

City of Milwaukee Order Issued by the Health Commissioner

Impact on City of Milwaukee Operations DEPARTMENT OF EMPLOYEE RELATIONS FAQ

On March 24th Governor Evers issued a “Safer-At-Home” order for the state of Wisconsin. The Order allows each government body to determine its Essential Government Function, if any, and identify employees and contractors necessary to the performance of those functions.

The Governor’s Order exempts all paid first responders including law enforcement, EMS, and firefighters; first responder training academies; building inspectors; emergency management personnel; emergency dispatchers; court personnel, jurors and grand jurors; corrections personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; National Guard and military; and others working for or to support Essential Businesses and Operations.

On March 23rd, Milwaukee’s Health Commissioner issued a “Stay-at-Home” order imposing a City-wide requirement to mitigate the spread of COVID-19. This FAQ document addresses important considerations related to the employment implications of the Order for City employees.

1. When does the order issued by the City of Milwaukee Health Commissioner take effect?

The order takes effect on March 25, 2020 at 12:01am and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Commissioner.

2. What does the “Stay at Home” order mean to me as a resident of the City of Milwaukee?

Individuals currently living in the City are ordered to stay at home or at their place of residence except for exceptions identified within the order. It also means that to the extent that people are using shared or outdoor spaces, they must at all times as reasonable possible maintain social distancing of at least six (6) feet from any other person when they are outside of their residence.

The order means that:

- All business in the City except for “essential business and essential operations” are required to cease all activities except for “minimum basic operations”.
- There are specific prohibited activities in relation to public and private gatherings
- Travel in or out of the City is allowed for the performance of Essential Activities, to maintain Essential Businesses and Operations, and to maintain Minimum Basic Operations.

Individuals are also allowed to leave their residence only to perform Essential Activities. For details please see the Commissioner’s Order at https://city.milwaukee.gov/ImageLibrary/Groups/healthAuthors/COVID-19/CADB01-267644-v1-Signed_Stay_At_Home_Order_3_23_20.pdf

3. What are the permitted activities under the Commissioner’s Order that impact department operations?

Departments and operations that are considered essential will be able to continue to work. The functions and services that may be deemed essential under the Commissioner’s Order include:

- Healthcare Operations: as defined by the Order.
- Human Service Operations: provide services to the public including state-operated, institutional, or community-based settings providing human services to the public.
- Essential Infrastructure: offer, provide, operate, maintain, or repair Essential Infrastructure including public works construction, housing construction, building management and maintenance, operations and maintenance of utilities, including water, sewer, gas, and electric, customer service centers, public intake centers, ports, flood control, solid waste and recycling collection and removal, telecommunication systems.

Please NOTE: *all public health personnel, first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, and others working for or to support Essential Business and Operations are EXEMPT from the Order.*

4. Who determines what positions and employees are considered essential under the Commissioner's Order?

Each department is required to identify essential services and employees. These decisions should be communicated to employees as soon as practicable. Through this process, departments are expected to define essential services personnel using three (3) categories:

Essential Function Must Report: employee is required to report to work to maintain current or reduced level of essential services..

Essential Function Emergency Response: employee is required to be on an on-call rotation schedule and will be required to be available to respond to a call for service in accordance with department specific requirements in order to respond to a complaint or an emergency.

Essential Function Work Remotely: employees is performing an essential function via remote work in accordance with departmental policy and guidelines. **Employee working remotely are able to stop at the office intermittently to pick up mail or process payments, or get new assignments.**

5. Are all essential employees required to report to work?

No, only those classified as Essential Must Report will be required to report to their workplaces in accordance with the schedules established by their department.

6. What should departments do to ensure essential workers who must report are adhering to the required social distancing measures?

Departments should consider:

- limiting access to conference rooms and break rooms where employees tend to congregate,
- change assignment/work order/work completion protocols to ensure employees minimize interaction with peers, supervisors, crew leaders, contractors, and to the extent applicable residents or customers.
- Departments should also transition to on line business transactions and telework as feasible.

7. Will employees who do not have the ability to telework and are directed by their department not to report to work given decisions to shut down or reduce non-essential departmental operations be required to use PAID TIME OFF balances?

No, the provision expanding the pay authority under the City's Severe Emergency Weather Policy per the Mayor's proclamation effective on March 16th still applies. These individuals should charge their time to C-19.

8. Can Departments direct or reassign employees within their departments to assist other departments that need added capacity to support essential operations?

Yes, DER is currently working on a plan to identify deployment and reassignment opportunities to assist the Election Commission and the Milwaukee Health Department. More information will be available later this week.

DISCLAIMER: The definition of essential functions and positions is subject to change at the discretion of the department and based on guidance provided by the Milwaukee Health Commissioner. Notice of such changes will be provided as soon as administratively feasible.