME
12 either will have been, or is expected soon to be, decertified by the Wisconsin
13 Employment Relations Commission as a collective bargaining unit and as the
14 bargaining representative for its members (hereinafter referred to as “former
15 members”), and

16 WHEREAS, the 2007-08 collective bargaining agreement between
17 Milwaukee County and AFSCME contains numerous provisions related to
18 compensation and fringe benefits that would immediately become inapplicable
19 to those former members of AFSCME upon decertification of the union, and

20 WHEREAS, Milwaukee County has enacted some ordinance
21 amendments in 2011 containing policies related to some compensation and
22 fringe benefits of former AFSCME members, but that Milwaukee County has
23 not yet reviewed and enacted policies with respect to all compensation and
24 fringe benefit subjects covered by the 2007-08 collective bargaining agreement,
25 and

26 WHEREAS, this resolution and ordinance is adopted for the sole purpose
27 of avoiding significant administrative uncertainty and confusion that might exist
28 without its adoption, and is expressly intended not to be precedential with respect
29 to any matter contained herein, and

30 WHEREAS, this ordinance is intended to be effective only upon the
31 decertification of AFSCME and only until such time as Milwaukee County enacts
32 policies on these subjects for these former members, now, therefore,

33 BE IT RESOLVED, to codify this emergency and temporary policy, the
34 Milwaukee County Board of Supervisors hereby adopts Section 17.015 of the
35 Milwaukee County Code of General Ordinances by adopting the following:

36

AN ORDINANCE

37 The County Board of Supervisors of the County of Milwaukee does ordain
38 as follows:

39 **SECTION 1.** Section 17.015 is created as follows:

40 **17.015. Continuation of certain compensation and fringe benefits for**
41 **former members of AFSCME**

42 (1) This ordinance is effective upon the decertification by the Wisconsin
43 Employment Relations Commission, pursuant to ERC 73.01, 73.03(7)(b) and any
44 other applicable provision of the Wisconsin Administrative Code, of the American
45 Federation of State, County and Municipal Employees (AFSCME) as a collective
46 bargaining unit and as the bargaining representative for its members.

47 (2) Notwithstanding any provision of these ordinances to the contrary, for
48 employees who were represented by AFSCME as of January 30, 2012, the
49 following sections of the 2007-08 collective bargaining agreement between
50 AFSCME and Milwaukee County are incorporated herein as though fully set forth
51 herein and made applicable to such employees:

52 (a) 2.02 Pro Rata Benefits

53 (b) 2.021 Hourly Employees

54 (c) 2.022 Part Time Employees

55 (d) 2.06 Standby Pay

56 (e) 2.07 Call In Pay

57 (f) 2.08 Shift Differential

58 (g) 2.12 Uniform Allowance

59 (h) 2.13 Tool Allowance

60 (i) 2.17(3), 2.17(7), and 2.17(9) relating to Retirement Benefits