

From the Chief Human Resources Officer, Department of Human Resources, requesting authorization to implement strategies designed to provide flexibility in recruiting for difficult-to-fill classified positions, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, employers, including government employers, recognize the need to periodically extend beyond traditional recruiting strategies to secure candidates for classified “difficult-to-fill positions” as a means to meet critical staffing needs; and

WHEREAS, typical strategies for recruiting and retaining classified employees for “difficult-to-fill positions” include bonuses, employee referral bonus programs, and other creative measures to provide incentives to candidates; and

WHEREAS, a classified position would be identified as “difficult-to-fill” based on factors such as:

- The length of time required to fill similar vacant positions.
- Recent turnover in similar positions.
- The availability and quality of candidates possessing the required competencies and qualifications.
- Special or unique knowledge, skills and abilities required for the position.
- Other factors such as critical or emergency conditions.

; and

WHEREAS, positions that would immediately qualify and be designated as “difficult-to-fill” under the conditions above include 3rd shift Highway Maintenance Workers for snow removal, Seasonal Airport Maintenance Workers for snow removal, and Corrections Officers; and

WHEREAS, to be able to respond to changing market conditions, the Department of Human Resources requires flexibility to provide incentives for designated and authorized positions such as sign-on and retention bonuses, and enhanced shift differentials, that are not currently authorized under existing Milwaukee County Code of General Ordinances or policies; and

WHEREAS, at its meeting of December 2, 2016, members of the Committee on Personnel expressed concern about providing “blanket” authority to pay hiring and retention bonuses to any positions the Chief Human Resources Officer deemed “difficult-to-fill,” and instead supported such flexibility, for a limited period of time, to those positions authorized by the Committee on Personnel; and

47 WHEREAS, the Milwaukee County Circuit Court (the Court) in its final Decision
48 and Order in Milwaukee County Board of Supervisors et al. v. Christopher Abele et al.,
49 Case No. 16-CV-2888 (County Board v. Abele), stated that “The enactment of
50 Wisconsin Statute, Section 59.794(3)(e) suggests that the legislature acknowledged the
51 Board’s authority to change the salaries of all employees, including the salaries of
52 unclassified positions.”; thus, the Court dispensed with the distinction between classified
53 and unclassified positions; and

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55 WHEREAS, the Court in its final Decision and Order in County Board v. Abele,
56 ordered that “The Board’s request for a declaration that it has statutory authority to
57 provide for, fix, or change the compensation of unclassified County employees,
58 including departmental heads, is GRANTED.”, and the final Decision and Order have
59 not been stayed pending appeal; and

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61 WHEREAS, the Committee on Personnel, at its meeting of December 1, 2017,
62 recommended adoption of File No. 17-770 (vote 5-0); now, therefore,

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64 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
65 hereby authorizes the Chief Human Resources Officer, Department of Human
66 Resources (DHR), to implement one or more of the following strategies designed to
67 provide flexibility in recruiting for and retaining classified staff in “difficult-to-fill positions,”
68 as reviewed and approved by the Committee on Personnel:

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70 • Sign-on bonuses up to 2 percent of the annualized salary for the classified
71 position, with a maximum of \$2,000 (formal agreement required).
72 • Bonuses for “difficult-to-fill” winter critical positions for new hires and incumbents
73 of \$200 per month for each full month worked, at successful completion of the
74 season.
75 • Temporary modification of shift differentials up to twice the amount authorized in
76 relevant policy or ordinance, for up to the length of the “difficult-to-fill” designation
77 is authorized by the Committee on Personnel.

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81 BE IT FURTHER RESOLVED, the Committee on Personnel, based on the
82 recommendation of the Chief Human Resources Officer, DHR, designates the following
83 position titles as “difficult-to-fill” and eligible for the enhanced compensation benefits
84 outlined above:

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<u>Position Title</u>	<u>Department</u>
Highway Maintenance Workers	Transportation
Airport Maintenance Workers	Transportation
Correctional Officers (all classes)	Sheriff and House of Correction

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93 BE IT FURTHER RESOLVED, regarding initial implementation of the above for
94 the Highway Maintenance Workers and the Airport Maintenance Workers, the shift
95 differential will become effective as of the pay period beginning December 31, 2017,
96 and expire April 7, 2018, and the per month seasonal bonus is proposed to be paid as
97 soon as practicable after the conclusion of the winter operating season, and would
98 include up to five months (November 2017 through March 2018) based upon each full
99 month worked during the five month period; and

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101 BE IT FURTHER RESOLVED, the Director, Office of Performance, Strategy, and
102 Budget, Department of Administrative Services, will verify the availability of funds in the
103 departmental accounts of hiring departments prior to DHR implementing any of the
104 strategies outline above for any position; and

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106 BE IT FURTHER RESOLVED, the Chief Human Resources Officer, DHR will
107 publish guidelines on these incentives in the Administrative Manual of Operating
108 Procedures, post the titles of "difficult-to-fill positions," and the incentives authorized for
109 those positions on the DHR website; and

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111 BE IT FURTHER RESOLVED, based on the recommendations of the Chief
112 Human Resources Officer, DHR, the recommendation of the Committee on Personnel
113 to extend or approve additional "difficult-to-fill positions" for up to 180 days from
114 Committee action, will be final, and that updates on such positions will be provided at
115 the call of the Committee Chairperson; and

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117 BE IT FURTHER RESOLVED, the Chief Human Resources Officer, DHR, may
118 remove a position title from the "difficult-to-fill" list without approval of the Committee on
119 Personnel if, in the judgement of the Chief Human Resources Officer, hiring conditions
120 have improved and warrant such a change; and

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122 BE IT FURTHER RESOLVED, the County Board, in the exercise of its
123 policymaking authority, as affirmed by the Court, expressly prohibits the Chief Human
124 Resources Officer, DHR, from creating or implementing any compensation benefit or
125 payment, including but not limited to hiring bonuses, sign-on bonuses, and referral
126 bonuses, for any classified or unclassified employee, unless expressly authorized by the
127 County Board or authorized under existing Milwaukee County Code of General
128 Ordinances (the Code) or policies; and

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130 BE IT FURTHER RESOLVED, the County Board directs that, if any unauthorized
131 hiring bonus, sign-on bonus, referral bonus, or other compensation or payment has
132 been paid to any classified or unclassified employee on or after April 24, 2017, without
133 the authorization of the County Board, the Chief Human Resources Officer, DHR, shall
134 report all unauthorized payments to the County Board by the January 2018 meeting
135 cycle to consider Section 17.22(4) of the Code.

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