



## Milwaukee County COVID-19 Public Health Emergency

### Fiscal Actions Administrative Order 20-9v3

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

Version 2 Issued and Effective as of 7:00 a.m. on Friday, April 10, 2020

Version 3 Issued and Effective as of 7 a.m. on Tuesday, September 29, 2020

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### COVID-19 Fiscal Actions 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. State and local governments have taken necessary measures 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 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, along 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. Version 3 of the Fiscal Actions Administrative Order replaces 20-9v2 as of 7:00 a.m. on **September 29, 2020**. While key changes in version three are denoted in **red**, please review the entire document carefully.

If you have questions about this, or any other Administrative Order or policy, please email: [\*\*COVID-19@milwaukeecountywi.gov\*\*](mailto:COVID-19@milwaukeecountywi.gov)

#### **I. Hiring Freeze**

With the exceptions listed below, hiring to fill a vacant position is suspended. The exceptions to the Hiring Freeze are of three kinds:

- Departments that are exempt from the Hiring Freeze and **DO NOT** need to request specific exemptions to fill vacant positions,
- Positions that are exempt from the Hiring Freeze, and departments **DO NOT** need to request specific exemptions to fill vacant positions, and
- Positions that may be exempt, and departments **DO** need to request exemptions to fill vacant positions.

#### **A. Departments Exempt from the Hiring Freeze. These departments **DO NOT** need to request exemptions to fill vacant positions.**

- i. Election Commission, **Office of Emergency Management, Behavioral Health Division, Aging, Department of Transportation – Airport, County Board, County Executive**

**B. Positions Exempt from the Hiring Freeze. Departments seeking to fill these positions DO NOT need to request exemptions to fill vacant positions.**

- i. Corrections Officers and supervisors, Deputy Sheriffs and supervisors, Nurses, Psych Techs, Information Technology (IT) Security Positions, Building/Trades Positions, Human Service Workers and supervisors, Victim Witness Advocates, Highway Maintenance Workers and supervisors, Community Intervention Specialists (and Leads), Fleet Mechanics.

**C. Positions that MAY BE Exempt from the Hiring Freeze. Departments seeking to fill these positions DO need to request exemptions to fill vacant positions.**

- 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. Positions in the Zoo Animal Care division.

**D. Process for Requesting Exemptions**

Departments seeking to fill positions included in Section C (above) should submit their exemption request using the process below:

- i. Department completes the Fiscal Actions Exemption Form.<sup>1</sup>
- ii. Department sends completed form via email to [psb@milwaukeecountywi.gov](mailto:psb@milwaukeecountywi.gov)
- iii. DAS will review all requests, approve/deny the exemption, and notify the department.

**II. Personnel Action Freeze**

New personnel actions<sup>2</sup> are suspended, with the following exemptions:

- Temporary Assignments to a Higher Classification (TAHC) for employees serving in a higher-classification role shall be eligible to receive the higher rate of pay. All TACHs may be implemented at the discretion of department heads except when assigning someone to a department head or deputy department head role, which must then be approved by the County Executive or the Chief of Staff.
- Reclassifications that do not incur any additional costs to the County may be requested at the discretion of department heads or designee. Such reclassification requests should follow the normal administrative procedure.
- Abolish and Create actions that are advantageous to County costs.

**III. Overtime Freeze**

With the exceptions listed below, no employee shall work in excess of forty (40) hours per week, and no employee shall earn overtime:

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

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

#### **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, 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 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.

### **IV. Freeze on New Contracts and Contract Amendments**

Departments shall not enter into any new contracts<sup>3</sup> or make amendments to any existing contracts unless the new contract or amendment is exempted below. The exemptions fall into two categories: those that do NOT require exemption request forms and those that DO require exemption requests. DAS and/or Comptroller will determine if a contract meets the criteria. The DAS – Budget Director and Comptroller are required signatories to any contract to note such acceptance.

#### **A. Contract Exemptions That Do NOT Require Exemption Form Requests**

- i. **Contracts under \$100,000 and contracts that are funded by outside revenue.**
  - **NOTE: These contracts no longer require the preparation of an exemption request form, but still require the signature of the DAS - Budget Director on the contract.**

#### **B. Exemptions that DO Require Exemption Form Requests**

- 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/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.
- v. Amendments that do not increase the overall cost of the contract.
- vi. Contracts that are necessary to avoid significant and imminent adverse fiscal impacts, as determined by the Department of Administrative Services.

#### **B. Process for Submitting Exemption FORM Requests**

- i. Department completes the Fiscal Actions Exemption Form.
- ii. Send completed form via email to [psb@milwaukeecountywi.gov](mailto:psb@milwaukeecountywi.gov)

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<sup>3</sup> **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.

- iii. DAS will review all requests, approve/deny the exemption, and notify the department.

## **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.

To apply for VTO, an employee and their supervisor should work together to complete the “VTO Request Form”<sup>4</sup> and submit the completed form to the Director of Human Resources ([Margo.Franklin@milwaukeecountywi.gov](mailto:Margo.Franklin@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.

If an employee chooses VTO and wishes to continue receiving benefits, they may do so with no break in coverage. Premium payments will continue to be taken from the employee’s paycheck. However, if the employee is no longer receiving payment from the County and wishes to continue their benefits coverages, they will receive a monthly invoice. The invoice will include elected coverages, the costs and due date of those coverages, and how to submit payment. If an employee does not pay the full premium amount each month, upon their return to work, their paycheck will reflect double deductions of insurance payments until the total amount owed has been satisfied.

## **VI. Training and Professional Development**

There are no restrictions on training and professional development opportunities that do not require travel (webinars, remote training, etc.) Employee travel is subject to Travel Administrative Order 20-2.

## **VII. Operating Capital**

There are no restrictions on Operating Budget capital accounts (accounts 8500-8599) in this order.

## **VIII. Capital Cash Projects (agency 120)**

There are no restrictions on Capital Cash Projects in this order.

## **IX. Encumbrances**

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<sup>4</sup> <https://countyconnect.milwaukeecountywi.gov/files/county/human-resources/Benefits/LeavesTime-Off/VTORequestForm.pdf>

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