

CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
Telephone: (414) 479-8917
Fax: (414) 479-8989

EMPLOYEE RELATIONS COMMITTEE MEETING

Tuesday, November 11, 2003
Council Chambers

PRESENT: Aids. Casey, Heins, Jenkins, Kopischke, Stepaniak – 5

ALSO PRESENT: T. Wontorek City Admin.; B. Aldana, Asst. City Atty.; W. Kappel, Public Works Dir.;
M. Brown, Personnel Dir.; L. Wozny, Meter Serv. Person

Ald. Jenkins as Chair called the meeting to order at 7:15 p.m.

Re-instatement of previously accrued sick leave benefits

Mr. Wozny said he was aware of a letter the Personnel Director had written recommending denial of his request to reinstate his previously accrued sick leave benefits. He disagreed with Mr. Brown's contention that the city made an error in granting the City Clerk reinstated sick leave. It is Mr. Wozny's belief that the city re-instated the City Clerk's sick leave because they recognized that she was a good employee and they wanted to retain her. The committee asked for a precedent and he believed that the City Clerk's situation was a good example. He said the city has good employees and some good employees are going to be laid off. If they are called back, they need to know that there is something to come back to.

Ald. Jenkins asked if taking action on this request could cause confusion in the future. Ms. Aldana responded that Mr. Wozny's lay off and his rehiring are unrelated because he wasn't hired back to the same position. He wasn't given any preference with regard to being hired for the new position. She said this could happen any time an employee leaves. Mr. Wozny pointed out that as part of the hiring process for the new position, he was allowed to test and take exams that are only open to city employees.

Ald. Kopischke said that unfortunately, regardless of how good an employee is, this is a matter that should be negotiated during the hiring process by the individual or the union.

Moved by Ald. Kopischke, seconded by Ald. Stepaniak to recommend
denial of the reinstatement of sick leave benefits – 5

Memorandum of Understanding with AFSCME Local 305, regarding the creation of the position of court officer for the municipal court

Mr. Brown said the retired police officer serving as part time parking specialist was also performing the duties of court officer for the municipal court. As a result of the 2004 Budget, the police department will not have the funds available to cover this position and it will become the responsibility of the Office of the City Clerk. AFSCME Local 305 has agreed that it is more appropriate to move the court officer position to the Local 35 contract. He said this is a housekeeping item that administratively reflect the changes in the position. The fiscal impact is covered by the 2004 budget and there remains adequate funding for the balance of 2003. He recommended that the position of court officer be created and placed in the listing of positions found in Appendices A, B and C of the collective bargaining agreement at the same rate and with the same progression as the parking specialist. He also recommended that the position allocation be revised to reflect the addition of the position of court officer.

Mr. Kappel said the reason for moving the position is that the represented employees in the city clerk's office are in Local 35. As a supervisor dealing with two different unions, it would be much easier to have all the staff under one contract.

Moved by Ald. Stepaniak, seconded by Ald. Kopischke to recommend approval to move the court officer position from Local 305 to Local 35 – 5

Increase in the allowable contribution to the flexible medical reimbursement account

Mr. Brown said increasing the allowable contribution will enable employees to set aside a larger amount. The current limit is \$3,000. In most instances, there will be minimal fiscal impact. Any impact would be restricted to the "cost of money". This is because the employee has the entire amount available to them on January 1st, prior to the contribution being made. In instances where the employee leaves employment with the city prior to the end of the year, the employee has no obligation to "balance the account". The city would have no means of recovering an amount that has not been funded by the employee's contribution. The consultants have informed him that length of service is not a valid criterion on which to base an increased amount. If the employee does not use all the money in the account by the end of the year, the funds are returned to the general fund. He said any premium contributions are taken on a pre-tax basis.

Moved by Ald. Casey, seconded by Ald. Stepaniak to recommend approval to increase the limit in the medical reimbursement account to \$5,000 – 5

Discussion of negotiations relating to lay offs and reduced employee hours

Moved by Ald. Kopischke, seconded by Ald. Casey to convene into closed session per Wis. Stat. 19.85(1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and may reconvene into open session – 5

The committee convened into closed session at 7:30 p.m.

The meeting adjourned at 7:58 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

svh