



TO: Willie Johnson, Co-Chairman of Finance, Personnel & Audit Committee
David Cullen, Co-Chairman of Finance, Personnel & Audit Committee

FROM: Kerry Mitchell, Director of Human Resources *Kerry Mitchell*

DATE: August 30, 2012

SUBJECT: File No. 12-144; Report back to Finance, Personnel and Audit Committee on recommendations for a Meet and Confer process.

Issue

At the July 19th meeting of the Finance, Personnel and Audit Committee, the Committee revised and subsequently recommended approval of a resolution creating a work group to develop a process for interacting with employees and employee groups on matters related to employment policies – a process more commonly referred to as Meet and Confer. As directed by the Resolution, the work group's recommendations are attached for the Committee's consideration.

Background

A workgroup comprised of Human Resources, Labor Relations, Administration, County Board staff and Corporation Counsel collaborated to create this process, which is based upon the process utilized by the City of Milwaukee. The primary aim of the process is to provide a mechanism for employees and employee groups to be briefed on proposed County-wide employment policies or departmental work rules and to allow for feedback from those parties. The process is not intended to be a mechanism for grievances or matters handled by the Personnel Review Board, nor is it intended in any way to address matters that are prohibited subjects of bargaining under Wisconsin law.

The Department of Human Resources plans to move forward immediately with a Meet and Confer meeting to gain input from interested employee representative groups on the new employee handbook and finalize it for distribution as soon as feasible. The handbook will include the recent "crosswalk" information and grievance procedure we have discussed at Committee over the past six months.

Recommendation

This report is submitted for informational purposes; no action is required of the Committee. However, in the event the Committee prefers to take an action, a draft ordinance reiterating the policy is provided for the Committee's convenience.

Meet and Confer

Summary

Milwaukee County is committed to developing and maintaining a diverse workforce within a supportive, quality-focused, efficient, and customer service-driven work environment. Building an engaged workforce is dependent upon establishing a cooperative relationship between management and employees, while enhancing employee performance, maximizing efficiency, and reducing costs. The County is committed to creating and maintaining strong, positive employee-management working relationships that foster sound decision-making, trust, innovation, and quality public services. The County is committed to supporting these goals in a way that does not diminish the County Executive's and the Board's authority, while recognizing the interest of employee representative groups to confer with the County in the course of the County's setting of Human Resources policies and terms & conditions of employment.

Guidelines

The Department of Human Resources, in collaboration with the Department of Labor Relations, will be responsible for conferring with non-public safety employees and employee representative groups as needed, in the course of establishing policies and procedures necessary to create and maintain a positive, productive and efficient workplace.

1. Human Resources will:
 - a) Meet and confer with employees and employee groups, including currently and previously-certified employee groups, for the purpose of communicating, soliciting, and exchanging information, views, ideas and interests concerning proposed County-wide changes.
 - b) Provide, if requested, written documents to employee representative groups of any recommended changes to be heard or acted upon by the Board of Supervisors.
 - c) Work with County departments to communicate rules and procedures with employees and employee representative groups and provide reasonable notice of changes to work rules, practices or policies.
 - d) Engage employees and employee representative groups in the County's decision-making processes concerning Human Resources matters and operational issues by soliciting their input and feedback when appropriate.
 - e) Identify and communicate procedures available to employees and employee representative groups who allege that a departmental policy, rule or procedure has not been properly applied.

September 2012

2. In accordance with the law, Meet and Confer meetings will not be conducted as, nor serve the purpose of, a negotiation.
3. The Meet and Confer process will be focused on policies that require Board action, with the exception of the annual budget process.
4. The Meet and Confer process will not replace the County grievance procedure.

Process

Human Resources will create and distribute meeting notices, indicating the date, time, location, and topic(s). Meetings may occur when:

1. The County is proposing a significant County-wide or departmental change in policy that will impact employees. During the meeting, Human Resources or the appropriate department will outline the change, explain the need for the change, and listen to input from those present. The input and recommendations will be conveyed by the facilitator to decision makers for consideration prior to implementing the change, to allow for potential modifications.
2. Employees or employee groups request to meet to discuss a specific County-wide or departmental changes in policy under consideration by the County.

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A RESOLUTION/ORDINANCE

WHEREAS, File No. 12-144, adopted June 28, 2012, (hereto attached to file) directed the Department of Labor Relations, Department of Administrative Services, Department of Human Resources and County Board staff to develop draft recommendations on a "meet and confer" process comparable to those adopted by other units of government and to report such recommendations no later than the September 2012 meeting of the Committee on Finance, Personnel and Audit for review and approval; and

WHEREAS, the aforementioned representatives have developed a report and recommended guidelines (hereto attached to file) on a meet and confer process for Milwaukee County employees; and

WHEREAS, the recommended meet and confer process recognizes the County's desire to foster a cooperative relationship between management and employees while retaining the employer's authority to implement changes to the policies, terms and conditions of employment; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby approves the meet and confer guidelines and process that are attached to this file and amends Chapter 80 of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

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

SECTION 1. Chapter 80.08 of the General Ordinances of Milwaukee County is created as follows:

Chapter 80 Procedures in Employment Relations

80.08 Meet and Confer Process.

- 1) The Department of Human Resources, in collaboration with the Department of Labor Relations, will be responsible for conferring with non-public safety employees and employee representative groups as needed, in the course of establishing policies and procedures necessary to create and maintain a positive, productive and efficient workplace. Human Resources will:

- 47 a) Meet and confer with employees and employee groups, including currently
- 48 and previously-certified employee groups, for the purpose of
- 49 communicating, soliciting, and exchanging information, views, ideas and
- 50 interests concerning proposed County-wide changes.
- 51
- 52 b) Provide, if requested, written documents to employee representative groups
- 53 of any recommended changes to be heard or acted upon by the Board of
- 54 Supervisors.
- 55
- 56 c) Work with County departments to communicate rules and procedures with
- 57 employees and employee representative groups and provide reasonable
- 58 notice of changes to work rules, practices or policies.
- 59
- 60 d) Engage employees and employee representative groups in the County's
- 61 decision-making processes concerning Human Resources matters and
- 62 operational issues by soliciting their input and feedback when appropriate.
- 63
- 64 e) Identify and communicate procedures available to employees and employee
- 65 representative groups who allege that a departmental policy, rule or
- 66 procedure has not been properly applied.
- 67
- 68 f) In accordance with the law, Meet and Confer meetings will not be conducted
- 69 as, nor serve the purpose of, a negotiation.
- 70
- 71 g) The Meet and Confer process will be focused on policies that require Board
- 72 action, with the exception of the annual budget process.
- 73
- 74 h) The Meet and Confer process will not replace the County grievance
- 75 procedure.
- 76
- 77 2) Human Resources will create and distribute meeting notices, indicating the date,
- 78 time, location, and topic(s). Meetings may occur when:
- 79
- 80 a) The County is proposing a significant County-wide or departmental change
- 81 in policy that will impact employees. During the meeting, Human Resources
- 82 or the appropriate department will outline the change, explain the need for
- 83 the change, and listen to input from those present. The input and
- 84 recommendations will be conveyed by the facilitator to decision-makers for
- 85 consideration prior to implementing the change, to allow for potential
- 86 modifications.
- 87
- 88 b) Employees or employee groups request to meet to discuss a specific
- 89 County-wide or departmental changes in policy under consideration by the
- 90 County.
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92 **SECTION 2. This ordinance is effective upon passage and publication.**

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 08/31/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A Ordinance authorizing the creation of a process whereby employees and designated representatives of authorized employee groups meet and confer with Milwaukee County management representatives on terms and conditions of employment and operational issues.

FISCAL EFFECT:

No Direct County Fiscal Impact Expenditures

Increase Capital

Existing Staff Time Required

Decrease Capital

Expenditures

Increase Operating Expenditures
(If checked, check one of two boxes below)

Increase Capital Revenues

Absorbed Within Agency's Budget

Decrease Capital Revenues

Not Absorbed Within Agency's Budget

Decrease Operating Expenditures

Use of contingent funds

Increase Operating Revenues

Decrease Operating Revenues

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

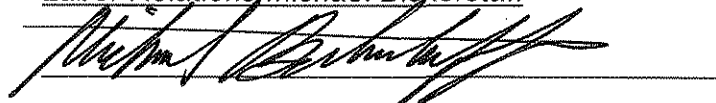
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this ordinance will create a meet and confer process throughout Milwaukee County. This ordinance will not result in a direct fiscal effect, but will require additional staff time.

Department/Prepared By Labor Relations/Michael Bickerstaff

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.