

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: August 20, 2012

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

FROM: Mark A. Grady, Deputy Corporation Counsel *MAG*

SUBJECT: Resolution to Amend Contract for Buelow Vetter for legal representation in labor relations matters

It is requested that this matter be referred to the Committee on Finance, Personnel and Audit.

The County Board approved a contract with Buelow Vetter Buikema Olson & Vliet LLC on September 30, 2010 (File No. 10-294) for legal representation of Milwaukee County in labor relations matters. The County Board approved an amendment to that contract in February of this year (File No. 12-80) to a total of \$275,000.00. Since February of this year, Buelow Vetter has handled, and continues to handle, numerous proceedings before the Wisconsin Employment Relations Commission and in court, including, but not limited to, the following matters:

- *MDSA v. Milwaukee County* (lay-off of deputy sheriffs and arbitration)
Case No. 11-CV-18156
- *MDSA v. Milwaukee County* (review of arbitration award on layoffs)
Case No. 12-CV-1984
- *MDSA v. Clarke and Milwaukee County* (recall of deputy sheriffs)
Case No. 12-CV-5551
- *MDSA grievance and WERC Prohibited Practice Complaint* (retiree health for deputy sheriffs)
- *Milwaukee County v. WERC and AFSCME* (2010 furlough days and bargaining)
Case No. 11-CV-12137
- *MDSA WERC Prohibited Practice Complaint* (G4S temporary bailiff contract)
- *DC48 v. Milwaukee County* (seniority in vacation selection under Sheriff)
Case No. 12-CV-3944.

Authority is requested to amend the contract amount by an additional \$100,000.00, to a total of \$375,000.00, in order to pay for the continued legal services for these cases and any new matters that may arise in 2012. During the past three years, the firm has been paid \$268,855.10 in fees and the County has incurred, but not yet paid, \$10,155.69 in additional fees through the end of July of 2012. Although it was anticipated in February that the need for outside legal services in labor relations matters would decrease

following adoption of Act 10 by the State; in fact, the need has **not** decreased and one union in particular (MDSA) has filed numerous legal proceedings against the County.

Sufficient funds exist in the Litigation Reserve Account, Org. Unit 1961, for this request.

cc: Amber Moreen
Carol Mueller
Jodi Mapp