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EMPLOYEE RELATIONS COMMITTEE MEETING

Tuesday, April 28, 2009

Council Chambers

PRESENT: Alds. Donegan, Ewerdt, Walsh, Krol – 4

ALSO PRESENT: J. Archambo, City Admin.; B. Aldana, Asst. City Atty./HR Director

Ald. Donegan as Chair called the meeting to order at 7:31 p.m.

Proposed amendment to ordinance 2.59.030 limiting eligibility for salary increases

The committee continued discussion from a previous meeting regarding cost of living salary increases. From the meeting of March 31, 2009 the committee reviewed a memo from the Human Resources Director regarding whether to amend ordinance 2.59.030 to limit eligibility for any cost of living adjustments for those employees who are performing satisfactorily.

Ms. Aldana noted that she supplied the committee with supplemental information from the meeting of April 14, 2009. The HR Director said she has contacted the consulting firm, Carlson Dettman, who has done work for the city and whose recommendations they follow. Carlson Dettman concurred with the city's approach of holding off a cost of living salary increase until the offense is corrected.

Mr. Archambo in response to a question said that the current ordinance does not give discretion for cost of living increases, only for step increases.

Ms. Aldana told the committee that the City Administrator would not take any action on withholding pay increases unless it was recommended by department heads. This would be one more step of review before action was taken.

The committee discussed the time frame element of review dates verses the time the cost of living is awarded at the beginning of each year. There was concern expressed that a good employee with one bad review would be penalized, or vice versa. Ms Aldana said the intent is to allow the unique facts and circumstances to be considered and whether it would be appropriate or not to put a corrective action plan in place. Employees in good standing would be eligible for the cost of living, they will have a review and it is expected that all positions would be monitored all year for their good work. The department director would bring to the City Administrator's attention anything not satisfactory.

In regards to an appeal process, Ms. Aldana reminded the committee that at the March 10, 2009 meeting the committee eliminated the clause for dispute resolution, leaving it to the discretion of the City Administrator.

Ms. Aldana said the step increase by design is determined by the anniversary date and a satisfactory performance at review time would make the employee eligible for the step increase. As currently envisioned it would be a year-end look at their status because by tradition the cost of increase is effective January 1 of the calendar year. She said that employee status would be looked at and addressed at year end, including their review and their work throughout the year. Anyone working unsatisfactory at the end of the year or not in good standing would be reviewed by the City Administrator.

The committee asked how an employee would be made whole again. Ms. Aldana said because of the compounding effect of missing out on a 3% increase, the city would be agreeable that it could be addressed after the corrective action plan was implemented and the employee was working satisfactorily, they could get their increase.

Ms. Aldana said all the details of the ordinance would be flushed out, she didn't envision the drafting of the policy at this juncture. She was looking for ideas from the committee to incorporate into the policy.

Mike Anton, Fire Department, said as a representative of the employee council they oppose this measure as he addressed at prior meetings. He thought the process should be left to the rank and file. He noted that a good number of employees are in supervisory positions and will be evaluating and conducting performance reviews. He felt that this might discourage individuals from looking at promotions to supervisory levels because of this. He said the police and fire already have other discipline measures in place that are effective.

Sgt. Chris Fox, Police Department, discussed the information he provided to committee members prior to the meeting. Sgt. Fox asked what new thing would be included in the updated ordinance that isn't already in place. He felt the discipline measures already being used work. He wholeheartedly agreed that people should be held accountable and they already have the tools to make this happen.

Mr. Archambo stressed that the basic structure as has been described is a replication of that what has been in place regarding step increases. This is a relatively small tool being added, the rules that the police and fire departments have cited don't speak to all employees. He said there could be cases where this should be used very rarely. He said in any case an employee should not receive a raise if performing unsatisfactorily. This is an additional tool that could be an enhancement to maximize performance and productivity.

Lt. Dominic Leone, Police Department said one of his concerns is the fundamental fairness of not having an appeal process. Where would an employee go to appeal?

Cpt. Dale Weiss, Police Department said the police department does have enough mechanisms to deal with everything that has been discussed. He suggested working on the evaluation process first and then put this into place.

Ald. Donegan commented that he is supporting the city management on this as they are being required to produce productivity.

Ald. Ewerdt commented on the information that Sgt. Fox presented noting that discipline or suspensions already instituted at the police and fire level could already incur unpaid leave. This could be double discipline. Ald. Ewerdt said that this is just another tool to be utilized. He said he is struggling with the appeal process and doesn't see any reason not to include it.

Ald. Krol asked what would happen if the supervisor or department head recommends an employee increase and the City Administrator declines the request. Ms. Aldana said this is designed for the City Administrator to have some discretion. The intent was that the recommendation would be followed.

Moved by Ald. Ewerdt to recommend approval
the suggested changes to ordinance 2.59.030 and
to re-implement an appeal process upon request as
part of the process

Ald. Donegan said he was in support of the recommended changes but not with the appeal process added. He felt this could be addressed down the road and doesn't think it will be a problem.

Motion dies for lack of second.

Moved by Ald. Ewerdt, seconded by Ald. Krol
to recommend introduction of an ordinance
amending section 2.59.030 regarding salary increases
for non-represented - 4

The meeting adjourned at 8:33 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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