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From the Employee Relations Director, Department of Human Resources, requesting the approval of the collateral agreements between Milwaukee County and Milwaukee Deputy Sheriffs' Association (MDSA) concerning changes to the §3.03 Call in Pay and §3.04 Standby Pay of the Labor Agreement and establishing a Pilot Program Creating a Standby List for Purposes of Weekend Hospital Watch, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Collateral Agreement (the Agreement) is between Milwaukee County (the County) and the Milwaukee County Deputy Sheriff's Association (MDSA) concerning changes to Sections 3.03 and 3.04 of the Agreement; and

WHEREAS, the Agreement is subject to the approval of the Milwaukee County Board of Supervisors (County Board) under Section 80.04(3) of the Milwaukee County Code of General Ordinances; and

WHEREAS, the following changes to Sections 3.03 and 3.04 were agreed upon:

Section 3.03 CALL IN PAY

- Any employee who is required to call into work outside of regular shift hours or responding to subpoenas shall receive a minimum of three consecutive hours of pay at overtime rate.
- Multiple call-ins shall not result in the payment of the minimum for each call when more than one response is within three hours until actual hours worked exceed three hours.
- An off-duty employee receiving a call or text from a supervisor shall be paid overtime on a per conversation/incident basis (not per call or message).

(a) Hospital Watch Call-Ins.

1. Call-ins for hospital watches are required and not voluntary. Employees are required to call in one hour prior to the start of the hospital watch.
2. The employee shall call in and if not needed for a watch, they are paid the standby rate and receive credit for a mandatory overtime assignment. If hospital watch is added to the schedule during one hour of the call, Management may contact the employee within the one-hour period to say they are needed for a watch and to report to work.

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- 3. If the employee calls in, is needed for watch and reports to work, they receive a minimum of three hours pay in addition to the standby pay received for calling in.

Section 3.04 STANDBY PAY

The change is employees placed on standby status shall be paid one hour at the current rate for top step deputy sheriff’s pay rate per day.

- Employees assigned to “standby” (e.g., specialty units, canine, Criminal Investigative Division for seven day stretches - 24 hours a day) should only be subject to mandatory overtime related to being called in pursuant to their standby status (i.e not subject to regular agency mandatory overtime during that timeframe of “standby”).
- When employees are called in related to standby on call status, that shall count as an agency mandatory overtime. This rule would not apply in instances in which the entire agency is placed in a “standby on call” status.

; and

WHEREAS, the County and the MSDA agree, if approved by the County Board, the language in this Agreement shall be incorporated into the next successor contract executed between parties; and

WHEREAS, the negotiation staffs of the County and the MDSA have reached a Collateral Agreement on establishing a pilot program creating a standby list for the purposes of weekend hospital watches; and

WHEREAS, the Committee on Personnel, at its meeting of July 13, 2023, recommended adoption of File No. 23-706 (vote 5-0); and

WHEREAS, the Committee on Finance, at its meeting of July 20, 2023, recommended adoption of File No. 23-706 (vote 7-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby approves the Collateral Agreement (the Agreement) with the Milwaukee Deputy Sheriffs’ Association relating to Sections 3.03 Call In Pay and 3.04 Standby Pay, and a Collateral Agreement establishing a pilot program creating a standby list for the purposes of weekend hospital watches, which are included as attachments to this file, and hereby authorizes and directs the Milwaukee County Executive and the County Clerk to execute these Agreements; and

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BE IT FURTHER RESOLVED, the County Board hereby authorizes the Office of Strategy, Budget, and Performance, and the Office of the Comptroller to process an administrative appropriation transfer of \$65,056 from Agency 194, Org. Unit 1945 Appropriation for Contingencies to Org. Unit 4002, Account 51006 – Milwaukee County Sheriff's Office - 400.

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07/20/23
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