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From the Milwaukee County Comptroller, Office of the Comptroller, requesting authorization to amend Section 17.14(21) of the Milwaukee County Code of General Ordinances to provide clarification that call-in pay shall be paid at the overtime rate, by recommending adoption of the following:

A RESOLUTION/ORDINANCE

WHEREAS, at its meeting of April 25, 2019, the Milwaukee County Board of Supervisors adopted File No. 19-391, which provides clarification on and standardizes various pay adjustments for all employees except those represented by the Milwaukee County Deputy Sheriffs Association and the International Association of Firefighters; and

WHEREAS, the intent of Adopted File No. 19-391 was to, at a minimum, maintain all the previous benefits provided under the status quo ordinance; and

WHEREAS, Adopted File No. 19-391 erroneously provided call-in pay at the straight time pay rate unless the hours worked in that week were greater than 40, but the intent was to provide call-in pay at the time and one-half pay rate for the session as discussed in the fiscal note; and

WHEREAS, the Committee on Finance and Audit, at its meeting of June 13, 2019, recommended adoption of File No. 19-491 (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends Chapter 17 of the Milwaukee County Code of General Ordinances to allow call-in pay to be paid at the time and one-half rate, by adopting the following:

AN ORDINANCE

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

SECTION 1. Section 17.14(21) of the General Ordinances of Milwaukee County is amended as follows:

39 17.14 Employment definitions.

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41 (21) *Call-in pay*. Employees, who are not exempt from the Fair Labor Standards Act
42 (except hourly, seasonal, and interns), and who are called in to work outside of the
43 employee's regularly scheduled shift, whether on standby or not, shall be paid a
44 minimum of four (4) hours pay at the ~~regular~~ overtime rate for work in one (1) session
45 ~~and additional pay at the overtime rate when such hours exceed 40 hours worked in the~~
46 ~~week~~. Call-in pay shall not apply to hours worked outside of an employee's regularly
47 scheduled shift where the regular shift starting time is modified to meet emergency
48 situations.

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50 **SECTION 2.** The provisions of this ordinance shall be effective on May 19, 2019.

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