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COMMENTARY

MUNICIPAL PERSONNEL PROBLEMS AND SOLUTIONS

CHARLES C. MULCAHY*

THE PERSONNEL DILEMMA

Among the many acute problems facing municipal government today, one of the most neglected areas involving the overall administration of municipal government concerns personnel administration. Since municipalities provide services to the public at large, the importance of an effective personnel program is extremely significant in terms of the quality of services provided. Moreover, because of fiscal problems facing most municipalities today, there is an obvious incentive to re-examine municipal personnel programs.

Less than ten years ago, nearly every municipality in the United States was free to administer its personnel program in a unilateral manner. Many municipalities used Civil Service rules and procedures to govern personnel matters in an effort to use progressive personnel techniques and eliminate (or at least curtail) political problems.

At the present time, however, many states have enacted basic collective bargaining laws providing municipal employees with the right to meet and confer, and in many cases, negotiate with their public employer.¹ This change came as a shock to many municipal employers. In the past, in a uniform manner, wages, hours and conditions of employment were determined by the elected officials after hearing the presentations (and in some cases pleas) of various employee organizations. With the advent of collective bargaining, municipal employers are no longer able to unilaterally make these

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1. See Government Employee Relations Report (GERR) Reference File 51: 501-21, which summarizes the recent status of public employment bargaining laws in the United States.

determinations. Now, for the first time, these employers are forced to justify their positions at the bargaining table and, in many instances, withstand not only a challenge to their fiscal ability to pay the financial package demanded by employee organizations, but further, are faced with the problem of militant employee organizations attempting to co-manage municipal government.² The enactment of these new State labor laws, which allow municipal employees to organize and bargain with their municipal employers, require municipal governments to re-examine their traditional personnel programs.

Municipal governments today (as well as many other government units) face a challenge which is not duplicated in private industry. Private industry, in most instances, has a unity of purpose of seeking a profit in the operation of each particular company. On the other hand, government seeks no profit and often consists of elected representatives with widely diversified backgrounds. These individuals are entrusted with the responsibility of setting the policy guidelines for the orderly operation of municipal government. Frequently, they have little or no experience in personnel matters. In many instances, these elected officials have strong labor ties. Most of these individuals share one thing in common. They would like to do an honest and effective job as elected officials in terms of running municipal government. Unfortunately, in many instances, before these individuals see the complete perspective of municipal government, they become ensnarled in a myriad of problems which require immediate attention, resulting in an inability to develop an effective overall personnel plan.

Thus, municipal governments today face the tremendous challenge of attempting to resolve the personnel crisis of continuing to manage and control the operation of municipal government itself. In many areas, municipalities have a large number of elected officials attempting to establish overall personnel policies. Because of the absence of any unifying purpose, the elected body appears, to the employee, to be irreparably splintered. This division ultimately accrues to the benefit of the employee organization.

Municipalities provide traditional services such as fire, police and public works, all of which accrue to the benefit of the individual residents of the community. Unfortunately, these services, in many instances, are fragmented, with no resulting uniform person-

2. Mulcahy, *The Crisis of the 70's—Who Will Manage Municipal Government?*, 54 MARQ. L. REV. 315 (1971).

nel policy. The result is that personnel policies, in many instances, are developed and administered on an individual department basis. This lack of uniformity causes many municipalities to prepare separate interpretations of personnel policies in the areas of grievances, interpretation of the existing labor agreements and establishment of work rules. The end result is that the employee organizations, once they grasp the basic lack of personnel direction of municipalities, exploit this weakness by playing the various departments against one another in terms of the most favorable decisions in each of these areas.

The severity of this type of situation is self-evident. Over 50% of the operational budget of nearly every municipality is attributed to personnel costs. Because of the personnel costs, an excellent opportunity presents itself to provide legitimate and effective savings and efficiencies by developing an effective personnel program which will result in increased productivity and reliability.

Another reason that municipalities experience personnel problems is the fact that, rarely, if ever, do municipal departments work together on personnel matters. Communication is the essence of establishing a sound personnel program, and, yet, many departments remain autonomous with respect to their personnel policies. In some instances, these departments are highly secretive about their personnel practices since they do not want to apprise other departments of the specific procedures which they are using in this area. Frequently, this is caused by the fact that management has not efficiently and effectively managed the overall operation of those departments. If these departments were proud of their overall personnel techniques, they would be most anxious to share their ideas with the other departments.

PERSONNEL PROGRAM

All of these factors point to the conclusion that municipalities today need to establish effective personnel programs. The personnel program must be a combination of planning, not only on the part of the individual departments, but also on the part of the elected officials who must set the overall policy guidelines.

The initial step in the establishment of an effective personnel program involves the centralization of personnel responsibility from a policy and administrative standpoint. Due to the large size of many legislative bodies that govern various municipalities, the overall authority and responsibility for personnel matters must be delegated to a workable group. A forty-man City Council, for example, cannot conceivably participate in the day-to-day bargaining and other personnel decisions.

It would appear in most instances that a comprehensive written plan, reduced to the form of a Municipal Ordinance or law, should be adopted by the elected body (See Appendix A.). To obtain the maximum possible benefit from such an ordinance, the elected body must ensure that the following basic structural recommendations are complied with.

1. *Personnel Committee:* A smaller group of elected officials (normally five members) should be designated as a Personnel Committee to handle all matters relating to personnel responsibilities and problems. This will insure that all personnel matters will be channelled, in an orderly manner, to this Committee for the purpose of maintaining a constant review of the personnel requirements of the municipality. Allowing several committees, for example, to handle their own individual personnel problems in areas such as health department, police, fire, library, water and sewage utilities, street department, and related departments will only fragment the overall approach which should be uniformly effective. Creation of the Committee also centralizes responsibility and indicates where the "buck" stops in terms of ultimate responsibility.

The Personnel Committee is not an enviable committee to serve on. Most of the elected officials who have worked in the public employment area for a considerable length of time recognize that most salaries when given are too little and too late, in the opinion of the employee. In the event they are not given, the employee has a much more antagonistic reaction. Consequently, members of the Personnel Committees of various municipalities throughout the country rarely participate in ribbon cutting ceremonies. Their responsibilities lie at the very heart of the continued operation of municipal government.

2. *Authority of Committee:* The Committee should be given the authority to handle not only matters involving the policy guidelines to be used for negotiations, but also the authority to meet with any State agencies involving possible mediation, fact finding, binding arbitration, clarification of the bargaining unit and certification of the employee organizations. This should create an orderly atmosphere for handling this type of activity and to a great measure at least insure uniformity, with respect to the policy approach of the elected body.

3. *Strikes:* The Ordinance should also provide that, in the event employee organizations participate in activities prohibited by law (such as strikes, which in most instances in public employment today continue to be illegal), the City Attorney has delegated authority to commence whatever legal action may be necessary to

protect the community. Municipalities, in many instances, particularly in the water and sewage utility areas, are involved in critical and emergency services. Work stoppages or strikes cannot be tolerated. Their occurrence or frequency in many instances will hinge upon whether the government unit has prepared an effective personnel program and plan for the continued operation of emergency services (See Appendix B.).

4. *Supervisory Personnel:* The Ordinance should also recognize that, as an integral part of the development of an effective municipal personnel program, management personnel must be welded into an effective management team. In return for the loyalty and effectiveness of these management people, their salaries and fringe benefits must be reviewed on an annual basis to insure that they are compensated on a basis commensurate with their position and settlements reached with the bargaining units they supervise. Supervisory employees should obviously be paid more than the employees they supervise. In many municipalities this is not the case and, out of dire frustration, supervisory employees have formed their own bargaining units to meet and confer with their municipal employer.

PREPARATION FOR BARGAINING

Immediately after the appointment of the initial Personnel committee, it is imperative for the Committee, while it is not under fire with respect to contract impasses, emotional matters involving suspensions or dismissals and other related personnel problems, to examine its overall personnel objectives. If the Committee is to be successful it must have the respect of the full City Council and, rarely, if ever, should its recommendations be overruled. This obviously requires that the make-up of the Committee evidence a well-balanced representation from the Council. In some instances this may involve the presence on the Committee of people with strong Union backgrounds, including former Union officers, who bring a unique experience to any municipality, providing they recognize the responsibility of their position as it relates to the total community.

The new Committee itself should sit down in an informal, relaxed atmosphere and attempt to identify its basic goals. Certain members of the Committee will be required in some cases to assume a posture at public meetings which they would not display at a meeting in executive session. Most State laws provide that, when a Committee of elected officials is discussing the subject matter of collective bargaining, the executive session meeting for-

mat can be adopted. The obvious reason for these laws is that definite goals must be established in closed meetings which can be implemented at the bargaining table. If there were no opportunity to meet in this manner, there would be no possibility of establishing any overall plan for effectively handling negotiations. Frequently, the Committee members would be divided among themselves, much to the benefit of the employee organization. One of the cardinal rules involved in public employment negotiations on the part of elected officials requires a recognition of the fact that, while differences might occur in the executive sessions, these differences must be forgotten when the complete personnel package is brought before the full City Council or the employee organization. This may be a difficult principle for certain elected officials to accept, particularly if they enjoy assuming the position of the "maverick". The Committee can and should have a well balanced representation of the City Council. It cannot tolerate the "maverick" or other elected member who, in the final analysis, is not looking for what is good for municipal government.

One of the first considerations of the Committee involves an evaluation of whether the current wages, hours and conditions of employment of that particular bargaining unit constitute a fair package to the employees. Frequently, this will involve the generation of comparative data on these matters from both similar government units and private industry. After this evaluation, the subsequent bargaining requests from the various employee organizations are kept within a realistic perspective. Policy guidelines are then established in the Personnel Committee identifying the overall areas where movement might occur at the bargaining table.

The next decision which should be made involves whether or not elected officials will participate in the actual bargaining sessions. Elected officials normally are not skilled in personnel matters. Further, they are not assured of re-election or other guaranteed continuity from the standpoint of establishing a permanent, effective personnel program. Elected officials also are subjected to intense political pressures which in some instances are overwhelming. With these thoughts in mind, most municipalities have recognized that elected officials should not be involved in the bargaining sessions. This insures that skilled representation will at all times be present at the bargaining table and the municipality will have the necessary continuity for the years ahead. The tone of the negotiations will also be more professional due to the fact that neither Unions nor elected officials will be required to do unnecessary grandstanding to appease their parent groups of Union members and taxpayers.

The problem of political pressure remains. Large metropolitan areas normally are faced with continuous pressures from organized labor. New members of a Personnel Committee should be made aware of this fact at the initial meeting. In some instances elected officials have supported Union proposals for twenty consecutive years, and in the twenty-first year when the bargaining requests were so excessive that they could not support them in good conscience, they too were pressured and threatened by organized labor. The Personnel Committee concept does provide a certain buffer and protection not only for the elected officials, but also for the community. Elected officials should state to the employee organizations that they are sympathetic but the matter must be resolved at the bargaining table.

The negotiator (or negotiating staff) should never involve any specific elected official (by name or otherwise) for this merely focuses attention of the employee organization upon that person. The key to continued bargaining strength in municipalities remains in the unity found among the elected officials.

Certain municipalities are confronted with a different problem. In many municipalities which have a rural or suburban composition, the word "Union" is anathema to elected officials. Consequently they adopt an extreme "hard line" position toward the employee organization. This procedure and technique will ultimately result in severe personnel problems in those communities. Organized labor recognizes whether it is negotiating from a position of strength or a position of weakness. In communities where the political strength of organized labor is not that great, most employee organizations display a greater receptivity to a reasonable economic and working conditions agreement. In these instances, it would appear that municipal government officials, in order to provide a reasonable personnel package, must prepare some overall guidelines on what constitutes a fair wage and fringe benefit package. Spread sheets can be prepared showing how this particular municipality compares with respect to its various job classifications as they relate to other similar sized employers. Comparisons can be made not only to other government units, but also to private industry in the area. What is being paid in private industry and in other government units does provide an accurate frame of reference for evaluation of a fair economic package. This approach will, in the long run, avoid a large number of problems which frequently occur in this type of setting. The Union has to fight back and in the event the personnel package is not reasonable and, where it has little or no political base, the Union will retaliate with an illegal

strike if necessary. These strikes can be avoided with equitable planning.

Once the decision has been made that elected officials will not be sitting at the bargaining table, the municipality should set up a permanent negotiating team which will negotiate the labor agreements for that community. Having the same negotiating team for all the contracts is of great help and assistance in working towards uniformity in terms of the various contracts with all the municipal employees. Many municipalities have developed a three man bargaining team consisting of a member of the Personnel Department (Civil Service), fiscal officer and legal counsel. These three parties provide an interesting blend to adequately and effectively represent the municipality at the bargaining table. Some municipalities have recently applied for Emergency Employment Act (EEA) funds to hire additional employees to assist in the bargaining and personnel administration function.

The overall effectiveness of the bargaining team will depend upon not only the reasonableness of attitude of the elected officials in establishing the policy guidelines, but also will depend upon the development of an effective and efficient management team to administer municipal government. With this thought in mind certain municipalities have adopted legislation calling for the creation of a Personnel Council (See Appendix C) to provide a forum for the personnel officers of the various departments to meet on a regular basis to discuss personnel problems.

The Personnel Council will only be as effective as the Personnel Committee wishes, based upon the attitude, responsibility and accomplishment of those appointed to the Council. In the initial stages it would appear that a Personnel Council would be extremely valuable from the standpoint of training supervisory people not only to understand the basic terms and conditions of the negotiated labor agreements, but also with respect to the proper handling of grievances and other personnel problems. The Personnel Council also can be used to serve as a sounding board to make specific recommendations to the Personnel Committee with respect to various pending personnel matters. Normally, fiscal matters involving salaries, fringe benefits and other cost items are not referred to the Personnel Council. Rather, the Personnel Council relates itself to overall management problems, including working conditions and other matters relating to how efficiently municipal government operates. These recommendations, which may involve cost implications, are based primarily upon their experience and effectiveness in dealing with various operational departments. If an

attitude of trust and confidence develops between the Personnel Council and the Personnel Committee, a constant interchange of ideas can be accomplished. Most elected officials, for example, are extremely frustrated that their specific complaints and ideas are not implemented at a supervisory and employee level. Complaints which they receive concerning the conduct of employees in hospitals, in the parks and at other government facilities frequently are not corrected. Obviously, matters of this type can be referred to a Personnel Council which can establish city-wide procedures in an attempt to effectively and uniformly resolve these problems. The Council itself must have sufficient authority to act in these areas. Municipal department heads must recognize that the Council is acting on behalf of the Personnel Committee. A further advantage of the Personnel Council (providing it has established a rapport with the Personnel Committee) involves its participation in the bargaining process. As individual requests are received from employee organizations these requests (particularly in the non-fiscal area) can and should be reviewed by the Personnel Council. Further, the Personnel Council can develop its own series of management objectives to give the Personnel Committee enough leverage to eventually reach agreement at the bargaining table. The day has ended for municipalities where no management objectives are presented at the bargaining table. Survival itself depends upon municipal management recognizing this responsibility.

POST BARGAINING PRACTICES

A. Training Sessions

Following negotiation of the individual contracts with the various employee organizations, the Personnel Council should maintain regular contact with the Personnel Committee. The Council should, for example, arrange immediate training sessions with the department heads and all supervisory personnel to explain the basic terms and conditions of each new contract as it is negotiated. Further, during the term of the agreement, additional training should take place with respect to proper handling of grievances. The improper handling of grievances has caused many employee walk-outs and strikes. Negotiations are not the only cause of public employment strikes.

B. Reprimand

Municipal officials today have been confronted with the situation where they are attempting to achieve greater productivity with

respect to municipal employees. Many elected officials have friends in private industry who chastise them for not working towards greater productivity. These elected officials feel a greater frustration because of their inability to address themselves to the heart of the problem. Here again, the Personnel Council can be an effective force in attempting to achieve greater efficiency, economy and productivity. Many municipalities have adopted the use of employee reprimand forms. Although some people have interpreted these reprimand forms as a negative form controlling municipal operations, the fact remains that when employees deviate from reasonable work rules, their conduct has to be corrected or efficiency and productivity suffer.

The basic concept of the employee reprimand form involves a rehabilitation of the employee. Many elected officials and department heads have experienced the agony of certain employees who have adopted bad work habits such as arriving late for work or abusing their sick leave. In many instances these employees have been orally warned by their supervisor, but the situation continues or gets worse. In some instances the municipal employers have suspended or discharged these employees. With the advent of binding arbitration with respect to suspension and disciplinary actions, the municipal employer will now have his judgment reviewed by a disinterested third party.

With this thought in mind the employee reprimand form was developed. After a few oral warnings, an employee is given a written reprimand form (See Appendix D.). The reprimand form summarizes the past activity that had been called to the attention of the employee orally. The reprimand form normally does not initially involve a suspension or dismissal (unless there is an extremely serious violation of a work rule). Rather, the reprimand form is given to the employee to advise him in writing of the severity of his action. Further, a copy of the reprimand form is placed in his personnel file and a copy is sent to the Union. The Union is notified so that it will be put on notice that this employee is not obeying work rules and will probably be involved in further disciplinary action. The Union Steward in many instances should be contacted personally to solicit his help in attempting to straighten out the employee. Thereafter, if the employee continues this course of conduct and he receives another disciplinary reprimand form, he will probably run the risk of alienating the Union Steward. In many instances the zealouslyness of the Union Steward in processing a particular grievance can be a moment of great anguish for any line supervisory employee or department head. A

Union Steward operating in good faith, who has been aware of a personnel problem over a reasonable period of time, will probably not process a grievance of this type. Certainly, he will not want to expend large amounts of Union money in processing a grievance of this nature in binding arbitration.

Of equal importance to the municipal employer, the written reprimand form insures that certain forms of disciplinary action will probably be sustained in binding arbitration for the simple reason that most disciplinary actions that are overruled involve a situation where the employee claims he was never advised of the severity of the situation. Also, he may orally summarize the facts surrounding the disciplinary action in such a manner that it is hardly recognizable to the municipal employer. Obviously, a written reprimand form presented to the employee and his Union representative clarifies the issue in the initial stages and puts them on notice that unless corrective action is taken the employee will be further disciplined, suspended and possibly even discharged.

The concept of the employee reprimand form is intended to help the employee solve his problem. If the municipal employer merely wanted to get rid of an employee, he certainly would not use this technique. The reprimand form, when properly utilized, can provide a better working relationship between the municipal employer, employee and the Union.

C. Department of Labor Relations

As certain municipalities continue to grow and develop it has become apparent that they need to develop a Department of Labor Relations. Such a department provides a specific clearing house at a staff level on a full-time basis to process grievances and other personnel problems. It does not require extensive staff or costs. The Department of Labor Relations would probably have a department head who would be involved in the bargaining process. In many municipalities during negotiations all other personnel matters come to a standstill. This is not fair and equitable to the employees who are not involved in those particular bargaining sessions. The Department of Labor Relations hopefully would effect the timely resolution of various personnel problems without unnecessary delays. Frequently the delay in obtaining an answer in the personnel area causes more grief than the answer itself (See Appendix E.).

CONCLUSION

The task ahead for municipal government in the personnel area

is extremely challenging. Due to a wide variety of community problems, municipal officials will frequently and continuously be criticized as long as they continue to provide any municipal services. This fact points out and reaffirms the basic need for the establishment of a personnel program. The program will identify what is a reasonable policy approach in the personnel area. The taxpayer groups and Unions will never agree with respect to what is a fair personnel package for municipal employees. Rather it is incumbent upon the elected officials in conjunction with skilled staff representatives to set the necessary guidelines and carve out reasonable personnel settlements. The establishment of a united position among the elected officials, coupled with well-trained and skilled management people administering the policy guidelines determined, will result in a dynamic personnel program which should resolve most of the personnel problems facing municipal government.

APPENDIX A

ORDINANCE NO. _____

AN ORDINANCE TO CREATE CHAPTER _____
OF THE _____ CITY CODE

The City Council of _____ does ordain as follows:

Section 1. PERSONNEL COMMITTEE: Chapter _____ of the _____ City Code entitled "Procedures in Employment Relations" is hereby created to read as follows:

_____.01 *Duties of Personnel Committee:* In addition to duties assigned elsewhere, the Personnel Committee shall have charge of all matters arising under Chapter 111, Wisconsin Statutes, and shall be responsible for the direction of all personnel matters involving employees of the City of _____. The Committee shall consist of five (5) supervisors appointed by the Mayor and confirmed by the Council.

_____.02 *Election, Certification, Decertification, Fact Finding and Mediation:* The Personnel Committee shall direct the conduct on behalf of the City of _____ of all proceedings involving the Wisconsin Employment Relations Commission relative to the election, certification and decertification of collective bargaining units, including proceedings for the determination of the number of employees, type of bargaining unit and eligibility of employees in the classified service, to participate in such elections and relative to fact finding proceedings and mediation; and shall also direct all the proceedings before courts or other governmental agencies involving personnel matters.

_____.03 *Collective Bargaining:* Collective bargaining with certified bargaining units shall be carried on by the Personnel Committee which shall adopt, and thereafter may amend, rules and procedures governing the conduct of such bargaining (not in conflict with any other existing ordinances of the City). Department heads and supervisory personnel shall not distribute to any City employees any written communication bearing upon the subject matter or program of such collective bargaining or other employment relations matters unless such communication shall have the prior approval of the City Attorney or Labor Negotiator designated by the City Council.

_____.04 *Agreement:* The agreements reached at the conclusion of such collective bargaining shall be reduced to writing by the Committee and submitted in the form of a proposed ordinance or resolution to the City Council for its approval or rejection.

_____.05 *Enforcement:* The City Attorney and/or Labor Negotiator is authorized to institute legal proceedings to prevent employees from continuing to engage in practices prohibited by or in violation of Chapter 111 of the Wisconsin Statutes and to enforce any ordinance or resolution by the City Council relative to agreements reached at the conclusion of collective bargaining procedures as provided for in Section _____.03 and _____.04.

_____.06 *Public Hearing:* Recognized County Employee Organizations shall submit their request to the City Council which shall refer these matters to the Personnel Committee. The Personnel Committee may then conduct a public hearing on the request and all interested persons may appear and state their views thereon.

_____.07 *Employees Excluded from Recognized Bargaining Units:* The Personnel Committee shall annually review the wages, hours and conditions of employment of all employees not represented by recognized county employee organizations and submit their recommendations to the City Council each year for the following year.

Section 2. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 3. If any part or parts of this ordinance are invalid, it shall not invalidate the entire ordinance.

Section 4. This ordinance shall take effect and be in force from and after its passage and publication.

Passed and approved this ____ day of _____, 19__.

Appendix B

The following outline is a guideline for preparing the necessary emergency plan for a particular department of City government to function during a strike or other emergency situations. Of course, the outline would have to be adapted to the particular department as to the critical services necessary from that department.

DEVELOPMENT OF STRIKE PLAN GUIDELINES FOR DEPARTMENTAL INFORMATION (For Each Department Within an Organization)

- I. *CRITICAL SERVICES—(List in Order by Priority)*
 - A. *MANPOWER REQUIREMENTS FOR EACH SERVICE*
 1. Normal Staffing (Average)
 - a) Classification
 - b) Number
 2. Emergency Staffing
 - a) Classification
 - b) Number
 3. Personnel Expected to Report for Duty
 - a) Classification
 - b) Number
 - c) For the individuals included in (a) and (b), prepare a separate list containing the following information:
 1. Names
 2. Addresses
 3. Telephone Numbers
 4. Any Additional Skills Each Might Possess—Not Ordinarily Expected in Their Classification.
(This information is to be kept current and retained within the departmental files.)
 4. Additional Personnel Required to Maintain Critical Services Available Personnel for Other Duty
(Difference between No. 2 and No. 3 above)
 - a) Classification
 - b) Number
 - B. *MATERIAL REQUIREMENTS FOR EACH SERVICE (Expendable Items Only)*
 1. Normal Requirements (Average)
 - a) Type
 - b) Amount
 2. Emergency Requirements
 - a) Type
 - b) Amount
 3. Inventory Usually on Hand
 - a) Type
 - b) Amount
 4. Additional Goods Required
 - a) Type
 - b) Amount

- II. *NON-CRITICAL SERVICES*
 - A. *MANPOWER REQUIREMENTS FOR EACH SERVICE—Same as for I above.*
 - B. *MATERIALS REQUIRED FOR EACH SERVICE—Same as for I above.*
- III. *SOURCES*
 - A. *MANPOWER*
 - 1. Internal
 - a) Within the Divisions
 - b) Others within the Department
 - B. *MATERIAL*
 - 1. Internal
 - a) Other Departments within the organization
 - b) Other City departments
 - 2. External
 - a) Vendors
 - 1) Usual
 - 2) Other (check bid lists)
 - b) Other Governmental Organizations
 - 1) County Government
 - 2) Military
 - 3) State Departments
- IV. *OTHER*
 - A. *CRASH TRAINING OF EMERGENCY EMPLOYEES (I-A and II-A)*
 - B. *TRANSPORTATION*
 - C. *LODGING FOR ALL WORKERS*
 - D. *CONTRACTING FOR SERVICES*
 - E. *SAFETY OF EMPLOYEES ON DUTY*
 - F. *SECURITY OF BUILDINGS, EQUIPMENT, ETC.*

APPENDIX C

The following resolution was adopted by a Wisconsin government unit to implement the Personnel Council:

WHEREAS, the increased complexity of various collective bargaining and contract administration problems with City employees requires the development of a plan for regular participation in personnel matters by various supervisory employees; and

WHEREAS, the City of _____ is desirous of commencing a management training program for supervisory personnel and further to continue and encourage greater cooperation and uniformity between county departments in personnel matters; and

WHEREAS, there is no centralized authority in the City of _____ to evaluate the present levels of supervisory skills or to establish and maintain continuous training programs to upgrade the personnel skill levels of management employees of City; and

WHEREAS, a Personnel Council with representatives from the various departments involved in extensive personnel matters would provide the vehicle to accomplish these objectives.

NOW, THEREFORE,

BE IT RESOLVED: that the Personnel Committee of the City of _____ City Council create a permanent Personnel Council composed of employees designated from all departments involved in extensive personnel matters, and

BE IT FURTHER RESOLVED, that the Personnel Council shall conduct meetings at least monthly to accomplish the following:

1. To train (and retrain incumbent personnel) of all supervisory personnel in various management techniques including grievances, contract administration and explanation of the terms and conditions of the new contracts.
2. To establish greater cooperation and uniformity between City departments with respect to:
 - a. Uniform application of work rules and existing labor contracts
 - b. Uniform resolution of grievances
3. To devise a mechanism for the systematic appraisal of middle management techniques and effectiveness.
4. To identify specific areas in which intermediate supervision is performing at a substandard level.
5. To implement more effective use of the reprimand procedure.
6. To review union demands during negotiations and to develop extensive management objectives based upon various departmental and City wide personnel problems.
7. To review any arbitration decisions to avoid problems of this type in the future.
8. To review recruiting problems and practices.
9. To review inter-departmental transfer policies.
10. To devise and assist in implementing a critical services plan in the event of work stoppage.
11. To develop better employee safety programs.
12. To develop uniform employee personnel practices.

BE IT FURTHER RESOLVED, that at regular intervals the Personnel Council shall provide specific recommendations to the Personnel Committee, where necessary, for implementation, and

BE IT FURTHER RESOLVED, that the adoption of this resolution shall constitute the authority to the members of the Personnel Committee, acting at the direction of its chairman, to consult with department heads on a formal basis in order to develop the source information necessary to implement the objectives of this resolution, and

BE IT FURTHER RESOLVED, that the copies of this resolution be delivered by the City Clerk to all department heads and that all department heads are hereby instructed to cooperate fully with the Personnel Council and its members in these respects.

APPENDIX D

The following written reprimand form is presently in use in a municipal government in Wisconsin:

COUNTY OF _____
EMPLOYEE REPRIMAND NOTICE

Name: John Doe, Custodian Date _____ Time _____
Department: Public Library

OFFENSE: Repeated tardiness and unauthorized absence from work.

COMMENTS: You have been repeatedly tardy in reporting for work from at least February, 1970, to and including the month of August, 1971. During this period of time you have also repeatedly left work during working hours without authorization, and have improperly filled in your time book. You have been given at least three verbal reprimands for these offenses but show no signs of correction.

We sincerely hope that this written reprimand, which is made a permanent part of your personnel file, will serve to improve your future job performance. However, we must warn you that if these offenses continue, you may expect to receive further disciplinary action, up to and including discharge.

Immediate Supervisor Department Head

I acknowledge receipt of a copy of this form and I understand that I may use the employee grievance procedure.

Employee

- White — Department Head copy
- Yellow — Employee copy
- Blue — Personnel Director

APPENDIX E

The following Ordinance is suggested for the creation of a Department of Labor Relations:

AN ORDINANCE

To create Chapter ____ of the General Ordinances of the City of _____ relating to labor relations.

The City Council of the City of _____ does ordain as follows:

SECTION 1. Chapter ____ of the General Ordinances of the City of _____ is created to read as follows:

____.01 *Department of Labor Relations.* There is hereby created an independent "Department of Labor Relations" for the City of _____, the departmental policies of which shall be subject to the jurisdiction of the Personnel Committee of the City Council. The Department shall be in the charge of an administrator designated as the Personnel Committee of the City Council pursuant to the provisions of the City Civil Service System. The Director shall be provided with an adequate number of staff assistants and such other personnel as in the functions and purposes of the Department. Such positions shall be appointed under the City's Civil Service System by the Director of the Department of Labor Relations. The position of Director and all other positions in the Department shall be compensated at a rate fixed by the City Council.

____.02. *Responsibilities of the Director.* The Director of the Department of Labor Relations shall be responsible for:

(1) The negotiation of all collective bargaining agreements with certified bargaining representatives of the employees of the City conducted along policy lines established by the Personnel Committee of the City Council.

(2) The administration of all collective agreements during their term. In order to discharge this responsibility, he shall have the authority to direct compliance by operating department heads with the provisions of such agreements.

(3) The establishment of labor relations training programs designed to improve the supervisory skills of supervisory employees in City service.

(4) The conduct on behalf of the City of _____ of all proceedings ordered by the Wisconsin Employment Relations Commission or provided for by contract relative to certification and decertification of bargaining representatives, bargaining unit structure, employee disputes and grievances, and all administrative and judicial proceedings including mediation, fact finding, and arbitration relating to the negotiation or administration of existing or prospective collective agreements.

____.03. *Referral of Personnel Matters.* All matters relating to personnel introduced in the City Council shall be referred to the Department of Labor Relations for its recommendation, as well as to other departments to which reference is required by other provisions of these ordinances. The recommendation of the Department of Labor Relations on such matters shall be submitted to the Personnel Committee which shall submit its action thereon to the City Council as the report of the Personnel Committee.

____.04. *Submission Procedures.* In order to maintain the integrity of the collective bargaining process, requests for information from or action by the department of labor relations from any individual alderman or any committee of the City Council shall be submitted to the Personnel Committee for reference to

the department. Departmental liaison with the City Council shall be maintained by the Personnel Committee.

_____.05. *Department Cooperation.* In order to accomplish the purposes of this ordinance, all departments in county government shall cooperate fully with the department of labor relations and its director in all areas of responsibility set forth herein.

SECTION 2. This ordinance shall become effective upon passage and publication.

