



**Minutes**  
**Committee #2**  
**Labor Negotiations, Personnel, Policy & Administration**  
**October 1, 2013**

**Committee #2 met on Tuesday, October 1, 2013 at 9:15 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.**

Council/Committee Members present: Bill Hicks, Amy Mason, Chuck Hull, George Adrian, Jane Lardahl, Mayor Hoffman.

Others present: Finance Manager/Treasurer Lynne Bauer, Fire Chief Tom Larson.

Call to Order: 9:15 AM

Items of business to be discussed or acted upon at this meeting are shown on the attached agenda below:

1. **Open Session**
2. **Discuss request of Fire Chief Tom Larson to hire an entry level Firefighter / Paramedic due to a resignation. Possible recommendation to the Council.**

The Committee discussed hiring a new firefighter to replace a vacancy due to a resignation.

**Motion by Mason/Hull** to recommend the Council approve the hiring of an entry level Firefighter/Paramedic. **All present voted aye. Motion carried.**

3. **Item #3 was on the agenda as a closed session under Sec. 19.85(1)(c) Wis. Statutes however the Committee chose to discuss the following item in open session: A) Discuss compensation and pay grid progression for Virginia Woods Roberts, Library Director.**

The Committee discussed a recommendation by the Library Board to move Virginia Woods Roberts from 14 Step B to 14 Step C on the Non-Union Pay Schedule effective July 1. The Library Board agreed to fund the impact of approximately \$2,000 out of their 2013 budgeted funds. The City did not budget an increase for 2013 due to Resolution 99-28 (see attachment) that states "New hires will normally have to wait until the first of the year following their anniversary date to receive an increase. The department head may recommend an increase sooner based on documented performance of the individual." The City had planned to budget a raise effective January 1, 2014. Further discussion ensued on the authority of the Library Board (see attached "Libraries FAQ 1" from the League of Wisconsin Municipalities).

**Motion by Hicks/Mason** to recommend the Council approve a July 1, 2013 pay raise for Virginia Woods Roberts from 14B to 14C utilizing funds from the 2013 Library Budget with subsequent eligible step increases to be effective on January 1 commencing with January 1, 2015. **All present voted aye. Motion carried.**

\*Note: Committee #2 requested that Resolution 99-28 be placed on a future agenda for further discussion.

**4. Adjournment.**

**Motion by Mason/Hicks** to adjourn at 5:25 PM. **All present voted aye. Motion carried.**

**Minutes submitted by,  
Bill Hicks, Chair**

RESOLUTION ADOPTING ADMINISTRATIVE COMPENSATION  
STRUCTURE AND PERFORMANCE MANAGEMENT PROCESS

WHEREFORE, the City of Chippewa Falls has undergone an evaluation of non union corporation structure, and management procedure, and

WHEREFORE, attached hereto and incorporated by this reference are written structures, planning guidelines, and schedules which detail these matters,

THEREFORE, IT IS RESOLVED:

1. That the City of Chippewa Falls hereby approves and adopts the following attached components of the salary structure and performance management.

- A. Two Year Implementation Plan
- B. Guidelines for Administration of the Plan
- C. Salary and Fringe Benefits of Administrative Employees

2. That the above documents replace any current documents and procedures, including R-98-70, and eliminates longevity. However, R-98-59 shall continue as currently adopted (Data Processing Management).

3. That this Resolution be retroactive to January 1, 1999.

That this Resolution was passed and adopted by the City Council of the City of Chippewa Falls this 6th day of April, 1999.

Weston A. Bessler  
Alderman

ADOPTED: April 6, 1999

APPROVED: Virginia A. Smith  
Mayor

ATTEST: Frank D. Braswell  
City Clerk

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Job Title	Person in Position	Proposed Grade
Data Processing Manager	B. Schimmel	3
Confidential Secretary	J. Johnholtz	4
Executive Secretary	C. Freagon	10
Utility Office Manager	K. Grothe	10
Library Business Manager		10
Park & Forestry Supervisor		10
Recreation Supervisor	R. Hebert	10
Assistant City Inspection & Zoning Administrator	P. Lasiewicz	11
Senior Engineering Technician	T. Berg	11
Street Supervisor	M. Ruf	11
Fire Battalion Chief	J. See	13
Assistant City Engineer	R. Rubenzer	13
Fire Battalion Chief	J. Taylor	13
Fire Battalion Chief	R. Missfeldt	13
City Inspection & Zoning Administrator	J. Holden	14
City Clerk/Treasurer	F. Braswell	14
Library Director	R. Kilbridge	14
City Assessor		14
Water Supervisor (Assistant to Utility Supervisor)	S. Frank	14
Patrol Police Lieutenant	D. Johnholtz	14
Patrol Police Lieutenant	J. Liddel	14
Patrol Police Lieutenant	J. Beranek	14
Street Manager	G. Zwiefelhofer	15
Director of Parks, Rec & Forestry	B. Faherty	15
Comptroller	J. Rohrman	16
Police Captain	W. Nehring	16
City Planner	J. Smith	16
Fire Chief	E. Mishefske	17
Police Chief	J. Coughlin	18
Manager of Public Utilities	J. Allen	18
Director Public Works	R. Pike	18

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City of Chippewa Falls, 1999 wage adjustment

A	B	C	D	E	F	G	H	I	J	K	L	M
Proposed grade	Hire	Step "A" Potential year 2 percentage of mid point 94.0%	Step "B" Potential year 3 percentage of mid point 88.0%	Step "C" Potential year 4 percentage of mid point 92.0%	Step "D" Potential year 5 percentage of mid point 96.0%	Mid point of grade potential year 6	Step "E" above mid point 105.0%	Step "F" above mid point 110.0%	Step "G" above mid point 115.0%	Maximum compensation in range 120.0%		
3	\$22,300.92	\$23,415.97	\$24,531.02	\$25,646.07	\$26,761.12	\$27,876.16	\$29,269.96	\$30,663.77	\$32,057.58	\$33,451.39		
4	\$23,192.96	\$24,352.61	\$25,512.26	\$26,671.91	\$27,831.56	\$28,991.20	\$30,440.76	\$31,890.32	\$33,339.88	\$34,789.44		
10	\$29,346.48	\$30,813.80	\$32,281.12	\$33,748.44	\$35,215.76	\$36,683.10	\$38,517.25	\$40,351.40	\$42,185.56	\$44,019.72		
15	\$29,346.48	\$30,813.80	\$32,281.12	\$33,748.44	\$35,215.76	\$36,683.10	\$38,517.25	\$40,351.40	\$42,185.56	\$44,019.72		
17	\$29,346.48	\$30,813.80	\$32,281.12	\$33,748.44	\$35,215.76	\$36,683.10	\$38,517.25	\$40,351.40	\$42,185.56	\$44,019.72		
18	\$31,107.27	\$32,662.63	\$34,217.99	\$35,773.35	\$37,328.71	\$38,884.09	\$40,828.29	\$42,772.50	\$44,716.71	\$46,660.91		
19	\$31,107.27	\$32,662.63	\$34,217.99	\$35,773.35	\$37,328.71	\$38,884.09	\$40,828.29	\$42,772.50	\$44,716.71	\$46,660.91		
20	\$31,107.27	\$32,662.63	\$34,217.99	\$35,773.35	\$37,328.71	\$38,884.09	\$40,828.29	\$42,772.50	\$44,716.71	\$46,660.91		
21	\$34,952.12	\$36,899.73	\$38,447.34	\$40,194.95	\$41,942.56	\$43,690.16	\$46,874.67	\$48,069.17	\$50,243.68	\$52,428.19		
22	\$34,952.12	\$36,899.73	\$38,447.34	\$40,194.95	\$41,942.56	\$43,690.16	\$46,874.67	\$48,069.17	\$50,243.68	\$52,428.19		
23	\$34,952.12	\$36,899.73	\$38,447.34	\$40,194.95	\$41,942.56	\$43,690.16	\$46,874.67	\$48,069.17	\$50,243.68	\$52,428.19		
24	\$34,952.12	\$36,899.73	\$38,447.34	\$40,194.95	\$41,942.56	\$43,690.16	\$46,874.67	\$48,069.17	\$50,243.68	\$52,428.19		
25	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
26	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
27	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
28	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
29	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
30	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
31	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
32	\$37,049.24	\$38,901.70	\$40,754.16	\$42,606.62	\$44,459.08	\$46,311.56	\$48,627.14	\$50,942.73	\$53,268.31	\$55,593.88		
33	\$39,272.20	\$41,235.81	\$43,199.42	\$45,163.03	\$47,126.64	\$49,090.25	\$51,544.76	\$53,999.27	\$56,453.79	\$58,908.31		
34	\$39,272.20	\$41,235.81	\$43,199.42	\$45,163.03	\$47,126.64	\$49,090.25	\$51,544.76	\$53,999.27	\$56,453.79	\$58,908.31		
35	\$41,628.54	\$43,709.97	\$45,791.40	\$47,872.83	\$49,954.26	\$52,035.67	\$54,637.46	\$57,239.25	\$59,841.04	\$62,442.81		
36	\$41,628.54	\$43,709.97	\$45,791.40	\$47,872.83	\$49,954.26	\$52,035.67	\$54,637.46	\$57,239.25	\$59,841.04	\$62,442.81		
37	\$41,628.54	\$43,709.97	\$45,791.40	\$47,872.83	\$49,954.26	\$52,035.67	\$54,637.46	\$57,239.25	\$59,841.04	\$62,442.81		
38	\$44,126.25	\$46,332.56	\$48,538.87	\$50,745.18	\$52,951.49	\$55,157.81	\$57,915.89	\$60,673.86	\$63,431.47	\$66,189.37		
39	\$46,773.82	\$49,112.51	\$51,451.20	\$53,789.89	\$56,128.58	\$58,467.28	\$61,390.66	\$64,298.66	\$67,237.38	\$70,160.74		
40	\$46,773.82	\$49,112.51	\$51,451.20	\$53,789.89	\$56,128.58	\$58,467.28	\$61,390.66	\$64,298.66	\$67,237.38	\$70,160.74		
41	\$46,773.82	\$49,112.51	\$51,451.20	\$53,789.89	\$56,128.58	\$58,467.28	\$61,390.66	\$64,298.66	\$67,237.38	\$70,160.74		
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City of Chippewa Falls, 1999 wage adjustment

A	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA
	Current base salary	Years of service in position as of 1/1/99	Years of service w/city as of 1/1/99	1999 longevity rate	1999 longevity pay %	1999 pay under current plan	Employee placed in step	Percentage of step in range	Percentage from full step	Yearly catch-up	1999 salary adjustment to current plan	Proposed 1999 wage which implements new wage/range from Y2K forward		
					"N" %	"S" %	"I-0"	"S" %	"I-0"	"#/2"	"S" %	"S+Y"		
4	\$16,081.00	5.2 FTE	5.2 FTE	Part time employee at 1,300 hr/yr	3%	\$16,081.00	D	90.1%	9.9%	4.9%	\$793.09	\$16,874.09		
5	\$26,907.51	13.75	13.75	3%	\$807.23	\$27,714.74	E	91.0%	9.0%	4.5%	\$1,240.95	\$28,955.69		
6	\$33,712.77	2.0	7.4	2%	\$674.26	\$34,387.03	B	106.5%				\$34,387.03		
7	\$38,925.00	8.6	16.9	3%	\$1,188.75	\$39,783.75	E	103.3%				\$39,783.75		
8	\$32,226.39	14.75	14.75	3%	\$986.79	\$33,193.18	E	86.2%	13.8%	6.9%	\$2,294.07	\$35,487.25		
9	\$38,864.71	0.8	0.8	3%	\$1,107.37	\$38,864.71	Hire	124.3%				\$38,864.71		
10	\$38,912.47	6.7	12.2	3%	\$1,073.54	\$38,019.54	mid	97.8%	2.2%	1.1%	\$422.52	\$38,442.38		
11	\$40,483.81	7.9	15.3	3%	\$1,214.51	\$41,698.32	E	102.1%				\$41,698.32		
12	\$40,644.15	0.8	14.5	3% plus Garcio OT	\$1,322.79	\$41,966.94	Hire	120.1%				\$41,966.94		
13	\$44,392.49	3.6	8.3	2%	\$887.85	\$45,280.34	C	112.7%				\$45,280.34		
14	\$40,644.15	7.0	16.0	3% plus Garcio OT	\$1,322.79	\$41,966.94	C	104.4%				\$41,966.94		
15	\$44,392.49	1.1	4.7	4%	\$1,763.74	\$42,407.89	E	92.4%	7.6%	3.8%	\$1,602.40	\$44,010.28		
16	\$44,392.49	2.4	14.7	3%	\$1,331.77	\$45,724.26	B	112.2%				\$45,724.26		
17	\$44,393.00	9.8	19.1	4%	\$1,776.72	\$46,168.72	E	94.9%	5.1%	2.5%	\$1,167.07	\$47,335.79		
18	\$40,483.81	10.9	25.5	4%	\$1,619.35	\$42,103.16	E	86.8%	13.4%	6.7%	\$2,824.35	\$44,927.51		
19	\$42,383.71	13.9	24.3	4%	\$1,695.35	\$44,079.06	E	90.8%	9.4%	4.7%	\$2,081.35	\$46,140.41		
20	\$42,383.71	14.9	21.4	4%	\$1,695.35	\$44,079.06	E	90.8%	9.4%	4.7%	\$2,081.35	\$46,140.41		
21	\$42,383.71	16.8	24.5	4%	\$1,695.35	\$44,079.06	E	90.8%	9.4%	4.7%	\$2,081.35	\$46,140.41		
22	\$48,744.31	8.0	20.4	4%	\$1,949.77	\$50,694.08	F	98.3%	1.7%	0.8%	\$418.32	\$51,112.40		
23	\$44,392.49	23.75	23.75	4%	\$1,776.70	\$46,168.19	F	85.5%	14.5%	7.3%	\$3,347.70	\$49,515.89		
24	\$44,392.49	5.6	5.6	2% beg 6/1	\$684.93	\$49,329.24	mid	94.8%	5.2%	2.6%	\$1,282.83	\$50,612.07		
25	\$44,392.49	2.5	19.2	4%	\$1,775.70	\$46,168.19	B	100.8%				\$46,168.19		
26	\$47,610.09	10.4	10.4	2%	\$952.20	\$48,582.29	E	88.9%	11.1%	6.6%	\$2,699.83	\$51,282.13		
27	\$51,087.33	20.25	20.25	4%	\$2,043.49	\$53,130.82	F	87.8%	12.4%	6.2%	\$3,302.53	\$56,433.36		
28	\$51,087.33	17.6	17.6	3% split 4%	\$1,839.14	\$52,920.47	E	86.2%	13.8%	6.9%	\$3,648.59	\$56,576.06		
29	\$53,643.87	18.75	26.8	4%	\$2,141.75	\$55,685.62	E	90.7%	9.3%	4.6%	\$2,587.43	\$58,273.05		
30	\$58,789.71	35.2	35.2	4%	\$2,381.59	\$61,141.30	F	95.1%	4.9%	2.5%	\$1,501.12	\$62,642.41		
31	\$1,179,143.45	279.85	456.80	28 employees	\$38,453.26	\$1,215,596.71					\$35,316.85	\$1,250,913.56		
32		28 employees	28 employees	16.31										
33		9.99												

\$50,000 1999 budget buffer  
 \$35,317 minus proposed adjustment ("y43")  
 \$7,063 "w48\*20%" for OH increase  
 \$7,620 margin remaining to implement program

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**CITY OF CHIPPEWA FALLS**  
**SALARY STRUCTURE, PERFORMANCE MANAGEMENT, SALARY REVIEW**  
**ADMINISTRATION AND IMPLEMENTATION GUIDELINES FOR THE NONUNION**  
**GROUP.**

**NON UNION SALARY STRUCTURE-** Annually the nonunion salary cluster will be reviewed and the structure will be adjusted to maintain a competitive wage range for all positions within the salary cluster.

- A) The comptroller will be responsible for recommending the adjustment amount as a part of the budget process. The comptroller will use the selected source chosen for the 1998-99 Compensation study and the National ACA benchmark figure for Public Administration.
- B) New employees may be hired into steps "hire through step B" in the pay range. Steps C through the mid-point require Personnel Committee approval. Placement in steps above the mid-point require full council approval.
- C) Requests for changes and or additions to the structure may be made at anytime. These changes must be submitted to the Personnel Committee for their approval and then to the City Council before final implementation.

**PERFORMANCE MANAGEMENT-**The performance planning process will be conducted on an annual calendar year basis for all employees.

- A) Annually the department head will be responsible for submitting an annual performance plan for his/her department as a part of the annual budgeting process. Once this plan is adopted, the department head will be expected to provide a written mid-year update by no later than June 30<sup>th</sup> to the council. A final update would be completed by December 31<sup>st</sup> of that year. Between January 1<sup>st</sup> and March 1<sup>st</sup> of the following year, a committee consisting of the Mayor, Council President and chairman of Committees' # 1,2,3 and 4, with input from appropriate boards or commissions will complete a performance review of each department head.
- B) The department head will be responsible for completing performance plans on all his/her employees.
- C) Individual performance plans for all employees within the department will be completed by no later than January 31<sup>st</sup> of the current fiscal year.
- D) A mid-year progress check will be completed on each employee within the department by no later than July 31<sup>st</sup> of each fiscal year.
- E) A final performance review will be completed on each employee within the department by no later than December 15<sup>th</sup> of each year.

**SALARY REVIEW ADMINISTRATION-**Annual salary increases will occur in January of each year based on completing a successful overall performance review rating of achieves expectations or better for the previous year.

- A) Progression through the range to the next step (below the midpoint) may occur on an annual basis assuming the employee meets the minimum performance criteria of achieve expectations.

B) Progression through the range to the next step (above the midpoint) may occur every two years (step E or F) or three years (step G or maximum) based on the employee meeting the minimum performance requirements of "achieves expectations" for the previous years.

C) Employees who don't receive an increase at the time they are eligible will have to wait a full year to be eligible again.

D) New hires will normally have to wait until the first of the year following their anniversary date to receive an increase. The department head may recommend an increase sooner based on documented performance of the individual.

**IMPLEMENTATION OF NEW PAY STRUCTURE-**All employees will be slotted in the new pay range for their position based on current salary, longevity payments, and seniority in position. There will be a two-year implementation process for complete integration into the new structure. The two options available for implementation are:

A) Those below 100% of their new position in range will receive special adjustments over the next two years in order to achieve appropriate placement in the range.

B) Those above 100% of their new position in range will be "Red Circled" and will receive no increase other than the range adjustment increase until they are eligible for a merit increase based on their performance.

**SALARY AND FRINGE BENEFITS OF ADMINISTRATIVE EMPLOYEES  
OF THE CITY OF CHIPPEWA FALLS, WISCONSIN**

The provisions set forth hereinafter shall apply to those full-time administrative positions set forth in Schedule A. For purposes of identification the administrative employees enumerated in Schedule A shall be identified throughout these provisions as "Employees" and the City of Chippewa Falls shall be identified as the "Employer". The following articles apply to all administrative positions unless otherwise indicated in Schedules B, C-1 and C-2.

**ARTICLE I - HOSPITALIZATION INSURANCE**

SECTION 1. The Employer shall provide a health and surgical insurance policy for the employees. Employees may choose either plan as described in the Group Health Insurance Plan.

SECTION 2. Employees on approved sick leave will remain insured for a period of time covered by their accumulated sick leave and the balance of the month in which their accumulated sick leave ends. After this time, they may continue to receive coverage for the duration of their approved leave by paying monthly premiums to the City Clerk. Employees laid off or discharged will have their protection continued by paying monthly premium to the City Clerk in accordance with existing law. Employees drawing workers compensation insurance payments will have their premiums paid by the City as long as they are entitled to receive weekly workers compensation benefits.

Retired employees may remain in the group health plan if they meet all of the following criteria:

1. Must be employed by the City on or after February 6, 1990.
2. Employee must be eligible to receive a pension from the Wisconsin Retirement Fund at time of retirement.
3. Employee must be a participating member of the health insurance group at time of retirement.
4. Employee pays full amount of premium when due.

This option would also be available to the spouse and dependents of the insured in the case of death of the employee.

**ARTICLE II - RETIREMENT PROGRAM**

The Employer shall pay to the Wisconsin Retirement Fund the full amount of the retirement contribution of eligible participating employees pursuant to Wisconsin Statutes.

**ARTICLE III - LIFE INSURANCE**

Employees may elect to be covered under the Wisconsin State Life Insurance Program as provided by Wisconsin Statutes.

**ARTICLE IV - SICK LEAVE**

SECTION 1. Employees shall be paid while on sick leave at regular daily rate of pay.

SECTION 2. Employees shall be charged only for those hours, if less than a full day, absent from work due to sickness and shall be paid for those hours absent.

SECTION 3. Sick days shall be accumulated at the rate of one (1) day per month to a total of ninety (90) days. See Schedule B for Fire Captain sick day accumulation.

SECTION 4. Sick days accumulated in excess of ninety (90) days shall be accounted for each December 31. One half of those accumulated days shall be paid at the employee's regular rate of pay on the following January 15. The remaining one half shall be credited to a "special sick leave bank" which shall be used only in emergencies and when all other sick leave credits have been exhausted.

SECTION 5. Sick days used shall be withdrawn first from the ninety (90) day account. Sick leave in the "special sick leave bank" shall be used only after the ninety (90) day account is depleted and in case of extreme emergency.

SECTION 6. Employees terminating their employment shall have vested rights in the first 75 days of sick leave in the ninety (90) day account only, and shall receive a severance pay from that account as follows:

	<u>Percent of accumulated days</u>
At completion of 11 years	10%
At completion of 12 years	20%
At completion of 13 years	30%
At completion of 14 years	40%
At completion of 15 years	50%
At completion of 16 years	60%
At completion of 17 years	70%
At completion of 18 years	80%
At completion of 19 years	90%
At completion of 20 years	100%

SECTION 7. Any employee, qualifying under this schedule, terminating their employment with the City, shall be compensated for the applicable number of days at their hourly rate based on straight time, in effect at the time of severance.

SECTION 8. Any employee, whose employment with the City is terminated by the City for cause shall lose all vested rights in the sick day fund.

## **ARTICLE V - WORKERS COMPENSATION**

All employees shall be covered by Workers Compensation, and if injured and covered, shall turn their proof of workers compensation benefits into the City Clerk's office immediately after it is received and that person shall be paid an amount equal to the difference between that check and the employees normal earnings for that period. In the event that an employee's workers compensation is discontinued, and the employee is certified as being able to return to work, but fails to do so, each day of absence shall be charged against the employee's sick leave accumulation. Any employee who so refuses to return to employment is subject to discharge by the employer.

## **ARTICLE VI - COMPENSATION**

SECTION 1. Compensation of employees covered by this agreement will be as shown on the attached Schedule A. Overtime pay will only be applicable to Fire Captains and Police Lieutenants.

SECTION 2. Pay checks will be issued biweekly on alternate Thursdays at 12:00 a.m. within the department.

SECTION 3. Annual salaries will be divided by number of pay days in the year to determine the amount payable biweekly.

## **ARTICLE VII - HOLIDAYS**

Employees shall be entitled to the following holidays: New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Eve Day, Christmas Day and New Years Eve Day. See Schedule B for holiday provisions for Fire Captains. See Schedule C-2 for holiday provisions for Police Lieutenants.

## **ARTICLE VIII - VACATIONS**

Vacation allowance shall be as follows:

- 5 working days after 1 year of employment (Other than department heads)
- 10 working days after 1 year of employment (Department Heads only)
- 10 working days after 2 years of employment
- 15 working days after 6 years of employment
- 16 working days after 7 years of employment
- 17 working days after 9 years of employment
- 18 working days after 11 years of employment
- 19 working days after 13 years of employment
- 20 working days after 14 years of employment
- 21 working days after 15 years of employment
- 22 working days after 17 years of employment
- 23 working days after 19 years of employment
- 25 working days after 25 years of employment

Scheduling of vacations shall be in accordance with departmental work rules and regulations. See Schedule B for vacation provisions for Fire Department Captains.

#### **ARTICLE IX - RETIREMENT**

Employees shall be retired at those times established by law. The City shall give notice in writing to all employees covered by this agreement and who are scheduled for mandatory retirement 6 months in advance of their retirement date. The notice shall include all retirement policies of the employer.

#### **ARTICLE X - EMERGENCY LEAVE**

All employees shall be granted emergency leave for four (4) consecutive days, including the day of the funeral, with full pay following the death of spouse or children; all employees shall be granted emergency leave of three (3) consecutive days with full pay following the death of mother, father, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents and grandchildren. Employees shall be paid only for days considered part of the standard work week.

#### **ARTICLE XI - MILITARY SERVICE**

Any employee called to military service shall be granted a leave of absence for the duration plus ninety (90) days. Said employee shall be allowed to return to his/her former classification at the rate of pay that prevails when he/she returns. Said employee shall not lose his/her accumulated sick leave or time earned for vacations while on leave of absence.

#### **ARTICLE XII - JURY DUTY**

An employee called for jury duty shall notify his/her supervisor as soon thereafter as reasonably possible. Upon such prior notice, the employee will be granted a paid leave of absence of up to three (3) weeks for scheduled time required to be lost as a result of such jury duty based on the employee's regular hourly rate, less the amount received for jury duty. The employee shall be required to report for all scheduled hours of work after jury duty with which the jury duty assignment does not conflict; provided, however, that in the event a shift employee working other than the day shift is selected to serve on a jury, he/she and his/her supervisor shall agree as to which scheduled shift shall be related to which day of jury duty.

## SCHEDULE A

City of Chippewa Falls 1999 Non-Union Salary Structure										
Grade	Step System						Merit Based			
	Hire	A	B	C	D	Mid Point	E	F	G	Maximum
18	46,773.82	49,112.51	51,451.20	53,789.89	56,128.58	58,467.28	61,390.65	64,298.56	67,237.38	70,160.74
Director of Public Works Police Chief Manager of Public Utilities										
17	44,126.25	46,332.56	48,538.87	50,745.18	52,951.49	55,157.81	57,915.69	60,673.58	63,431.47	66,189.37
Fire Chief										
16	41,628.54	43,709.97	45,791.40	47,872.83	49,954.26	52,035.67	54,637.46	57,239.25	59,841.04	62,442.81
Police Captain City Planner Comptroller										
15	39,272.20	41,235.81	43,199.42	45,163.03	47,126.64	49,090.25	51,544.76	53,999.27	56,453.79	58,908.31
Director of Parks, Recreation, and Forestry Street Manager										
14	37,049.24	38,901.70	40,754.16	42,606.62	44,459.08	46,311.56	48,627.14	50,942.73	53,258.31	55,573.88
Patrol Police Lieutenant Wastewater Supervisor Water Supervisor City Clerk/Treasurer City Assessor City Inspection & Zoning Administrator Library Director										
13	34,952.12	36,699.73	38,447.34	40,194.95	41,942.56	43,690.16	45,874.67	48,059.17	50,243.68	52,428.19
Assistant City Engineer Fire Battalion Chief										
12	32,973.70	34,622.39	36,271.08	37,919.77	39,568.46	41,217.13	43,277.98	45,338.84	47,399.69	49,460.56
11	31,107.27	32,662.63	34,217.99	35,773.35	37,328.71	38,884.09	40,828.29	42,772.50	44,716.71	46,660.91
Street Supervisor Senior Engineering Technician Assistant Building Inspection & Zoning Administrator										
10	29,346.48	30,813.80	32,281.12	33,748.44	35,215.76	36,683.10	38,517.25	40,351.40	42,185.56	44,019.72
Park & Forestry Supervisor Recreation Supervisor Library Business Manager Utility Office Supervisor										
9	28,217.78	29,628.67	31,039.56	32,450.45	33,861.34	35,272.22	37,035.86	38,799.43	40,563.04	42,326.66
8	27,132.48	28,489.10	29,845.72	31,202.34	32,558.96	33,915.59	35,611.37	37,307.16	39,002.94	40,698.71
7	26,088.92	27,393.37	28,697.82	30,002.27	31,306.72	32,611.15	34,241.71	35,872.27	37,502.84	39,133.38
6	25,085.51	26,339.78	27,594.05	28,848.32	30,102.60	31,356.88	32,924.72	34,492.57	36,060.41	37,628.25
5	24,120.68	25,326.71	26,532.74	27,738.77	28,944.80	30,150.85	31,658.39	33,165.93	34,673.47	36,181.02
4	23,192.96	24,352.61	25,512.26	26,671.91	27,831.56	28,991.20	30,440.76	31,890.32	33,339.88	34,789.44
Administrative Secretary										
3	22,300.92	23,415.97	24,531.02	25,646.07	26,761.12	27,876.16	29,269.96	30,663.77	32,057.58	33,451.39
Confidential Secretary										
2	21,443.20	22,515.36	23,587.52	24,659.68	25,731.84	26,804.00	28,144.20	29,484.41	30,824.61	32,164.80
1	20,618.46	21,649.38	22,580.30	23,711.22	24,742.14	25,773.07	27,061.73	28,350.38	29,639.03	30,927.69

## SCHEDULE B - FIRE CAPTAINS

### OTHER PROVISIONS

The following articles from the City of Chippewa Falls Agreement with the Chippewa Falls International Association of Firefighters Local 1816 are incorporated by reference:

ARTICLE XI	Sick Leave
ARTICLE XV	Emergency Call-In Procedure
ARTICLE XVI	Exchange of Days-Duty Periods
ARTICLE XXI	Hours
APPENDIX	Holidays
APPENDIX	Overtime
APPENDIX	Compensatory Time
APPENDIX	Vacations
APPENDIX	Training and Education
APPENDIX	Uniform Allowance

## SCHEDULE C-1 POLICE CAPTAINS

### OTHER PROVISIONS

The following articles from the Agreement with the Police Association are incorporated by reference:

ARTICLE IX	Leave of Absence
ARTICLE XI	Funeral Leave
ARTICLE XIII(4)	Service Revolver
ARTICLE XIII(5)	Jury Duty
ARTICLE XVI	Hours
ARTICLE XX	Overtime (modified to reflect that Captain is compensated at compensatory time off rather than overtime pay.)
ARTICLE XXI	Standby Status (compensated by one-half actual time in compensatory time off.)
ARTICLE XXIII	School Time
ARTICLE XXIV	Annual Uniform Allowance (amount)

## SCHEDULE C-2 POLICE LIEUTENANTS

### OTHER PROVISIONS

The following articles from the Agreement with the Police Association are incorporated by reference:

ARTICLE IX	Leave of Absence
ARTICLE XI	Funeral Leave
ARTICLE XIII(4)	Service Revolver
ARTICLE XIII(5)	Jury Duty
ARTICLE XVI	Hours
ARTICLE XVII(2)	Shift Differential
ARTICLE XVIII	Holidays
ARTICLE XX	Overtime (modified to reflect that Police Lieutenants shall receive compensatory time off (at the rate of time and one-half) for performance of overtime duties of an administrative nature. Police Lieutenants, at their option, may receive either compensatory time off or overtime pay (at the rate of time and one-half) for overtime duties of an operational nature.
ARTICLE XXI	Standby Status (compensated by one half actual time in compensatory time off).
ARTICLE XXIII	School Time
ARTICLE XXIV	Annual Uniform Allowance
ARTICLE XXVI	Change of Shifts

# Libraries FAQ 1

## What is the relationship between the library board and the governing body? Who has authority over what?

Library boards are established by municipalities to administer municipal libraries. Questions often arise concerning a library board's powers in relation to the municipal governing body.

State statutes give library boards a higher degree of autonomy than most other boards and commissions. This sometimes creates tension in the relationship between the governing body and the library board. Some governing bodies have inquired whether the municipality can assert greater control over the library board by enacting a charter ordinance. While a governing body may be able to adopt a charter ordinance asserting greater control over a municipal library, the enactment of such a charter ordinance probably would lead to a reduction or withdrawal of state aid or expulsion from a public library system.

The establishment and operation of public libraries is governed by ch. 43, Stats. The provisions most relevant to municipal library boards are found in Wis. Stat. secs. 43.52 (municipal libraries), 43.54 (municipal library board composition) and 43.58 (powers and duties of library boards).

### I. Library Board Composition

Library boards in cities of the 2nd or 3rd class consist of nine members, although the common council may, by a two-thirds vote, reduce the number of members to seven. Sec. 43.54(1)(a) and (3).

Library boards in cities of the 4th class consist of seven members. Village library boards are composed of five members, although two additional members may be appointed so that the board has seven members. Sec. 43.54(1).

Members of the library board must be residents of the municipality, except that not more than two members may be residents of other municipalities. Sec. 43.54(1)(a). Up to two additional members may be appointed to a library board under sec. 43.60(3).

Members of the library board are appointed by the mayor or village president, with the approval of the governing body. After the initial creation of the board with members serving staggered terms, members are appointed for three-year staggered terms. Sec. 43.54(1)(b).

One member of the library board must be a school district administrator or his or her representative. No more than one member of the municipal governing body may serve on the library board at any one time. Sec. 43.54(1)(c).

### II. Compensation of Board Members

No compensation may be paid to the members of a library board for their services, but members may be reimbursed for expenses incurred in performing duties outside the municipality if authorized by the library board. Also, members may receive per diem, mileage and other necessary expenses incurred in performing their duties if authorized by the library board and the municipal governing body. Sec. 43.54(1)(d).

### **III. Library Board Powers**

#### **A. Control Over Library Funds**

The library board has exclusive control of the expenditure of all moneys appropriated by the governing body or donated to the library fund. Sec. 43.58(1).

The library board's power to control funds has been interpreted by the attorney general to include the authority to contract for necessary goods and services for the public library. 77 OAG 193 (1988).

Although the library board has exclusive control of the moneys appropriated for the library fund, the board does not make actual disbursements from the appropriation. Rather, the board audits and approves vouchers for expenditures and forwards these to the municipal clerk, who follows the ordinary procedure for disbursing municipal funds under sec. 66.0607. Sec. 43.58(2).

Thus, under the scheme set out in the statutes, the library board has control over the use of the money appropriated to the fund, but it does not sign the checks or maintain physical control over the actual dollars and cents appropriated to the fund.<sup>1</sup>

Library boards probably have disbursement authority, however, with respect to donated funds held in trust by the library board under sec. 43.58(7). The library board is authorized to receive, manage and dispose of gifts and donations for library purposes. Sec. 43.58(7).

When a gift or donation is made to a public library, library board members are considered special trustees of such property and "the library board may pay or transfer the gift . . . to the treasurer of the municipality or county in which the public library is situated; may entrust any such funds to a public depository under ch. 34; or may pay or transfer the gift . . . to the library board's financial secretary." Sec. 43.58(7)(b).

The League has interpreted the above provisions to mean that if a library board deposits gifts it receives in a public depository, the board may write checks disbursing such funds on its own without involving the municipal clerk.<sup>2</sup>

#### **B. Control Over Library Property**

The library board has exclusive control and custody of all lands, buildings and other property given or granted to, or otherwise acquired or leased by, the municipality for library purposes. Sec. 43.58(1).

If authorized by the governing body, the library board has exclusive control over the purchase of a site and the erection of a library building. Sec. 43.58(1).

In the absence of a specific grant of authority to the library board, the municipal governing body has the right to purchase or acquire sites or erect buildings for library purposes. Sec. 43.52(3). However, in the case of a gift for a library building, the library board has the exclusive right to select and contract for the purchase of a site. Sec. 43.58(7)(e).<sup>3</sup>

### C. Control Over Library Employees

With respect to the library board's authority in the area of library employees, sec. 43.58(4) provides in part as follows:

[T]he library board shall supervise the administration of the public library and shall appoint a librarian, who shall appoint such other assistants and employees as the library board deems necessary, and prescribe their duties and compensation.

It is apparent from this that the library board has control over the hiring, firing and fixing of wages of library employees. Thus, we have concluded in the past that it is the library board, not the municipality, which negotiates with a union representing library employees.<sup>4</sup>

On the other hand, municipal governing bodies retain some control over the number of library employees and compensation paid to such employees by virtue of the fact that they control the purse strings. Chances are good that a municipality's annual appropriation constitutes a substantial portion of the library fund, and probably is the main source for the payment of library salaries.

A municipality's ability to control the number of library employees and their salary by a reduction in funding used to be limited by a requirement in Wis. Stat. sec. 43.15(4)(c)5 to fund libraries at a level not lower than the average of the previous three years in order to retain membership in a public library system and remain eligible for state funding. See sec. 43.24(3). This Maintenance of Effort requirement was repealed by 2011 Wis. Act 32, sec. 1173.

In addition, while it is clear that the library board has control over the hiring, firing and compensation of library employees, we have concluded in the past that library employees are municipal employees and therefore subject to the same terms or conditions of employment that apply to other municipal employees.<sup>5</sup> Support for this conclusion exists in a 1939 attorney general opinion which concludes that library employees are "municipal personnel" for purposes of sec. 66.19 (subsequently renumbered sec. 66.0509), the municipal civil service system statute.<sup>6</sup> Further support for this proposition is found in the fact that the legislature amended sec. 66.19 after the attorney general's 1939 opinion to permit municipal governing bodies to exempt any librarians and assistants from a municipal civil service system.

Relying on the above, we have opined that a library board cannot enact a rule for library employees which is inconsistent with the terms and conditions of employment established by the governing body for all municipal employees.<sup>7</sup> For example, we have concluded that where a municipal governing body has enacted a residency requirement for municipal employees, it would apply to library employees.<sup>8</sup> Likewise, we have concluded that library employees are subject to the same rules concerning vacation schedules that apply to other municipal employees.<sup>9</sup>

Finally, we have concluded that although a library board has the power to set compensation and duties for a library director, that authority does not include power to grant the library director a tenure right in her position with a five-year contract term or limit the library board's power to remove the library director at pleasure through a lump sum payment requirement if discharge is not for cause.<sup>10</sup>

These regulations relate to the terms and conditions of employment, as opposed to compensation levels, and therefore are outside the purview of the library board.

#### IV. Governing Body Control Over Public Libraries

Although the governing body controls the purse strings and the terms and conditions of employment for library employees, municipal library boards have nearly autonomous power with respect to the operation and administration of municipal libraries.

Earlier League opinions conclude that a municipal governing body may take greater control of public library administration by adopting a charter ordinance, pursuant to its constitutional home rule powers, altering ch. 43 and limiting the powers of the library board.<sup>11</sup>

However, municipalities should be aware of the risk inherent in proceeding down such a path. First, since there has never been a court decision on this issue, it is unclear whether municipalities may use their home rule powers to assert more control over municipal libraries.

An attorney general opinion opines that the operation of municipal libraries is a matter of statewide concern and thus municipalities may not exercise their constitutional home rule powers to obtain greater control over municipal libraries by altering ch. 43.<sup>12</sup>

Within the Department of Public Instruction (DPI), the Division of Library Services monitors whether public libraries comply with public library system membership requirements under sec. 43.15(4)(c). Under that section, a municipal public library may participate in a public library system only if it, among other things, is established under ch. 43. Sec. 43.15(4)(c)<sup>1</sup>.

Public library systems may expel, or reduce aids or services to a municipality which fails to meet this and other requirements listed in sec. 43.15(4)(c). Sec. 43.18(2)m. Also, since September 1, 1991, the Division of Library Services has been authorized to reduce aid to a public library system if the system or any participant of the system fails to meet the requirements of sec. 43.15(4). Sec. 43.24(3).

DPI's position in years past was that if a municipality enacts a charter ordinance taking greater control of its municipal library, the municipal library is no longer "established" under ch. 43 and it is therefore ineligible to participate in a public library system.

Municipal libraries that participate in a public library system risk a reduction of state aid or expulsion from a public library system if the municipality adopts a charter ordinance taking greater control of the local public library.<sup>13</sup>

Accordingly, municipalities should investigate and seriously consider the ramifications of adopting a charter ordinance asserting greater control over the municipal library before proceeding to enact such legislation.

1. See Libraries 44.
2. *Id.*
3. For a discussion of the interplay between secs. 43.58(1), 43.54(3) and 43.58(7)(e) in the context of constructing an addition to a library see Libraries 23.
4. See Libraries 43
5. See Libraries 40
6. 28 OAG 386 (1939).
7. See Libraries 30 and 40.
8. See Libraries 30.
9. See Libraries 40.

10. Libraries 56.
11. See Libraries 45.
12. 76 OAG 203 (1987).
13. See Libraries 46.