

CURRENT SECTION 3.13 – March, 2013

3.13 HUMAN RESOURCES DEPARTMENT.

- (1) Human Resources Department Established. There is hereby established the Human Resources Department which, under the management and supervision of the Human Resources Director, is responsible for the coordination and administration of included units, functions and programs relating to City employees. It is the intent of this ordinance to integrate the functions of personnel, labor relations, quality and productivity, employee assistance, occupational health and safety, workers' compensation and the internal functions of disability rights into the Human Resources Department. The incumbents of these positions as of the date of adoption of this ordinance shall retain in the Human Resources Department the terms of appointment and tenure in effect at the time of their appointments.
- (2) Composition of the Department. The Human Resources Department is comprised of the Human Resources Director and the units of Personnel Administration, Labor Relations, Quality and Productivity, Employee Assistance, Safety, Workers' Compensation and internal Disability Rights.

- (3) Human Resources Director.

- (a) The Human Resources Director shall be responsible for the management and supervision of the Human Resources Department and its units and shall formulate, direct and coordinate the implementation and shall monitor the effectiveness of Human Resources policies, programs and services as they relate to all City employees.

The Director shall be appointed by the Mayor pursuant to Civil Service selection procedures, subject to the approval of the Common Council, and shall serve pursuant to the terms and provisions of an employment agreement approved by the Common Council and executed by the Director, the Mayor and the Clerk. This position is not within the City's Civil Service system.

- (b) The Director shall be the administrative officer of the Civil Service system, shall be the custodian of all personnel records and shall be the official upon whom or with whom all notices, requests for hearings, communications or other official documents relating to the Civil Service system or City employment shall be served or filed, except as may otherwise be required by law.
 - (c) The Director shall have access to all public records and papers, the examination of which will aid in the discharge of the Director's duties. The Director shall submit to the Mayor and the Common Council recommendations of the Personnel Board as to uniform standards in respect to duties, salaries, classifications, titles, attendance and leave, regulations, transfers, promotions, employee training and benefits. S/he shall render such additional services in connection with the Civil Service system and City employees and in connection with salary classification for uniformed police officers and firefighters as may be requested by the Mayor or the Common Council.
 - (d) Neither the Finance Director nor any other officer of the City, shall draw, sign, issue or pay, or authorize the drawing, signing, issuing or paying of any City payment of any salary or compensation to any person in the employ of the City of Madison other than as an elected official, unless a payroll or account for such salary or compensation containing the names

of every person to be paid, have been previously certified by the Director or the Director's designee that the persons named in such payroll or account have been appointed, employed, reinstated or promoted as required by ordinance and the rules established thereunder and that the salary or compensation is within the salary range as fixed pursuant to law. (Am. by ORD-11-00037, 3-8-11)

- (e) The Director shall serve as the Secretary to the Personnel Board by virtue of the office but shall not vote. All matters to be considered by the Personnel Board shall be submitted to the Director who shall summarize these proposals, provide such information as may be deemed appropriate, and submit recommendations to the Board for their consideration. The Director shall prepare the agenda for meetings of the Board together with summaries.

(4) Personnel Administration Unit.

Under the supervision of the Director or the Director's designee, this unit is responsible for the performance of all personnel activities prescribed by the Madison General Ordinances and the Rules and Regulations of the Personnel Board. It shall have charge of applications for employment and the examination of all applicants for positions and the certification of all applicants for positions and the certification of all payrolls including the position held and the rate of pay of every employee; shall maintain a record of the length of service of each employee together with a concise statement of the duties performed by such employee, including the hours worked and the salary paid; shall maintain the City's classification and compensation system; and shall maintain the employee benefits program prescribed by the Common Council.

(5) Labor Relations Unit.

- (a) Under the supervision of the Director or the Director's designee, this unit is responsible for the conduct of all Labor Relations work in which the City is interested and shall deal with labor organizations representing City employees in conferences and negotiations within the scope of collective bargaining and shall develop and administer a working labor relations program except as provided herein. The Director's designee or any person permanently employed to act as head of this unit or to negotiate labor contracts on behalf of the City shall be appointed by the Director subject to the approval of the Mayor.

- (b) The Human Resources Director or the designee shall be charged with the responsibility of representing the Mayor and the Common Council in all conferences and negotiations with representatives of recognized bargaining units on matters relating to wages, hours of work and conditions of employment, in accordance with the provisions of Sections 111.70, 111.71, and 111.77 and other related sections of the Wisconsin Statutes. The Director or designee shall recommend labor relations policies to the Mayor and Common Council and shall establish labor relations standards, methods and procedures. The Director or the designee shall perform the following duties:

1. Under the direction of the Mayor, negotiate the terms of labor agreements on wages, hours of work and conditions of employment with representatives of duly recognized bargaining units, subject to the approval of the Mayor and the Common Council and in compliance with Sections 111.70, 111.71, and 111.77 and other related sections of the Wisconsin Statutes. For

purposes of this paragraph, the Human Resources Director or the designee shall report to the Mayor.

2. Petition on behalf of and represent the City in actions before the Wisconsin Employment Relations Commission on matters related to: bargaining unit determination, mediation, fact-finding, arbitration, declaratory rulings, and other matters within the jurisdiction of the Wisconsin Employment Relations Commission; administer the application of Sections 111.70, 111.71, and 111.77 of the Wisconsin Statutes in relation to the labor relations program of the City.
3. Interpret the provisions and applications of all duly authorized labor agreements; assist management personnel in the administration of contract grievance procedures. The Director or designee is authorized to enter into memoranda of understanding on behalf of the City to clarify the provisions and application of such labor agreements and to implement resolution of contract grievances within such labor agreements.

(c) Relationship to City Departments. All departments of the City shall cooperate with the Human Resources Director or designee to the end that s/he may discharge the duties and responsibilities contemplated by this section. Department heads are directed to cooperate fully with the Human Resources Director and the designee in this purpose.

1. All City departments shall make available all such information as may be required as determined by the Human Resources Director or designee.
2. The Human Resources Director shall keep City department heads informed on matters which affect their operations in labor relations matters.
3. The City Attorney or his/her designated assistant shall provide legal counsel to the Human Resources Director.

(d) Mayor and Common Council Control. The Board of Estimates shall confer with the Mayor and the Human Resources Director regarding initial bargaining proposals to be presented to each duly recognized bargaining unit. All labor contracts and agreements negotiated under the terms of this section shall be subject to the approval of the Mayor and Common Council. No labor contract or agreement shall be binding upon the City nor shall any of the terms of such agreements be implemented until such time as the agreement is approved and executed by the Mayor and City Clerk in the manner prescribed by law.

1. The Human Resources Director shall report periodically on labor relations activities to the Mayor and the Board of Estimates.
2. The Human Resources Director shall complete such reports as the Mayor and Common Council shall require and attend such conferences or meetings as designated for purposes of ensuring sufficient communications with the Mayor, Board of Estimates and Common Council on labor relations matters.

(Am. by Ord. 12,714, 12-4-00; Renum. by ORD-07-00048, 4-12-07)

(6) Organization Development and Training Unit.

Under the supervision of the Director, this unit is responsible for providing consultation and training to all departments of the City. The overall mission and purpose of this unit is to assist the City in achieving its goals by

identifying, developing, and assisting in the implementation of strategies for providing high quality services in a cost effective manner.

(7) Employee Assistance Unit.

Under the supervision of the Director, this unit is responsible for the maintenance and administration of the City's Employee Assistance Program.

(8) Safety Unit.

Under the Supervision of the Director, this unit is responsible for the development, maintenance and coordination of Occupational Health and Safety programs and activities in all City departments.

(9) Workers' Compensation Unit.

Under the supervision of the Director, this unit is responsible for the maintenance and coordination of City's Workers' Compensation Program.

(10) Disability Rights (Internal) Unit.

Under the supervision of the Director, this unit is responsible for the coordination of City efforts to prevent discrimination in employment on the basis of a person's disability and the delivery of programs and services according to the requirements of federal, state and local legislation as they relate to City employment and employees. The Director may from time to time consult with the Commission on People with Disabilities concerning the work to be performed pursuant to this function. Nothing contained in this section shall alter the responsibilities of the Commission on People with Disabilities as provided in Section 39.04 of these ordinances.