



## Legislation Details (With Text)

**File #:** 15285      **Version:** 2      **Name:** Residency - CG 18 & 44  
**Type:** Ordinance      **Status:** Denied  
**File created:** 7/1/2009      **In control:** COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)  
**On agenda:** 10/6/2009      **Final action:** 10/6/2009  
**Enactment date:**      **Enactment #:**  
**Title:** SUBSTITUTE - Amending Sections 3.30(2), 3.53(10)(a) and 3.54(16)(a) of the Madison General Ordinances to permit members of Compensation Groups 18 and 44 to reside in places of their choosing.  
**Sponsors:** Michael Schumacher, David J. Cieslewicz, Brian L. Solomon

**Indexes:**

**Code sections:**

**Attachments:** 1. 8/28/09 Cieslewicz Letter to MPSEA, 2. MPSEA Residency Cover Letter re: Ordinance Change (dated 7/2/09), 3. MPSEA residency Fact Sheet 7/2/09, 4. Version 1, 5. 15285RegistrationForms.pdf, 6. L Wendorf Registration Statement 9/1/09 CCOC Mtg., 7. E Kestin Registration Statement 9/1/09 CCOC Mtg., 8. J Ibeling Letter of Support.pdf, 9. Registration Statements.pdf

Date	Ver.	Action By	Action	Result
10/6/2009	2	COMMON COUNCIL	Adopt	Fail
9/15/2009	2	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
9/1/2009	2	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/24/2009	2		Return to Lead with the Recommendation for Approval	
8/24/2009	2	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
8/4/2009	2	COMMON COUNCIL		
7/27/2009	1			
7/27/2009	2	BOARD OF ESTIMATES (ended 4/2017)	Refer	Pass
7/7/2009	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	Refer	
7/7/2009	1	COMMON COUNCIL	Referred	
7/1/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

As of July 7, 2009, there were 29 employees in Compensation Groups 18 and 44 whose longevity pay is 1% less because they do not reside in the City of Madison. The annual cost of increasing their pay by 1% would be about \$23,000, including applicable fringe benefits. In addition, there are 39 employees whose next longevity change (scheduled over the next 4 years) will be 1% less than if they lived in the City of Madison. The annual cost of providing the additional 1% would be about \$28,000 for salaries and benefits for those employees, phased in over 4 years.

### Title

SUBSTITUTE - Amending Sections 3.30(2), 3.53(10)(a) and 3.54(16)(a) of the Madison General Ordinances to permit members of Compensation Groups 18 and 44 to reside in places of their choosing.

**Body**

DRAFTER'S ANALYSIS: These amendments will permit members of Compensation Groups 18 and 44 to reside in places of their choosing, relieving them from the existing residence requirement.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled "Residence" of Section 3.30 entitled "Qualifications--City Officers, Members Of Commissions, and Employees" of the Madison General Ordinances is amended to read as follows:

"(2) Residence. Each person holding or who is eligible for appointment or employment to a position in Compensation Group 21, Secretary to the Mayor, Mayoral Assistant or Library Development Director shall be a resident of the City of Madison unless permission to reside outside the City of Madison is granted in writing by the Mayor. ~~Each person holding or who is eligible for appointment or employment as an employee in a position in Compensation Groups 18 and 44 shall be a resident of Dane County unless permission to reside outside Dane County is granted in writing by the Mayor.~~ Each person who is or shall be eligible for appointment as a member of a City of Madison board, committee or commission shall be a resident of the City of Madison, provided, however, that this provision shall not apply to a member of or candidate for appointment to a City of Madison board, committee or commission where, in the judgment of the Mayor and two-thirds (2/3) of the Common Council, the best interests of the City will be served by the appointment of a non-resident member who is particularly well qualified by reasons of education, background, and experience with Madison business concerns or other Madison-based employers and the Mayor specifies fully to the Common Council the reasons why he or she is recommending such appointment. The provisions of this subsection shall not apply to persons who are employed under a joint and cooperative arrangement with Dane County, nor shall it apply to appointments to the Equal Opportunities Commission Employment Committee if the appointee works for a business located in Madison.

In the event that any person required to reside in the City of Madison ~~or any person required to reside in Dane County~~ ceases to reside in his or her respective jurisdiction, his or her position shall be deemed vacated. Such vacancy shall be filled in the manner prescribed by law or ordinance for the original appointment of that position."

2. Subdivision (a) entitled "Residency" of Subsection (10) entitled "Appointments in the Civil Service" of Section 3.53 entitled "Civil Service System" of the Madison General Ordinances is amended to read as follows:

"(a) Residency. Every person appointed to any permanent position in the classified civil service in Compensation Groups ~~18 and 44, and 19 other than mayoral aides, Secretary to the Mayor or Library Development Director,~~ shall establish residence within Dane County within sixty (60) days after the completion of his or her probationary period. ~~An employee who moves by any City personnel transaction from a position which does not require residence within Dane County to one which requires such residence shall establish residence within Dane County within two hundred forty (240) days of the change in position. An employee who moves by any City personnel transaction from a position which does not have specific residency requirements to one which has specific residency requirements shall establish residence within that specified jurisdiction within two hundred forty (240) days of the change in position.~~

All persons who are appointed to any permanent position in the classified civil service and required to reside within Dane County shall maintain such residence during the period of his or her City employment unless permission to reside outside Dane County is granted in writing by the Mayor. In the event any City employee required to reside in Dane County ceases to maintain residence therein, his or her position shall be deemed vacated. The vacancy shall be filled in accord with standard City procedures.

For purposes of layoff, if employees have equal lengths of service, those employees who reside in the City of Madison shall be laid off only after employees who do not reside in the City of Madison."

3. Subdivision (a) of Subsection (16) entitled "Longevity Provisions" of Section 3.54 entitled

“Compensation Plan” of the Madison General ordinances is amended to read as follows:

- “(a) All permanent full-time and permanent part-time employees as defined in Sec. 3.32(1)(a) except those managerial employees identified by position in Section 3.54(6)(b) who reside in the City of Madison shall receive longevity pay calculated to the nearest dollar, which longevity pay shall be based on a percentage of base pay in accordance with the following schedule:
1. Three percent (3%) of base pay beginning with the fifth (5th) year of continuous employment.
  2. An additional three percent (3%) (total 6%) of base pay beginning with the tenth (10th) year of continuous employment.
  3. An additional two percent (2%) (total 8%) of base pay beginning with the fourteenth (14th) year of continuous employment.
  4. An additional one percent (1%) (total 9%) of base pay beginning with the sixteenth (16th) year of continuous employment.
  5. An additional one percent (1%) (total 10%) of base pay beginning with the eighteenth (18th) year of continuous employment.
  6. An additional one percent (1%) (total 11%) of base pay beginning with the twentieth (20th) year of continuous employment.
  7. An additional one percent (1%) (total 12%) of base pay beginning with the twenty-fifth (25th) year of continuous employment, effective with the pay period which includes January 1, 2003.

The exception of identified managerial employees from this provision is effective January 1, 1985.

~~Prospectively, the foregoing schedule of longevity increases shall be reduced by one (1) percentage for those employees in Compensation Group 18 who do not reside in the City of Madison.”~~