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American Federation of State, County and Municipal Employees, AFL-CIO

Local Union Name Dane County Municipal Employees Union Local No 60

Executive Board Member: James Edwards Date: June 1, 2006
~~Secretary~~

Address: 1602 South Park Street, Room 102, Madison Wisconsin 53715
(Street) (City, Zone and State)

To The Madison Common Council

Dear Council Members:

Local 60 and its members have a great deal of concern over the handling of the Clerk-Treasurer position (now the Clerk and Treasurer positions). The issue is not whether there is one position or two (although one might reasonably ask why one office needs an intermediate coordinator and the other doesn't when they are approximately the same size). Rather, what is of primary concern is the handing of a position to an applicant that is substantially different from the job for which the candidate applied. Such an appointment has, as far as we know, not been made before in the City, and is a violation of all existing hiring policies and procedures. Employees are not hired first and then the jobs tailored to fit them. Similarly, even in situations where an employee has been in a position for a long time, should the employee become unable to perform all of the job functions, the job is rarely modified to fit the employee, absent any ADA requirements. Certainly what has been done in this case would never be done for a lower level worker.

The Mayor has argued the necessity for speed because of legal requirements. On one hand, he argues that this is a unique situation that will most likely never happen again. On the other, he argues that if the circumstances did happen again, he would do the same thing. The point is, of course, that unique circumstances have a habit of becoming precedents. Once a precedent is established, even if it is denied that it is a precedent, it is nevertheless out there. It is not unusual for managers to complain about the time it takes to hire employees, and claim they are needed right away. This event could very well make it more difficult for Human Resources to resist them.

The ultimate issue is fair play. The other applicants applied for the Clerk-Treasurer position in good faith. Some of them may have been more qualified for one or the other of the two functions, but now we will never know. We will also never know how many other possible candidates may have eliminated themselves from the process believing that they were not qualified for both of the functions, when some of them may have been more qualified for one of the functions than those who did apply. Once the decision had been made to bifurcate the position, the only reasonable and fair process for the applicants, the non-applicants and the citizens would have been to post both of the new positions.

During the Board of Estimates discussion of this matter, it was acknowledged that the employees in the Clerk's Office are experienced, knowledgeable and capable at what they do. There were certainly alternatives to keep the office running and meet any necessary legal requirements while the selection procedure was carried out again. There was simply not the will to explore them. It is also questionable whether adding a City Clerk at this time will have any impact on the problems incurred

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as a result of state software/technology issues.

The foregoing has nothing to do with the qualifications of the applicants. What is important is that established policies and procedures are being bypassed for the sake of expedience and without consideration of the possible future impact upon the hiring process. The proper way to proceed is to repost the separate City Clerk and City Treasurer positions. We hope you will take these issues into your deliberations.

Thank you for your consideration.

A handwritten signature in cursive script that reads "James Edwards". The signature is written in black ink and features a long, sweeping horizontal line extending to the right from the end of the name.