



Legislation Details (With Text)

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Title: Repealing and recreating Section 3.13 of the Madison General Ordinances to update the Human Resources Department section.

Sponsors: Paul R. Soglin

Indexes:

Code sections:

Attachments: 1. Current Sec. 3.13

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|------------------------------------|--------|
| 4/30/2013 | 1 | COMMON COUNCIL | Adopt | Pass |
| 4/16/2013 | 1 | COMMON COUNCIL | Refer to a future Meeting to Adopt | Pass |
| 4/9/2013 | 1 | Attorney's Office/Approval Group | Referred for Introduction | |

Fiscal Note

No appropriation is required.

Title

Repealing and recreating Section 3.13 of the Madison General Ordinances to update the Human Resources Department section.

Body

DRAFTER'S ANALYSIS: Sec. 3.13 describes the organization of the Human Resources Department. It appears the last time any update to this ordinance occurred in 2007, although this revision includes changes to the department structure that took place long before that. The proposed ordinance reflects the current mission, goals, and organization of the Human Resources Department. Significant changes include:

- Elimination of units that are no longer part of the Human Resources Department, including Safety (3.13(8)), Workers' Compensation Unit (3.13(9)), and Disability Rights (Internal) Unit (3.13(10)). Safety and Workers' Compensation are now part of the Finance Department, and Disability Rights is part of the Department of Civil Rights.
- Renaming the Personnel Administration Unit the Human Resources Services Unit and expanding the definition to include broad HR Strategy responsibility
- Renaming the Labor Relations Unit the Employee and Labor Relations Unit, and clarifying the duties and responsibilities in the Unit to include workplace accommodations and employee benefits.
- Moving language regarding overall responsibility for Labor Relations from the Labor Relations Unit to the HR Director section, clarifying that the HR Director is responsible, in conjunction with the Mayor's Office, for setting the direction for labor negotiations with the City's various bargaining units.
- Updating responsibilities within the Organizational Developing and Training and Employee Assistance Units.

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

Section 3.13 entitled "Human Resources Department" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

“3.13 HUMAN RESOURCES DEPARTMENT.

- (1) Human Resources Department Established. There is hereby established the Human Resources Department. Under the management and supervision of the Human Resources Director, the department is responsible for recruiting, developing, and sustaining a talented, diverse, and engaged City workforce.
- (2) Department Services. The Human Resources Department shall provide strategic HR services to Departments/Divisions in a variety of ways, including recruitment; applicant screening and examination; labor relations; classification; compensation; benefits; organizational effectiveness, development and training; workplace accommodations; employee assistance; and other Human Resources-related services and functions.
- (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. The Director shall formulate, direct and manage the implementation and effectiveness of Human Resources policies, programs, and services as they relate to all City employees and applicants.

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, open record requests, 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 or designee shall submit to the Mayor and the Common Council recommendations of the Personnel Board as to uniform standards in respect to the classification, examination, selection, employment, training, probation, promotion, suspension, demotion, and discharge of civil service employees; the nature, use, and duration of eligible lists; and rules for the conduct of disciplinary hearings by an Appeal Examiner and the conduct of appeals by the Personnel Board. 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 City 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.
 - (e) The Director, or designee, shall serve as the Secretary to the Personnel Board but shall not vote. All matters to be considered by the Personnel Board shall be submitted to the Director, or designee, who shall summarize these proposals, provide such information as may be deemed appropriate, and submit recommendations to the Board for consideration. The Director, or designee, shall prepare the agenda for meetings of the Board together with appropriate supporting documentation.
 - (f) The Director, or designee, 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 as provided herein.

- (g) 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, or designee(s), 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(s).
 - 2. The Human Resources Director shall keep City department heads informed on human resources-related matters that affect their operations.
 - 3. The City Attorney or his/her designated assistant shall provide legal counsel to the Human Resources Director, or designee.

(4) Human Resources Services Unit.

Under the supervision of the Director, or designee, this unit is responsible for the performance of all human resources services prescribed by the Madison General Ordinances and the Rules and Regulations of the Personnel Board, including:

- (a) All recruitment activities for City positions, including obtaining and screening applications for employment, conducting appropriate examinations, and referring appropriate eligible applicants to departments/divisions for consideration.
- (b) Maintaining the City's classification and compensation system as prescribed by the Common Council and in accordance with City regulations.
- (c) Coordinating City efforts to prevent discrimination in employment 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.
- (d) Providing strategic human resources support to departments/divisions on human resources related issues, including interpretation of ordinances, APMs, collective-bargaining agreements, and other related material as it relates to human resources issues, and coordinating an appropriate human resources-related response to issues that may arise within a particular department/division.

(5) Employee and Labor Relations Unit.

(a) The Human Resources Director, or designee, shall represent 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.
- 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.

(b) Mayor and Common Council Control. The Board of Estimates shall confer with the Mayor and the Human Resources Director, or designee, 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, or designee, shall report periodically on labor relations activities to the Mayor and the Board of Estimates.

2. The Human Resources Director, or designee, 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.

(c) The Employee and Labor Relations Unit shall also provide support for employees in the following areas:

1. Providing workplace accommodations to employees who require such assistance;

2. Developing and maintaining an employee benefits program for employees; and

3. Administering leave policies such as Family and Medical leave and Disability Leave/Layoff as defined in the ordinances and/or collective-bargaining agreements.

4. Oversee drug testing for City employees as required.

(6) Organizational Development and Training Unit.

Under the supervision of the Director, or designee, this unit is responsible for providing consultation on organizational performance, process improvement and employee development to all City departments. In implementing the overall mission of assisting city agencies in achieving their goals of providing high quality, cost-effective services to residents and visitors, the unit will do the following:

(a) Provide consultation to agencies on organizational effectiveness assessment, strategic plan development, process improvement and human resource development initiatives;

(b) Develop, conduct and track training programs that help agencies implement their annual goals and support employee development;

(c) Support Mayor's Office, Common Council and City boards, committees and commissions in planning, policy development and community listening sessions.

(7) Employee Assistance Program.

Under the supervision of the Director, or designee, the City shall provide Employee Assistance services to employees and families. This shall also include developing a Critical Incident Stress Management (CISM) program for employees, and delivering such services as appropriate. The City's EAP program delivery structure includes the use of an external vendor for back up and specialized services, to include conflict mediation, and trauma specialists, etc. Finally, the Employee Assistance Program shall include developing and delivering city-wide wellness program initiatives for employees."

EDITOR'S NOTE: Current Section 3.13 can be found in "Attachments."