

**MILWAUKEE COUNTY BOARD OF SUPERVISORS**

**DATE:** March 22, 2018

**AMENDMENT NO. 1 to Item 2**

**Resolution File No.**

**Ordinance File No. 18-259**

**COMMITTEE:** Transportation, Public Works and Transit

**OFFERED BY SUPERVISOR(S):** Dimitrijevic

**Amend the Ordinance at or near line 260 to add section 4.34.06, which is double underlined as follows:**

**4.34.05. – Severability.**

If any section or portion of a section of this ordinance is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining sections and all portions not declared illegal, invalid or inoperative shall remain in full force of effect, and no such determination shall invalidate the remaining sections or portions of the sections of this ordinance.

**4.34.06. – Exemption for Collective Bargaining Agreement**

None of the provisions of this article will be enforced with respect to employment that is governed by a bona fide collective bargaining agreement that was entered into prior to [ordinance effective date] and that remains in force on [ordinance effective date]. All of the provisions of this article, or any part of the article, may be waived by a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in that agreement in clear and unambiguous terms. Unilateral implementation of terms and conditions of employment by either party to a collective bargaining relationship shall not constitute or be permitted as a waiver of all or any part of the provisions of this article.\*

\*Note: New language is double underlined.