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A resolution by Supervisor Weishan, Jr., establishing a policy of permitting Milwaukee County employees to receive paid time off to work at Milwaukee County municipal polling locations on Primary and General Election Days, by recommending adoption of the following:

A RESOLUTION

WHEREAS, it is the duty of Milwaukee County (the County) to support the cities and villages within its boundaries to support elections pursuant to Section 703(b), Wisconsin State Statutes, an objective which can only be achieved through adequate staffing of municipal polling locations to effectively register voters, distribute ballots, count ballots, and report results, pursuant to State and Federal laws; and

WHEREAS, municipalities often struggle to provide adequate staffing for primary and general elections held in the spring and fall, and the inability to efficiently administer polling places can, among other things, lead to long lines, which may discourage people from voting and cause delays in reporting election results from each ward; and

WHEREAS, many people do not register to be a poll worker because of the necessary advance training and the shift on Election Day often requires them to take vacation or unpaid leave from their regular job; and

WHEREAS, the City of Milwaukee (the City) allows different types of its employees to work as election officials at polling locations based on the employee's status related to the federal Fair Labor Standards Act (FLSA):

- 1. FLSA-exempt employees may work for the City Election Commission as election officials during their regularly scheduled working hours, but may not receive additional compensation nor use paid time off to work for the City Election Commission
- 2. FLSA-non-exempt employees may work as an election official if it is a day the employee normally has off, or may use paid time off and collect the stipend, or may work for the City Election Commission during their regularly scheduled working hours

; and

WHEREAS, Dane County, Wisconsin (Dane County) allows its public workers to work polling places as election officials under the following circumstances:

- 1. Employees may use their paid time off and keep the additional compensation earned as an election official

47 2. Employees may otherwise work at the polling place without using paid time
48 off, and be paid the difference from Dane County of the election official
49 compensation subtracted from the regular earnings, so long as the time
50 worked occurred during their regularly scheduled working hours, workers may
51 keep pay from hours worked as an election official, which do not overlap with
52 their regularly scheduled working hours

53
54 ; and

55
56 WHEREAS, other local governments in the States of California, Illinois, and Ohio
57 permit employees to take a paid vacation day from their regular government position to
58 serve as a poll worker and keep any stipend that may be provided by the local
59 municipality for their service; and

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61 WHEREAS, the County should encourage its employees to assist local
62 municipalities to administer primary and general elections by granting paid time off to
63 serve as poll workers; and

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65 WHEREAS, the Committee on Personnel, at its meeting of October 23, 2019,
66 recommended adoption of File No. 19-818 (vote 3-0); now, therefore,

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68 BE IT RESOLVED, the policy of Milwaukee County (the County) shall be to allow
69 to the greatest extent practicable and legally possible, the ability of County public
70 employees to work in County municipal polling locations on Election Day for primary,
71 general, and special elections; and

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73 BE IT FURTHER RESOLVED, County workers, subject to the approval of their
74 department head or supervisor, may be released with pay from their work assignment to
75 train or serve as a poll worker at a County municipal polling location, and may or may
76 not be compensated by the municipality subject to their status under the Federal Fair
77 Labor Standards Act; and

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79 BE IT FURTHER RESOLVED, the County hereby requests the Department of
80 Human Resources develop a specific written policy consistent with the broad policy in
81 this resolution, and report back to the Milwaukee County Board of Supervisors as soon
82 as practicable, for final approval before the program is implemented.

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87 S:\Committees\2019\Oct\PER 102319\Resolutions\19-818 Weishan - Paid Time Off - Election Days.docx