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(ITEM ) A resolution/ordinance by Supervisor Alexander to amend Section 17.17(1) of the Milwaukee County Code of General Ordinances, relating to vacation benefits for newly hired employees, by recommending adoption of the following:

**A RESOLUTION/ORDINANCE**

WHEREAS, on March 21, 1996, the Milwaukee County Board of Supervisors (County Board) amended the vacation benefit ordinance (File No. 96-270) to provide that years of creditable pension service earned by a Milwaukee County (the County) employee while previously employed with the County or other governmental employers in Wisconsin shall be included in the employee’s service for the purpose of determining the employee’s County vacation benefit; and

WHEREAS, like those employees addressed by the prior amendment, many individuals are hired for the first time as County employees later in their careers from a non-governmental employer, or from a governmental employer outside of Wisconsin, after having obtained greater vacation benefits than the minimum two weeks of annual vacation leave currently provided by the County to new County employees; and

WHEREAS, in order to be a competitive employer in the labor market, to recruit the best individuals for County positions, and to extend the rationale of the previously-adopted policy to those hired following any other employment, appointing authorities should have the ability to offer experienced potential employees vacation benefits commensurate with the benefits the potential employee received in other employment; and

WHEREAS, granting appointing authorities the ability to offer vacation benefits to a potential employee of up to two additional weeks of annual vacation leave, up to a maximum of four weeks annually, provides sufficient flexibility to those appointing authorities; and

WHEREAS, the best method to implement this initiative is to allow an appointing authority, subject to the approval of the Director of Benefits, Department of Human Resources, the discretion to grant a newly hired employee either five or ten years of service credit for the sole purpose of determining such an employee’s annual vacation leave under the ordinance and entitling them to commence employment with three or four weeks of annual vacation leave; and

WHEREAS, additional vacation leave entitlement, up to the current maximum of six weeks of annual leave, will accrue to such an employee, beyond those discretionarily-granted service credits, in the same manner as it does currently; and

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WHEREAS, any changes in vacation benefits for represented public safety workers must be collectively bargained with those certified bargaining units, but these amendments can be adopted for all other County employees who are not in a certified bargaining unit of public safety workers; and

WHEREAS, in order to review the efficacy of this policy, the County Board requires reporting of the instances in which such credit is granted; and

WHEREAS, the Committee on Personnel, at its meeting of September 9, 2016, recommended adoption of this resolution/ordinance (vote 3-1); now, therefore,

BE IT RESOLVED, the Director of Benefits, Department of Human Resources, shall provide an annual report to the Milwaukee County Board of Supervisors (County Board), shortly after the end of the current calendar year and the next three calendar years, listing every instance in which such service credit has been granted during the prior calendar year for the purpose of vacation benefits, including the department and position held by the employee, the pay range of the employee, the date of hire, and the additional service credit granted; and

BE IT FURTHER RESOLVED, in order to ensure the above-noted revisions are properly codified, the County Board does hereby adopt the following:

**AN ORDINANCE**

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

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

**17.17. - Vacations and holidays.**

(1)(a) The heads of all departments, bureaus, institutions, boards or commissions shall make provision for, designate, and allow annual leaves with pay to serve as vacation equivalent to eighty (80) hours for each employee who has completed one (1) year or more of service, unless as otherwise may be provided for by collective bargaining agreements; one hundred twenty (120) hours for each employee who has completed five (5) years or more of service; one hundred sixty (160) hours for each employe who has completed ten (10) years or more of service; two hundred (200) hours for each employee who has completed twenty (20) years or more of service; assistant chiefs of airport rescue and firefighting, employes shall be allowed annual leave with pay to serve as vacation equivalent to one hundred four (104) hours for each employee who has completed one (1) year or more of service; one hundred fifty six (156) hours for each employee who has completed five (5) years or more of service; two hundred eight (208) hours for each employee who has completed ten (10) years or more of service; two hundred sixty (260) hours for each employee who has completed fifteen (15) years or more of service; and three hundred twelve (312) hours for each employee who has completed twenty (20) years or more of service; firefighter

90 and equipment operators, employees paid on an hourly or per diem basis who  
91 customarily work less than forty (40) hours per week or two thousand eighty (2,080)  
92 hours per annum, employees paid on a per call or clinic hourly basis, and part-time  
93 employees paid on a biweekly basis whose services are required less than half-time,  
94 unless as otherwise provided for by collective bargaining agreements; firefighter and  
95 equipment operators shall be allowed annual leave with pay to serve as vacation as  
96 follows: five (5) work days for each employee who has completed one (1) year or more  
97 of service, seven (7) work days for each employee who has completed five (5) years or  
98 more of service, ten (10) work days for each employee who has completed ten (10)  
99 years or more of service, and twelve (12) work days for each employee who has  
100 completed twenty (20) years or more of service. During the first year of employment,  
101 or in a return to service, an employee will be granted a proportional share of their hours  
102 of vacation entitlement based on the number of full calendar months remaining in the  
103 calendar year in which the employee was first hired or in which the employee was  
104 rehired, divided by twelve (12) and rounded up to the nearest whole hour, and shall  
105 be granted their full vacation entitlement on January 1 of the calendar year after being  
106 hired or rehired by the county. Years of service for a new non-represented-employee,  
107 or non-represented-employee returning to service, who was not discharged or  
108 involuntarily separated from the county, shall include any creditable pension service  
109 earned with Milwaukee County, the State of Wisconsin or any municipality within the  
110 State of Wisconsin. An employee shall not receive payment for unused vacation credit  
111 upon any termination of employment, including, but not limited to, a retirement, unless  
112 the employee has served two thousand eighty (2,080) hours after the employee's initial  
113 date of hire or rehire. Effective in 2002 all non-represented employees shall be eligible  
114 for five (5) weeks of vacation (two hundred (200) hours) after fifteen (15) years of  
115 service and six (6) weeks of vacation (two hundred forty (240) hours) after twenty (20)  
116 years of service.

117 (b) Except for potential public safety worker employees who will be represented by a  
118 certified bargaining unit immediately upon hire, an appointing authority, subject to the  
119 prior approval of the Director of Benefits, may offer to a potential employee, and may  
120 grant to such employee upon hire, either five (5) or ten (10) years of service credit for  
121 the purpose of determining such employee's annual vacation leave benefit under the  
122 provisions of paragraph (a).

123 (c) An employee who has prior non-County employment service that is entitled to  
124 vacation credit under the provisions of paragraph (a) and who also has other non-  
125 County employment service that is not covered by paragraph (a), shall be entitled to  
126 elect between the service credit granted under the provisions of paragraph (a) and  
127 the service credit offered, if any, to such employee by the appointing authority under  
128 the provisions of paragraph (b). An employee shall not be entitled to service credit for  
129 any non-County employment under both paragraphs.

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131 **Section 2.** The provisions of this ordinance shall become effective upon passage  
132 and publication.

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