



Legislation Text

File #: 33918, Version: 1

**Fiscal Note**

No appropriation is required.

**Title**

Amending Sections 6.01, 6.02, and 6.03 of the Madison General Ordinances to remove unnecessary specific details regarding the composition, hours and salary of employees of the Fire Department.

**Body**

DRAFTER'S ANALYSIS: This ordinance removes out-of-date language regarding the composition, hours and salaries of fire department employees. All of the removed language is covered elsewhere through statute, labor contracts, the City budget process, APMs and the Police and Fire Commission Rules.

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

1. Section 6.01 entitled "Who Compose the Fire Department" of the Madison General Ordinances is amended to read as follows:

**"6.01 WHO COMPOSE THE FIRE DEPARTMENT.**

- (1) Fire Department. The Fire Department shall be under the supervision of the Fire Chief who shall be responsible for the protection of life and property against fire, the prevention and extinguishment of fires, the removal of fire hazards, and emergency rescue and lifesaving operations. The Fire Chief shall be responsible for the care and maintenance of all property and equipment of ~~his~~the division.
- (2) Composition of Fire Department. The Fire Department shall consist of one chief to be known as the "Fire Chief of the Fire Department"; ~~two or more assistants to be known as "Assistant Chiefs of the Fire Department"; two or more Deputy Fire Chiefs; eleven (11) or more men to have charge of the fire stations who shall be known as Captains; eleven (11) or more men who shall have charge of the fire stations in the absence of the Captains, who shall be known as Lieutenants; a Fire Inspection Bureau one Assistant Mechanic, five Dispatchers, and one hundred twenty-nine (129) full paid men, such number to be consisting of one Captain and seven (7) or more Inspectors, one Master Mechanic to be known as a Captain, designated from time to time by the Common Council and other subordinate commissioned officers to be appointed as provided by Wis. Stat. § 62.13, and special personnel and other special duty personnel as may be needed to serve temporarily or in time of emergency to be appointed by the Mayor or Fire Chief. There shall be additional civil service employees to be appointed by the Fire Chief to hold their positions under Sec. 3.53, MGO. The number of commissioned and noncommissioned personnel is to be determined by the Common Council, except that any reduction in commissioned personnel is to be accomplished in accordance with Wis. Stat. § 62.13."~~

2. Section 6.02 entitled "Duties" of the Madison General Ordinances is amended to read as follows:

**"6.02 DUTIES.**

- (1) The Fire Chief of the Fire Department shall have general supervision of the Fire Department and be responsible for the efficiency thereof. The Assistant Fire Chiefs of the Fire Department shall discharge the duties of the Fire Chief of the Fire Department in case of the absence, disability, or suspension of the Fire Chief.
- (2) The Fire Chief and full paid menfirefighters shall devote all their time to the work of the said department and shall not engage in any other business, except that the Mayor may authorize Fire Department personnel to engage in part-time employment during their spare time and

aside from their duties in the department insofar as such spare time employment will not interfere with or diminish their ability to perform their Fire Department duties. Further provided that no member of the Fire Department personnel shall be permitted to work more than fifteen (15) hours per week in part-time employment.

- (3) The Fire Department, except the positions hereinafter denominated, shall be divided into two or more platoons, each of which shall be on duty alternately. Commencing January 1, 1967, or as soon as practicable thereafter, the hours of duty for each member of the fire fighting force shall be limited to an average of fifty-six (56) hours per week on a twenty-four (24) hour shift. Provided, however, commencing January 1, 1967, Fire Department employees in the Fire Prevention Bureau, the members of the Bureau of Maintenance, the members of the Bureau of Training and the members of the Communications Bureau, shall be on a work day of eight (8) hours in twenty-four (24) and a work week of forty (40) hours in any seven (7) day period as directed by the Chief.

The Chief of the department may from time to time temporarily detail any member from the fifty-six (56) hour work schedule to the forty (40) hour work schedule or any member from the forty (40) hour work schedule to the fifty-six (56) hour work schedule, as the good of the service warrants.

In cases of necessity created by some emergency which, in the judgment of the Chief demands that such work day or work week be extended beyond the hours herein set out, additional work may be required as overtime. All such overtime during such emergency shall be placed to the credit of such person and additional days of rest given therefor."

2. Section 6.03 entitled "Salaries" of the Madison General Ordinances is amended to read as

follows:

**"6.03 SALARIES.**

- (1) The members of the Fire Department shall be paid such salaries and compensation as the Common Council shall determine subject, however, to provisions of Wis. Stat. § 62.13(7).
- (2) All commissioned personnel in the Fire Department who are on a forty (40) hour week shall be paid or compensated at the rate of time and one-half for their overtime, with the exception of the Fire Chief.
- (3) If a person assigned to a fire fighting unit is called to report for duty in cases of positive necessity by some sudden and serious fire, accident, or other peril, which in the judgment of the chief engineer or other officer in charge demands such a call to duty, that person shall be paid or compensated at the rate of time and one-half. In the case where the employee is paid, the hourly rate shall be computed on the basis of the fifty-six (56) hour work week.
- (4) In those instances where a person assigned to a fire fighting unit is required to work any time past the termination of a shift, whether to fight a fire or to man a station as the result of a fire or as the result of any other emergency, that person shall be paid or compensated at the rate of time and one-half, with the hourly rate for those persons who choose pay to be computed on the basis of the fifty-six (56) hour work week; provided, however, that any overtime worked in any amount less than thirty (30) minutes shall not be placed to the credit of the employee, but any overtime worked in an amount between thirty (30) minutes and one hour shall be credited to the employee in the amount of one hour of overtime worked.
- (5) When a person assigned to a fire fighting unit agrees to work a full shift assignment on his day off, to maintain the minimum complement of on-duty personnel, he shall be paid or compensated at the rate of time and one-half.
- (6) Members of the Fire Department in Section 3.54(1)(k)3. shall not be entitled to compensation or compensatory time off for overtime worked.
- (7) (a) All commissioned personnel in the Fire Department listed in Section 3.54(1)(k) shall be compensated at double the rate of pay provided for in Section 3.54(1)(k)1. for all work performed on holidays, which rate of pay shall be on the basis of a forty (40) hour work week performance of those duties normally assigned to forty (40) hour work week personnel or on the basis of a forty-eight (48) hour week for performance of those

duties normally assigned to forty-eight (48) hour week personnel.

(b) ~~All commissioned personnel listed in Section 3.54(1)(k)2. scheduled to work on a contract designated holiday shall be compensated at the rate of two times the employee's regular rate of pay for the hours worked.~~

- (8) All commissioned personnel of the Fire Department who are called in to report for overtime duty shall be paid or compensated for a minimum of two hours pay or compensatory time off; said payment to be made at a rate of pay consistent with either a forty (40) hour week rate or a fifty-six (56) hour week rate dependent upon whether the duties performed were regularly forty (40) hour per week duties or fifty-six (56) hour per week duties."