

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: October 29, 2007

TO: Personnel Board

FROM: Brad Wirtz, Human Resources Director

SUBJECT: Proposed Changes to M.G.O. 3.53

At your meeting of October 3, 2007 you considered the City Attorney's request to provide suggested changes to those sections of M.G.O. 3.53 (the Civil Service System) that pertain to "hiring practices". After due deliberation you acted to solicit Human Resource staff recommendations, with the expectation that you would have the opportunity to comment on these ordinance changes in Draft form (in the developmental phase) and again more formally as the ordinance is referred to you prior to adoption.

In that context, I submit the following for your consideration in concept form (with specific language and legal analysis to follow):

1. M.G.O. 353 (1) provides for the Civil Service Created – Exceptions Therefrom exempting elected and appointed officials, management employees hired by contract, Police and Fire commissioned personnel, etc. I recommend that this listing be purged of all non-City of Madison positions (e.g., employees of the Madison Board of Education); that the listing be clarified to reflect all managerial (Comp. Group 21) employees hired by management contract (without being named individually); that the position of Library Development Director be added (it is already so placed elsewhere); and that other classes (e.g., School Crossing Guards) be purged if there is not a legal analysis to support their placement in this category.
2. M.G.O. 3.53(7) Selection Process provides an overview of the City of Madison selection process for Civil Service positions. M.G.O. 3.53(8) addresses the Certification Process; M.G.O. 3.53(9) covers the Appointment Procedure; M.G.O. 3.53(10) addresses Appointments in the Civil Service (i.e., residency and reinstatement, specifically) and M.G.O. 3.53(11) incorporates Notice of Vacancy. Although I will address each of these in turn, I believe that the substance of these sections could be better integrated, organized and sequenced.
3. M.G.O. 3.53 (7) Selection Process should be amended to purge what appear to be superfluous references (e.g., the appropriation of resources and services to support this effort – since those considerations are otherwise provided for in City budgets and/or policy documents). Conversely, this section should be expanded to reflect the initial elements of selection – the identification of an appropriate City classification consistent with the work to be performed, incorporating minimum qualifications and professionally developed selection criteria and eventual development of an eligibility list. The section should also be amended to reference the placement process associated

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with the accommodation of disabled workers.

4. M.G.O. 3.53(8) Certification Process will remain fundamentally unchanged but should incorporate up to date references (e.g., Civil Rights Department)
5. M.G.O. 3.53(9) Appointment Procedure is fundamentally ok. However, it makes specific reference to the applicability of the Personnel Rules. As we have previously said, we believe the Personnel Rules should also be considered in conjunction with this effort. Further, it is my belief that M.G.O. 3.53 (in it's entirety), the Personnel Rules, and governing Administrative Procedure Memoranda should undergo a significant review to assure their appropriate integration. I would assume that this more comprehensive effort would follow this immediate assessment.
6. M.G.O. 3.53(10) Appointments in the Civil Service incorporates Residency and Reinstatement. Both areas have been addressed relatively recently and reflect the interests of the Mayor and Common Council. I am not proposing changes to this section other than the potential for either re-sequencing or integration with one of the other sections.
7. M.G.O. 3.53(11) Notice of Vacancy provides a multi-tiered approach to the announcement of job vacancies. I believe this could be integrated into a reformatted Selection Process section in more generalized terms which also anticipate the electronic transmittal of documents and information.

Again, this assessment is provided for discussion purposes. I would hope that you feel comfortable providing your comments in a similar fashion so that they can be incorporated into a DRAFT (prepared by the City Attorney) for your future consideration.