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2 **FROM THE OFFICE OF GEORGE L. CHRISTENSON**  
3 **MILWAUKEE COUNTY CLERK**

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5 **County Ordinance No. 17-9**

6  
7 **File No. 17-452**

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9  
10 **AN ORDINANCE**

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

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14 **SECTION 1.** Section 17.05 is amended to read as follows:

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16 17.05. - Determination of appropriate classification of position.

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18 The following procedure shall be utilized to ensure that all county positions are  
19 appropriately classified based upon the duties assigned to and performed by the  
20 incumbents of the position:

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22 (1) Creation of additional positions. Each department is limited to the total number  
23 of positions or staffing authorized in the adopted annual budget unless an  
24 increase or decrease in the number of authorized positions or staffing is  
25 approved by the county board, subject to the review of the county executive,  
26 during the year. After adoption of the annual budget, the number of authorized  
27 positions or staffing may be increased or decreased in accordance with the  
28 following procedure.
- 29  
30 (a) A request to increase or decrease the number of authorized positions within  
31 a department shall be forwarded to the county board chairperson by the  
32 appropriate department head with copies provided to the director of human  
33 resources and director of the department of administration. Such request  
34 shall include information with respect to the reason for the change as well  
35 as the qualifications, duties, title and compensation expected for any  
36 additional positions. All information shall be provided in the format  
37 designated by the director of human resources and director of the  
38 department of administration and included in the administrative manual.
- 39  
40 (b) The director of the department of administrative services shall review each  
41 request with respect to need and appropriateness and file a report with the  
42 committee on finance and audit. The committee on finance and audit shall  
43 report its recommendation to the county board.
- 44  
45 (c) The director of human resources shall review all requests for new positions  
46 or additional staffing to determine the appropriate classification and pay and

47 file a report with the committee on personnel. The committee on personnel  
48 shall report its recommendation with respect to classification and pay to the  
49 county board.  
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51 (2) Reclassification of existing positions. A department head, appointing authority  
52 or bargaining unit representative authorized by contract may ensure that an  
53 existing position is appropriately classified by:  
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55 (a) Submitting a reclassification request with respect to an existing position to  
56 the director of human resources. All requests, except those submitted by a  
57 bargaining representative authorized by contract, shall include an updated  
58 position description, detailed information regarding the duties assigned to  
59 the position, a summary of the change in duties and other pertinent  
60 information in a format designated by the director of human resources. In  
61 the event a reclassification request is submitted by an authorized  
62 bargaining unit, the head of the department where the position is authorized  
63 shall provide the director of human resources with the above noted  
64 documents in a timely manner.  
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66 (b) The director of human resources shall review the duties assigned to the  
67 position as well as any other information provided and submit a  
68 recommendation to the requestor.  
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70 (1) In the event the requestor concurs with the recommendations of the  
71 director of human resources to reclassify a position, the  
72 recommendation shall be included on a report distributed to all county  
73 board supervisors.  
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75 (2) In the event the requestor does not concur with the recommendation of  
76 the director of human resources both parties may request or provide  
77 such additional information as may clarify the appropriate classification  
78 for the position. After reviewing the additional information, if both parties  
79 concur that a reclassification is appropriate the recommendation of the  
80 director shall be included in a report distributed to all county board  
81 supervisors.

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(3) In the event the requestor and the director of human resources cannot agree on the appropriate classification for an existing position either party may appeal to the committee on personnel within thirty (30) days of receiving notice of the director final recommendation. Both parties shall submit a written summary of the rationale for their opinion to the committee on personnel as well as any other information deemed appropriate. The decision of the county board on the committee recommendation subject to review by the county executive shall be final and if a change in classification is approved it shall be implemented the first day of the pay period following that in which a resolution adopted by the county board has been approved by the county executive and in compliance with collective bargaining agreements.

(c) All reclassification studies shall also be subject to the following:

(1) The director of human resources shall have the authority to administratively add or delete title codes and classifications from the listing of authorized classifications.

(2) The director of human resources shall have the authority to initiate a review of the classification of any authorized position if he/she feels such a review is appropriate.

(3) After adoption of the annual budget no departmental appropriation shall be increased because of the findings of a reclassification review unless a fund transfer is approved by the county board subject to county executive review. The director of human resources shall have the responsibility and the authority to reclassify any position to an existing or new classification providing that the department of administration has certified that sufficient funds are available within the then existing appropriation of the department within which the position is being reclassified. In the event sufficient funds are not available to cover the cost of reclassifying an existing position, it shall be the department head's responsibility to submit a request for fund transfer. In the event the fund transfer is not approved, the department head shall restructure the duties of the position to ensure that the existing classification is appropriate. On a monthly basis, the department of administration shall be provided with a copy of the reclassification request and a report from the department of human resources which includes the existing and new hourly salary rate for each reclassified position.

(4) An employe who holds a position which is reclassified to a higher pay range shall receive an increase to the next rate in the new pay range which is higher than the rate of pay received in the old pay range or as otherwise approved by the committee on personnel subject to county board and county executive action.

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(5) A vacant position reclassified to a classification in a lower pay range shall be implemented the first day of the first pay period following the meeting of the committee on personnel in the event no action was taken on the specific recommendation contained in the informational report submitted to committee by the director of human resources. When a filled position is reclassified to a classification in a lower pay range, the incumbent shall be placed on the layoff/recall list for an indefinite time period, without bumping rights, for the higher classification or a comparable classification if the classification is unique and the reclassification shall not be implemented until the position becomes vacant or the incumbent is relocated. In the event the incumbent refuses an offer to be relocated, the position shall be reclassified to the classification in the lower pay range the first day of the first pay period following his/her refusal to be relocated.

(6) The effective date of a reclassification shall determine the date upon which an employe who occupied the position shall become eligible to receive salary increments until the maximum rate of pay for the range is achieved.

(7) Monthly while a reclassification is pending, the director of human resources shall provide a report to the committee on personnel which lists all position reclassifications which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes. If a county supervisor objects to the decision of the director within seven (7) working days of receiving this report the reclassification shall be held in abeyance until resolved by the county board, upon recommendation of the committee, and subsequent county executive action. If no county supervisor objects, the reclassification shall be implemented the first day of the first pay period following the meeting of the committee and in compliance with collective bargaining agreements. In the event the county board takes no action on a reclassification, after receipt of a recommendation from the committee, the reclassification shall be implemented the first day of the first pay period following action by the county executive or, in the event of a veto, final county board action and in compliance with collective bargaining agreements.

(8) The procedures provided in this section shall not be used to provide a higher pay range for an employee whose position is in the unclassified service pursuant to Wis. Stat. §§ 63.03(2)(t), (2)(y), and (3)(a). Because most of these non-classified positions are single-incumbent classifications within departmental management groups, a reclassification of such an employee to a classification with a higher pay range is, in effect, a reallocation. As a matter of county policy, the movement of an employee who is unclassified pursuant to Wis. Stat. §§ 63.03(2)(t), (2)(y),

and (3)(a) must be processed as a reallocation pursuant to section 17.055.

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165 **SECTION 2.** Section 17.11 is amended to read as follows:  
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167 17.11. - Budgetary provision for salary advancement; effective date of salary  
168 increments.

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170 (1) Provision shall be made in the annual budget for anticipated salary  
171 increases due to progress of employees through their salary range.  
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173 (2) For the purpose of considering length of service in connection with salary  
174 increments within established ranges of compensation, such increments  
175 shall be made effective as of the first day of the biweekly pay period  
176 beginning after the required period of service was completed in  
177 accordance with schedules adopted and established by the county board.  
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179 (3) Notwithstanding (1), funds appropriated in the annual budget shall not be  
180 used to fund a salary increase for an employee in the unclassified service  
181 pursuant to Wis. Stat. §§ 63.03(2)(t) or 63.03(3)(a), unless authorized by  
182 the county board. The director of human resources shall provide a report  
183 to the committee on personnel that lists proposed salary increases for  
184 employees in the unclassified service pursuant to Wis. Stat. §§ 63.03(2)(t),  
185 (3)(y), or 63.03(3)(a) along with a fiscal note for each. This report shall be  
186 distributed to all county supervisors and placed on the committee on  
187 personnel agenda for its recommendation to authorize the expenditure of  
188 funds for the salary increases of the unclassified employees for the  
189 remainder of the fiscal year. The decision of the county board on the  
190 committee's recommendation, subject to review by the county executive,  
191 shall be final.  
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193 **SECTION 3.** The provisions of this ordinance shall be effective upon passage and  
194 publication.  
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197 **Adopted by the Milwaukee County Board of Supervisors**  
198 **May 25, 2017**