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2 **FROM THE OFFICE OF JOSPEH J. CZARNEZKI**
3 **MILWAUKEE COUNTY CLERK**

4
5 **County Ordinance No. 16-3**

6
7 **File No. 16-76**

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10
11 **AN ORDINANCE**

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

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16 **Section 1.** Section 17.17(1) is amended to read as follows:

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18 **17.17. - Vacations and holidays.**

19 (1)(a) The heads of all departments, bureaus, institutions, boards or commissions shall
20 make provision for, designate, and allow annual leaves with pay to serve as vacation
21 equivalent to eighty (80) hours for each employe who has completed one (1) year or
22 more of service, unless as otherwise may be provided for by collective bargaining
23 agreements; one hundred twenty (120) hours for each employe who has completed five
24 (5) years or more of service; one hundred sixty (160) hours for each employe who has
25 completed ten (10) years or more of service; two hundred (200) hours for each employe
26 who has completed twenty (20) years or more of service; assistant chiefs of airport
27 rescue and firefighting, employes shall be allowed annual leave with pay to serve as
28 vacation equivalent to one hundred four (104) hours for each employe who has
29 completed one (1) year or more of service; one hundred fifty six (156) hours for each
30 employe who has completed five (5) years or more of service; two hundred eight (208)
31 hours for each employe who has completed ten (10) years or more of service; two
32 hundred sixty (260) hours for each employe who has completed fifteen (15) years or
33 more of service; and three hundred twelve (312) hours for each employe who has
34 completed twenty (20) years or more of service; firefighter and equipment operators,
35 employes paid on an hourly or per diem basis who customarily work less than forty (40)
36 hours per week or two thousand eighty (2,080) hours per annum, employes paid on a
37 per call or clinic hourly basis, and part-time employes paid on a biweekly basis whose
38 services are required less than half-time, unless as otherwise provided for by collective
39 bargaining agreements; firefighter and equipment operators shall be allowed annual
40 leave with pay to serve as vacation as follows: five (5) work days for each employe who
41 has completed one (1) year or more of service, seven (7) work days for each employe
42 who has completed five (5) years or more of service, ten (10) work days for each
43 employe who has completed ten (10) years or more of service, and twelve (12) work
44 days for each employe who has completed twenty (20) years or more of service. During
45 the first year of employment, or in a return to service, an employe will be granted a
46 proportional share of their hours of vacation entitlement based on the number of full

47 calendar months remaining in the calendar year in which the employe was first hired or
48 in which the employe was rehired, divided by twelve (12) and rounded up to the nearest
49 whole hour, and shall be granted their full vacation entitlement on January 1 of the
50 calendar year after being hired or rehired by the county. Years of service for a new non-
51 represented-employe, or non-represented-employe returning to service, who was not
52 discharged or involuntarily separated from the county, shall include any creditable
53 pension service earned with Milwaukee County, the State of Wisconsin or any
54 municipality within the State of Wisconsin. ~~An employe shall not receive payment for
55 unused vacation credit upon any termination of employment, including, but not limited
56 to, a retirement, unless the employe has served two thousand eighty (2,080) hours after
57 the employe's initial date of hire or rehire.~~ Effective in 2002 all non-represented
58 employes shall be eligible for five (5) weeks of vacation (two hundred (200) hours) after
59 fifteen (15) years of service and six (6) weeks of vacation (two hundred forty (240)
60 hours) after twenty (20) years of service.

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62 ~~(b) Notwithstanding any other provision in this section, an employe shall not receive
63 payment for unused vacation credit upon any termination of employment, including, but
64 not limited to, a retirement, unless the employe has received payment for two thousand
65 eighty (2,080) straight time hours after the employe's initial date of hire or rehire.~~

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67 ~~(b) Notwithstanding any other provision in this section, an employe shall not receive
68 payment for unused vacation credit upon any termination of employment, including,
69 but not limited to, a retirement, unless the employe has completed one (1) year of
70 service after the employe's initial date of hire or rehire.~~

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72 (c) The following employees shall not receive payment of unused vacation hours upon
73 termination of employment:

74 (i) a classified employee who is discharged for cause by the Personnel Review
75 Board,

76 (ii) an unclassified employee who is discharged for cause by the employee's
77 appointing authority,

78 (iii) an employee who is separated from employment during a probationary
79 period,

80 (iv) an employee who is separated during a re-evaluation period that was
81 approved or ordered by the Personnel Review Board,

82 (v) an employee who is terminated from employment as a result of the
83 termination of a temporary or emergency appointment,

84 (vi) an employee who is resigned in absentia under Civil Service Rule VIII,
85 section 6,

86 (vii) an employee who is involuntarily terminated from employment in a situation
87 not otherwise addressed by this subsection (c) or by subsection (d).

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89 (d) The following employees shall receive payment for unused vacation credit upon
90 termination of employment:

91 (i) an employee who resigns,

92 (ii) an employee who retires from active employment,

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- (iii) an employee who is laid off,
- (iv) an employee who dies.

Section 2. Section 17.175 is amended to read as follows:

17.175. - Payment for ~~earned vacation and overtime~~ upon death.

Final payment due to an employe in the classified service, upon death, shall include all ~~authorized unused vacation allowance and authorized~~ unliquidated overtime, ~~not exceeding one hundred twenty (120) hours,~~ except that the payment for overtime shall not be granted if an employe is not entitled, by ordinance, to receive compensation for overtime.

Section 3. This provisions of this ordinance amendment shall become effective upon passage and publication.

**Adopted by the Milwaukee County Board of Supervisors
February 4, 2016**