

CITY OF MILWAUKEE
DEPARTMENT OF EMPLOYEE RELATIONS



To: Department/Division Heads and Personnel Officers
From: Maria Monteagudo, Employee Relations Director
Date: January 15, 2019
Re: Guidelines Regarding Requests for Special Appointment Rates, Vacation Accrual, and Salary Adjustments after Transfers

Provisions of the Salary Ordinance and the Milwaukee Code of Ordinances allow appointing authorities to request appointment of an eligible candidate at a rate above the minimum of the pay range and vacation accrual at the rate of 5.3 hours per pay period when necessary in order to attract a qualified candidate when filling vacant positions. In addition, the Salary Ordinance contains a provision that allows an appointing authority to request a salary adjustment of 3% when an eligible employee transfers from one position to another within the same or equivalent pay range. Authority to approve the aforementioned requests rests with the Director of Employee Relations and the Chair of the Finance and Personnel Committee of the Common Council.

APPOINTMENT ABOVE THE MINIMUM OF THE PAY RANGE

Certain difficult to recruit for positions contain a footnote in the Salary Ordinance that allows appointment anywhere in the pay range with approval from the Director of Employee Relations and the Chair of the Finance and Personnel Committee.

Part II Section 3B of the Salary Ordinance allows the appointment of an eligible employee to a rate above the minimum of the pay range (but no higher than the 60% of the pay range) when it is necessary to recruit individuals for positions designated as "Officials and Administrators" and "Professionals". For these classifications, the applicable section states:

"In the event it becomes necessary to recruit above the minimum for positions classified as Officials and Administrators or Professionals, recruitment may be authorized at a rate up to 60% above the minimum of the pay range with the approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. A listing of appointments made pursuant to this provision shall be communicated to the Committee on Finance and Personnel."

Special recruitment rates under this provision may be pursued by the appointment authority in conjunction with recruitment efforts for internal and external candidates when (1) the minimum of the pay range or the salary after promotion do not provide a reasonable incentive for a qualified candidate to leave his/her current position; (2) the appointing authority is competing with other public or private employers for the same candidate and a more attractive salary would persuade the candidate to accept City employment; and (3) relevant labor market data supports a higher recruitment rate, or (4) there is a significant pay compression between the rate of pay of subordinates and a newly appointed supervisor.

VACATION ACCRUAL AT THE RATE OF 5.3 HOURS PER PAY PERIOD

The Milwaukee Code of Ordinances allows an appointing authority to request vacation accrual at the rate of 5.3 hours per pay period for an eligible candidate. This provision applies to employees who are exempt from the Fair Labor Standards Act (FLSA). For these candidates, the Milwaukee Code of Ordinances, under Chapter 350-40, a-1-h states that:

“Effective pay period 13, 2007, if it becomes necessary to recruit a fair labor standards act-exempt employee at a vacation rate above the minimum of 3.7 hours per pay period, the department of employee relations, with the concurrence of the chair of the committee on finance and personnel, may authorize vacation at the rate of 5.3 hours per pay period which will provide a third week of vacation. A listing of appointments made under this provision shall be provided to the committee on finance and personnel.”

The special accrual rate under this provision may be pursued by the appointment authority in conjunction with recruitment efforts when (1) the minimum entry-level accrual rate does not provide a reasonable incentive for a qualified candidate to leave his/her current position; or (2) the appointing authority is competing with other public or private employers for the same candidate and a more attractive accrual rate would persuade the candidate to accept City employment.

TRANSFER SALARY ADJUSTMENT

The Salary Ordinance also includes a provision which, under special circumstances, allows current non probationary City of Milwaukee employees to receive a salary adjustment of 3% when requested by an appointing authority as a result of an intra or inter-departmental transfer within the same pay range. The Salary Ordinance under Part II, Section 5E states that:

“City Departments may request a 3% salary adjustment for employees voluntarily transferring to positions allocated to Officials and Administrators (Section 1), Professionals (Section 2), Technicians (Section 3), Paraprofessionals (Section 5), Administrative Support (Section 6), Skilled Craft (Section 7), Service and Maintenance (Section 8) subject to approval of the Department of Employee Relations and the Chair of the Committee on Finance and Personnel. Transfers under this section are defined as the appointment to a position within the same pay range or to a pay range with the same rates of pay. Employees receiving a 3% salary adjustment under this provision shall receive a new salary anniversary date. The salary of an employee who voluntarily transfers back to the position originally held will be decreased by 3%. This provision shall only apply to voluntary transfers within a department to a different classification or the same classification with significantly different responsibilities or voluntary transfers between departments into the same or different classification as defined above.”

INFORMATION NEEDED WHEN MAKING A REQUEST

DER will only accept requests signed by the appointing authority, not managers or supervisors. The documentation needed to support the request must include:

- The title and pay range of the position to be filled;
- Justification for the request in terms of the candidate’s formal education and relevant experience;
- Justification as to why the minimum recruitment or appointment rate does not provide enough of an incentive for internal or external candidates to accept appointment;
- The candidate’s salary requirements to accept City employment offer or promotion;
- The requested resident salary and, when applicable, non-resident salary;
- A statement documenting the analysis as to whether the appointment will create or exacerbate pay compression and internal equity problems;
- A copy of the candidate’s employment application or resume; and
- A job description for the position. For transfer salary adjustment requests, job descriptions for both the previous *and* new position are required.

Special rate requests with the appropriate documentation should be sent to the Employee Relations Director who will review the request and supporting documentation and make a recommendation to the Chair of the Committee on Finance and Personnel for final approval. Please note that no offer of employment should be extended to a candidate at a rate higher than authorized in the Salary Ordinance unless specifically allowed in writing by the Chair of the Finance and Personnel Committee and the Department of Employee Relations.

Should you have any questions about this communication or require additional clarification, please contact Ms. Andrea Knickerbocker, Human Resources Manager, at ext. 3387.

C: Alderwoman Milele Coggs, Chair of the Committee on Finance and Personnel