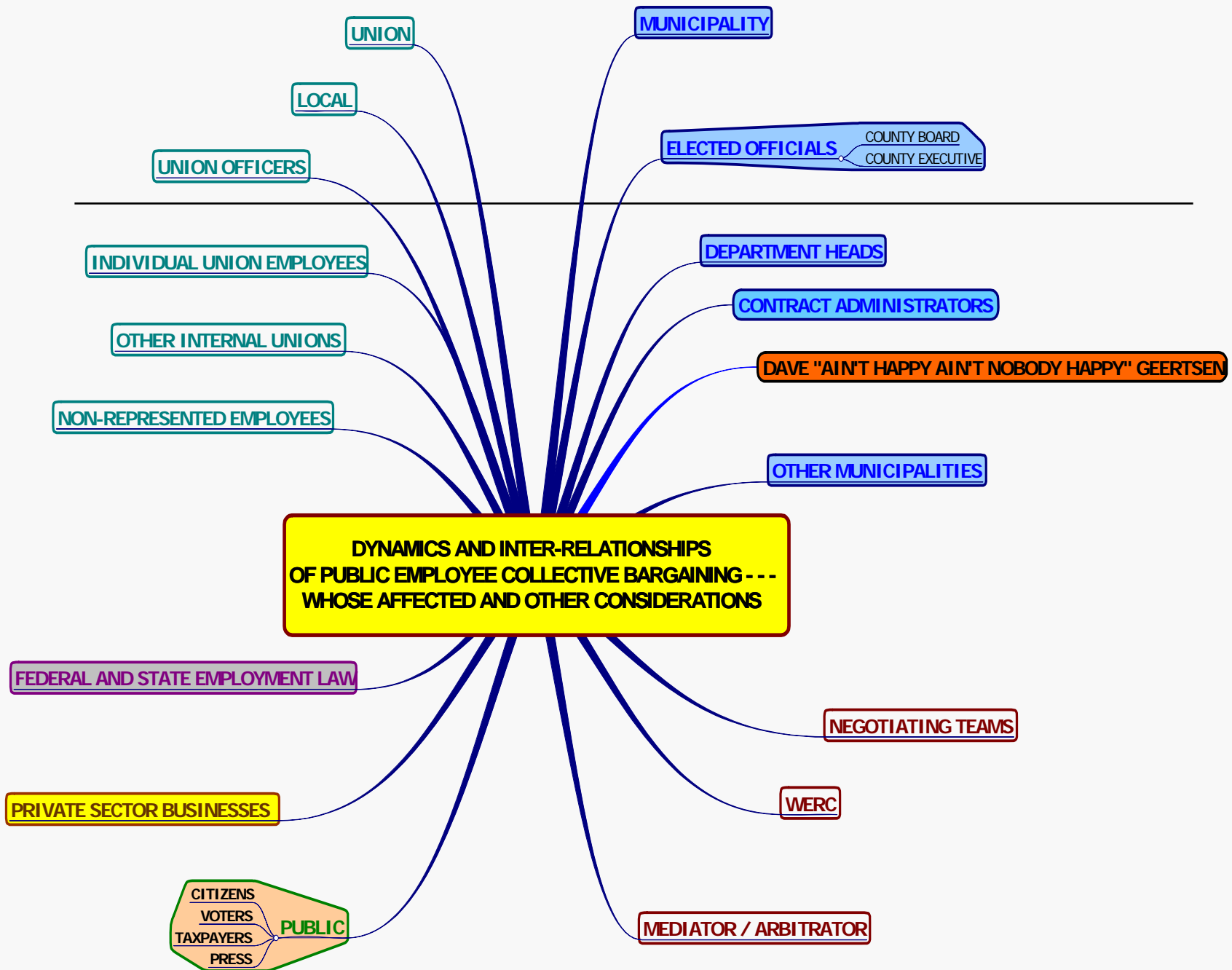




WISCONSIN'S MUNICIPAL EMPLOYEES RELATIONS ACT

The Kenosha County Corporation Counsel's Office

Office of the Corporation Counsel
Kenosha County Courthouse
912 56th Street
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PUBLIC EMPLOYEE LABOR RELATIONS IN WISCONSIN

- History & Public Employee Strikes
- Wisconsin's Mediation / Arbitration Law [Wisconsin Statutes sec. 111.70]
- The Process and Practice of Collective Bargaining
- The role of the County Executive and County Board



HISTORY OF PUBLIC EMPLOYEE STRIKES IN WISCONSIN

- On November 5, 1973, the 1st Battalion, 121st Field Artillery was called to state duty for a firefighters strike at Milwaukee. The battalion was released on November 8, 1973. On July 8, 1977, the 1st Battalion, 121st Field Artillery was called to state duty for a state employee strike. The battalion was sent to Taycheedah Correctional Institute near Fond du Lac. The battalion was released on July 21, 1977.

HISTORY OF PUBLIC EMPLOYEE STRIKES IN WISCONSIN

- **Hortonville - 1974**
 - **Teachers**
- **Kenosha - 1975**
 - **Brookside Nursing Home**
- **Milwaukee - 1977**
 - **Police**
- **Madison - 1977**
 - **Firefighters**



HISTORY OF PUBLIC EMPLOYEE STRIKES - When to Strike

- Teachers 1st day of school
- Highway Workers 1st snowstorm
- Garbage Pickup Hottest day of the year
- Police / Firefighters Any time
- Health Care Workers Any time

Pre- Hortonville

- Public employees gain true union rights in the late 1950's;
- Some public employee unions use private industry tactics such as the “strike” to win concessions for a just wage and benefits;
- In Milwaukee AFSCME Council 48 threatens garbage strikes at budget time and thereby prompting city officials there and elsewhere to seek state laws supporting collective bargaining and prohibiting strikes;
- As a result Wis. Stat. sec. 111.70 is strengthened in 1963;
- The new law sets up union election procedures, addresses “prohibited practices” and fact-finding - - - all of which gave public employees greater rights and helped to spur unionism.
- Public employee strikes were illegal under 1971 law that required good faith bargaining but did not force compliance.

Hortonville - 1974



- Teachers had not received a raise in base salary in three years;
- School Board refused to bargain or mediate;
- School Board's final offer - - 4.2% and an open 10 hour day;
- Teacher's options: 1) accept Board's offer or 2) strike;
- Teachers strike - - - 84 teachers fired;
- Strikebreakers hired;
- Strike receives national attention.

Hortonville – 1974

Images to Remember

- 500 Wisconsin teachers on the picket line;
- Helmeted Deputy Sheriffs bused from 5 neighboring counties;
- Carloads of strikebreakers driving through picket lines;
- A tough anti-union School Board;
- 70 union supporters arrested;
- The Hortonville Vigilante Association, a small band of idle men who delighted in harassing picketers and escorting strikebreakers through picket lines;
- A national rally held in Chicago in support of the teachers and a march on the White House.

Hortonville – 1974

Images to Remember [National News]



Hortonville – 1974

Images to Remember [Vigilantes & Arrests]



Hortonville – 1974 and its Aftermath

- 1976 – U.S. Supreme Court upholds School Board's right to fire teachers during illegal walkout and finds that the 14th Amendment did not guarantee that the decision to terminate a teacher would be made or reviewed by anyone other than the School Board . . .
- 1977- Gov. Schreiber signs new bargaining law – (SB 15) – provides for binding arbitration of public employee disputes, virtually ending job actions in the public sector. . .
- 1979 – Wisconsin Supreme Court affirms that teachers right to due process was not violated and that the firings were lawful.

Toronto Prepares to Welcome Pope John Paul II – June 11, 2002



- **Piles of garbage are stacked in an orderly fashion in the emergency dump at the York Mills Arena parking lot in Toronto. The site had reached capacity by the time city workers were ordered back to work.**

Toronto Prepares to Welcome Pope John Paul II – July 4, 2002



- A Canadian Union of Public Employees Local 416 Picketer walks the line in front of a city parking garage on Queen Street.
- Note the temperature - 103degrees F. and no garbage pickup!

Toronto Prepares to Welcome Pope John Paul II – July 6, 2002



- City of Toronto wins a court injunction against striking outside workers from blocking the clean-up after the city's medical officer of health declared the area a health hazard.

Toronto Prepares to Welcome Pope John Paul II – July, 2002



- **Managers** are filling in for regular staff at a Toronto hostel where services are being delayed by a municipal employee strike.

Toronto Prepares to Welcome Pope John Paul II – July 6, 2002 - - - Garbage Dumped Illegally Piles Up at McNichol Ave and Victoria Park



Five days before Christmas, its cold, and everyone is in a hurry . . . New Yorkers walk as transit strike ruled illegal -- December 20, 2005

-
- NEW YORK (CNN) -- A judge ruled a strike by New York transit workers illegal on Tuesday afternoon, while millions of commuters battled their way home in frigid temperatures.
- New York City Mayor Michael Bloomberg lashed out at union leaders for "thuggishly" turning their backs on the city, vowing there would be no further contract negotiations until the strike ends.
- "You can't break the law and use that as a negotiating tactic," he said at an afternoon news conference. "This is unconscionable," he added.
- Judge Theodore Jones ruled Tuesday afternoon that the Transport Workers Union was in contempt of two court injunctions ordering it not to strike, and he ordered that the union be fined \$1 million a day beginning Tuesday.
- New York's "Taylor Law" forbids transit workers from striking, and the city and state had pressed the judge to impose a hefty fine. The strike is the first for the city's transit system since 1980.
- Jones issued his ruling more than 12 hours after 30,000 New York City transit workers walked off the job in an action unsanctioned by the international arm of their labor union. The strike shut down the nation's largest public transportation system just days ahead of Christmas. ([A map for the transit strike](#))
- Workers are striking for higher pay and have taken issue with the Metropolitan Transportation Authority's plans to require new transit workers to pay more for their health care.
- Arthur Schwartz, an attorney for the Transport Workers Union, said he plans to file an appeal. He added that the union, as of December 2004, had about \$3 million in assets

Private Sector Strikes Can Also Affect Municipal Services

- **Refuse Collection Strike Impacts Village of Hanover Park**
October 1, 2003
Immediate
- If the **Teamsters Local 731 and 301** representing employees of refuse collection companies continue to proceed with a strike, garbage collection in the **Village of Hanover Park will be impacted**. The Village contracts with Allied Waste Services, Inc. (doing business as BFI) for scavenger service including refuse and recycling collection. The Union announced the strike October 1, 2003.
- The Village will stay in contact with Allied Waste representatives on a daily/hourly basis. If the strike continues, refuse collection will not occur, for single family properties, on the regularly scheduled Friday collection day. If the strike were to be settled, pick up could extend to the following day(s).
- During this work stoppage, residents are encouraged to pay special attention to their garbage. Recycle as much of the material as possible. Tightly bagging garbage or using containers with tightly fitting lids will reduce the refuse nuisance caused by the strike.
- The Village will continue to investigate contingency plans to protect resident public health and safety.

Legislative History

- 1959 - Municipal Employees given the right to organize
- 1961 - WERB could conduct elections and, mediate and prevent prohibited practices; still no duty to bargain in good faith and no prohibition for contract violations
- 1971 - WERC given authority to determine and remedy violations and provided for prohibited practices
- Different provision for law enforcement



SB 15 – (1977)

THE MUNICIPAL EMPLOYEES RELATIONS ACT - - -
[A/K/A THE MED / ARB LAW OR LABOR PEACE ACT]

- Public employee strikes prohibited;
- Binding arbitration - - - Arbitrator picks the best and most reasonable offer submitted in its entirety without any modification and thereby forcing both the municipality and the union to present not only their best offer - - - but also their most reasonable offer.

Wis. Stat. sec. 111.70 [2002]

Factors Given the Greatest Weight by the Arbitrator

- The arbitrator shall consider and shall give the greatest weight to any state law or directive lawfully issued by a state legislature or administrative officer, body or agency which places limitations on expenditures that may be made or revenues that may be collected by a municipal employer.
- The arbitrator shall give an accounting of the consideration of this factor in the arbitrator's decision.



Wis. Stat. sec. 111.70 [2002]

Factors Given the Greater Weight by the Arbitrator

- The arbitrator shall consider and give greater weight to economic conditions in the jurisdiction of the municipal employer than to any of the factors specified in Wis. Stat. sec. 111.70 (7r)



Wis. Stat. sec. 111.70 (7r) [2002]

Other Factors Considered by the Arbitrator

- Authority of the municipality;
- Stipulations of the parties;
- Interest in welfare of the public;
- Financial ability to meet the costs;
- Cost of living;
- Overall compensation package;
- Change in the foregoing circumstances;
- Comparison of wages, hours and conditions of employment with other employees performing similar services, other employees in public employment in comparable communities in the public and private sector;
- Other normal and traditional factors.

PROCESS AND PRACTICE – OVERVIEW [Voluntary Settlement]

THE PROCESS AND PRACTICE OF PUBLIC SECTOR COLLECTIVE BARGAINING IN WISCONSIN

Public Notice of Initial Exchange

Initial Exchange of Offers in Open Session with Reservation to Amend

Subsequent Closed Bargaining Sessions

Tentative Agreement with Terms of up to Two Contracts
with each for a 2 - 3 year terms

Ratification by Union

Ratification by County Board in Open Session

Execution of the Agreement

PROCESS AND PRACTICE – OVERVIEW [Mediation]

THE PROCESS AND PRACTICE OF PUBLIC SECTOR COLLECTIVE BARGAINING IN WISCONSIN

Public Notice of Initial Exchange

- Initial Exchange of Offers in Open Session with Reservation to Amend
- Subsequent Closed Bargaining Sessions
- No Tentative Agreement or Voluntary Settlement
- Petition for and Selection of WERC Staff Mediator
- Mediation Sessions - May or May Not be Fact to Face
- Tentative Agreement with Terms of up to Two Contracts with each for a 2 - 3 year terms
- Ratification by Union
- Ratification by County Board in Open Session
- Execution of the Agreement

PROCESS AND PRACTICE – OVERVIEW [Binding Arbitration]

THE PROCESS AND PRACTICE OF PUBLIC SECTOR COLLECTIVE BARGAINING IN WISCONSIN

Public Notice of Initial Exchange

- Initial Exchange of Offers in Open Session with Reservation to Amend
- Subsequent Closed Bargaining Sessions
- No Tentative Agreement or Voluntary Settlement
- Petition for and Selection of WERC Staff Mediator
- Mediation Sessions - May or May Not be Fact to Face
- If No Tentative Agreement
- Preliminary Final Offers are Called for
 - Each side upon receiving the other side's Preliminary Final Offer may amend its offer
 - At the time each side refuses to make further amendment to its Preliminary Final Offer an Impasse is declared
 - Final Offers are certified
 - A panel of 7 outside Arbitrators is submitted to the parties & each side gets 3 strikes & last one standing hears the case
 - Binding Arbitration hearing is held; evidence by both sides is presented in support of each side's offer
 - Arbitrator must pick one party's offer in its entirety; a binding decision is rendered that can be enforced by the courts
 - Maximum allowable term of the agreement is 2 years unless otherwise agreed to by the parties
 - Cost of the Arbitrator are split between the parties
- Ratification by Union
- Ratification by County Board in Open Session
- Execution of the Agreement


Process and Practice – Arbitrator Profile and Selection

- Panel of 7 presented and each side strikes 3 alternately
- Arbitrator: John Doe

Background

- Education
- Work experience
- Bargaining caseload
- Bargaining history:

○	Total	Mang.	Union	Split
All cases	31	11	13	7
Discipline	13	5	4	4
Non-Disp	18	6	9	3



Process and Practice – Mandatory, Permissive and Prohibited Subjects of Bargaining

- Whether a subject is a mandatory, permissive, or prohibited subject of bargaining, including a finding that a particular contract provision is constitutionally prohibited, is for the determination of the WERC.

Process and Practice –

Prohibited Practices per Wis. Stat. s. 111.70 (3)

- Prohibited of Employer:
 - Interfere with rights of employees
 - Interfere with formation of union
 - To refuse to bargain
 - To violate a CBA
 - To refuse to implement a binding arbitration decision
 - Etc.
- Prohibited of Employee:
 - To intimidate another employee in the enjoyment of his or her rights
 - To refuse to bargain collectively
 - To violate a CBA
 - To intimidate an independent contractor or supervisor
 - Etc.



Process and Practice –

Quid Pro Quo

- When comparables fully support the position of the party seeking the change, the need for a quid pro quo is minimized, if not eliminated. [La Crosse County, Dec. No. 30231 –A (p/02)]
- In light of the mutuality of the underlying problem, the requisite quid pro quo would normally be somewhat less than would be required to justify a traditional arms length proposal to eliminate or to modify negotiated benefits or advantageous contract language. [Village of Fox Point Dec. No. 30337-A (11/02)]



Process and Practice –

The Dynamic Status Quo

- In the hiatus between contracts and while in the process of negotiating a new agreement the current or expired contract is still adhered to.



Process and Practice – Individual Bargaining

- Prohibited practice
- Undercuts union
- Contrary to “collective” bargaining

Process and Practice – Keeping a Record – Minutes & Notes

MINUTES
BARGAINING SESSION
BETWEEN
KENOSHA COUNTY
AND
LOCAL 1392
JANUARY 4, 2007

PRESENT: Bob Riedl, Frank Volpintesta, Sandra Hardt, Julie Iwen, Diane Yule, Peggy Clark and Barna Bencs

Management met with the Union at 10:30 am for their response to the County's last offer. See proposal table for responses. Management left to caucus at 11:00 am.

Bencs said he did a costing using \$.57 each year of the contract without any other monetary changes, just insurance, and it cost 5.3%. It works out to a 3.7% increase. A \$.40 raise with no other monetary changes costs out to 4.5%. Riedl said we should give them an either/or offer. We will give them either \$.35 or 2.5% with the shift differential we proposed. They are still asking for more time under A&S than they are getting now. They are not being serious. Yule said we can't agree to their language concerning personnel records. Riedl said we can't agree to the LPN wage increase. Remind them that they are currently the highest paid in the State. Riedl suggested we drop Exhibit #1.

Management met with the Union at 12:20 pm. See proposal table for our response. We left at 12:30 pm for the union to caucus. At 12:55 pm, Berger informed us they would go to mediation.

Session ended at 12:55 pm.

Minutes prepared by,
Linda Haney
Legal Assistant

PROPOSAL	DATE/ TIME	RESPONSE	TA/ DROP
Term to be discussed.	11/28/06 10:55 am 2:30 pm 12/27/06 10:50 am 3:45 pm 1/4/07 10:30 am	Union is willing to discuss. Union is still interested in 3 year term. County is looking at 3 year term. After the union's responses were finished, Volpintesta presented a package proposal while reserving the right to make changes later. County proposes a 3 year term, 2007 – 2009. Volpintesta presented a package proposal for a 3 year contract. Berger said we have a tentative agreement for a three year contract.	TA
Wages: to be discussed	11/28/06 10:55 am 2:30 pm 12/27/06 10:50 am 3:45 pm 1/4/07 10:30 am 12:20 pm	Union is willing to discuss. Union wants to discuss County is still reviewing wages. County proposes a 2.5% increase effective January 1 of each year of the contract. County proposes a 2.5% increase effective January 1 of each year of the contract. Union proposes across the board raises as follows: 2007 - \$.56 2008 - \$.57 2009 - \$.59 All other units have a higher average wage rate than this unit. When you compare these folks to all units who settled in 2006, your 2.5% on a \$14 hourly rate is a lot different than on a \$25 hourly rate. Our proposal is 2.5% based on the Reimbursement Specialist wage rate. County proposes \$.27 per hour across the board raise for each year of the contract with the understanding that there is no increase in the shift differential. The proposal you put on the table averaged a three year cost of 5.3% which is way higher and above the authority we have to negotiate. Our proposal is that the shift differentials stay as they are. That's the only way to make it work. No other increases can be offered	
Amend Section 5.3(a) to read as follows: (a) Nurse's Attendants shall be scheduled to work every other weekend. Nurse's Attendants who do not work their scheduled weekend for reasons other than an approved absence shall be scheduled for the succeeding weekend.	11/28/06 10:55 am 2:30 pm 12/27/06 10:50 am	Union said no. This will not work because of your attendance system. Union said this proposal is not going to fix anything, it is just punitive. County holds. Berger said we continue to have a problem with this proposal. The union notified	DROP



SAMPLE EVIDENCE AND CONSIDERATIONS

THE LEVY CAP

Wis. Stat. secs. 59.605, 67.04 & 67.045 **66.77**

- *state statutes placed a cap upon the Kenosha County operating tax levy based upon the 1992 operating levy (for the 1993 budget)*
- *For Kenosha County this means that the mill rate is capped at the amount of this 1992 levy (\$16,775,934) divided by the 1992 equalized value (Tax Incremental District or TID out value of \$4,552,054,500). This results in a frozen mill rate in the case of Kenosha County of .003685354 for the duration of the law*
- For example, this is the maximum allowable mill rate that was utilized with the 2002 equalized value of \$9,133,596,100. [excluding TIF districts] for **2003**. Multiplication of that rate by the county's equalized value (**TID out**) for 2003 will equal the **total allowable operating levy for the 2003 Kenosha County operating budget**.
- Under this law, as equalized value goes up the county obtains more taxing capacity in proportion to the increase in equalized value. Thus the levy cap can rise only in proportion to the rise in equalized value.
- the debt levy has a similar formula.

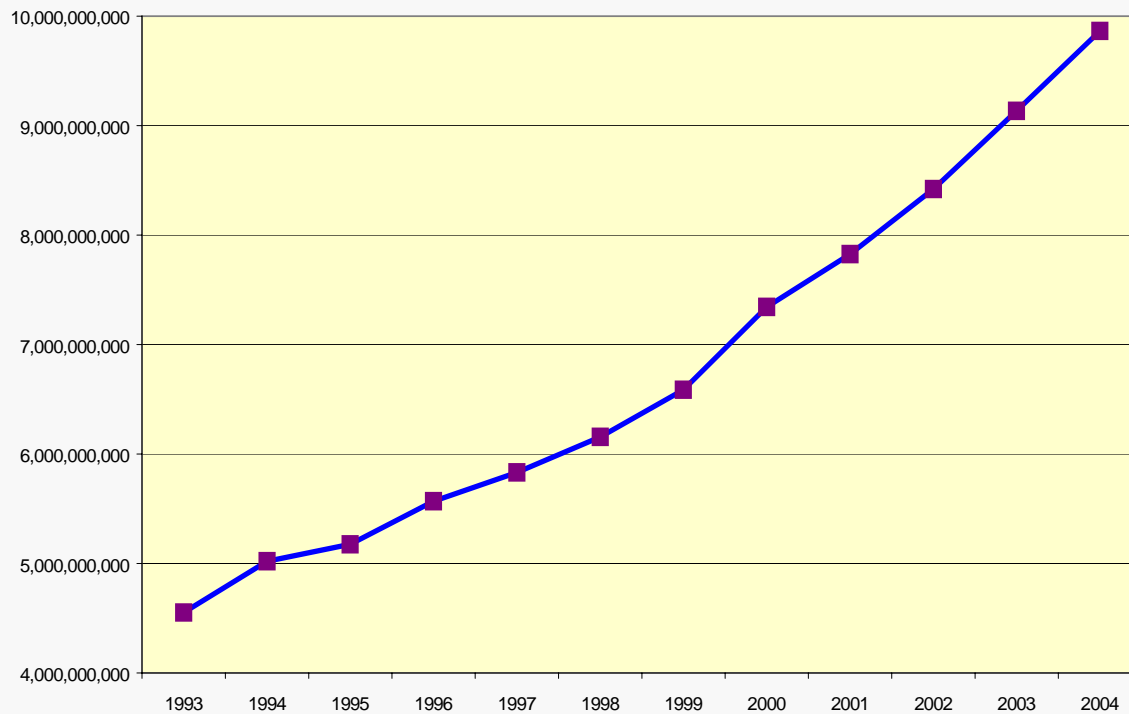
THE LEVY CAP - - -

Legal Restraints on the Ability to Pay

Operating Levies Under Mill Rate Cap [Exhibit 10b]					
	YEAR	OPERATING LEVY	INCREASE	CAP	BELOW CAP
	1994	\$17,596,165		\$18,501,094	\$904,929
	1995	\$18,563,561	\$967,396	\$19,066,118	\$502,557
	1996	\$20,369,449	\$1,805,888	\$20,412,401	\$42,952
	1997	\$21,231,245	\$861,796	\$21,378,172	\$146,927
	1998	\$21,531,854	\$300,609	\$22,568,671	\$1,036,817
	1999	\$24,022,044	\$2,490,190	\$24,141,656	\$119,612
	2000	\$26,676,199	\$2,654,155	\$26,916,180	\$239,981
	2001	\$28,562,512	\$1,886,313	\$28,681,050	\$118,538
	2002	\$30,568,483	\$2,005,971	\$31,031,713	\$463,230
	2003	\$33,453,433	\$2,884,950	\$33,479,325	\$25,892
	2004	\$33,807,359	\$353,926	\$36,159,934	\$2,352,575
	10 year average		\$1,621,119.40		

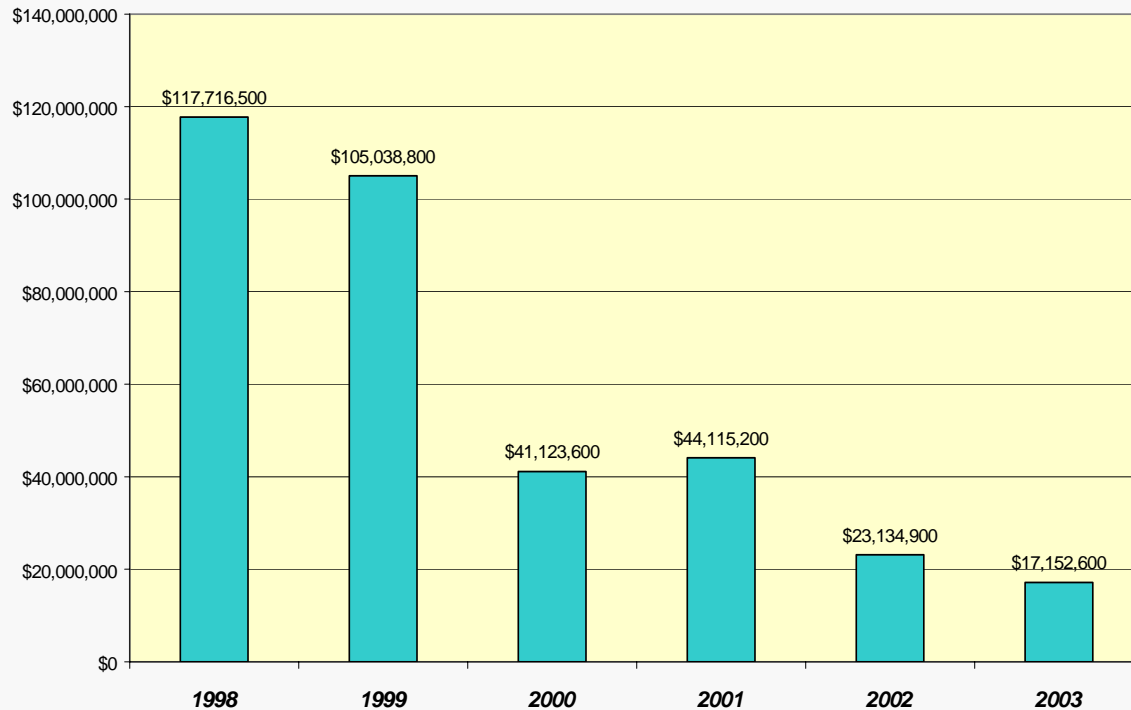
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Equalized Value

History of Equalized Valuation in Kenosha County



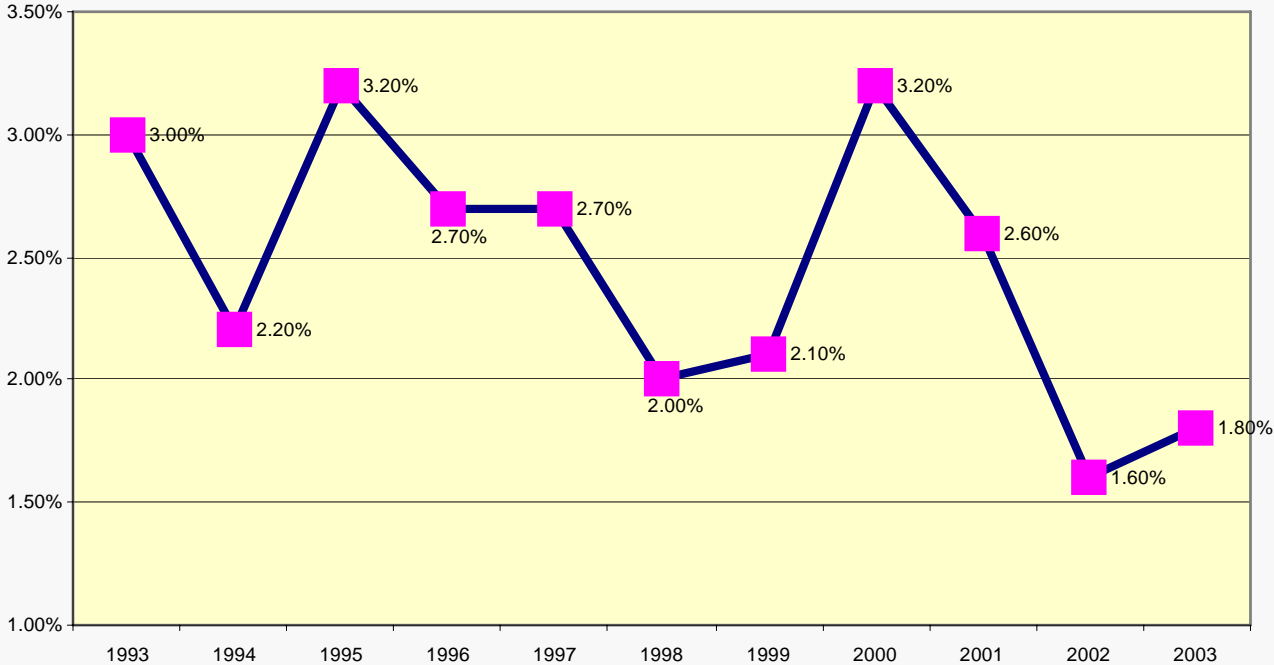
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Ag. Value

Kenosha Agricultural Valuation: DOR Agriculture Report



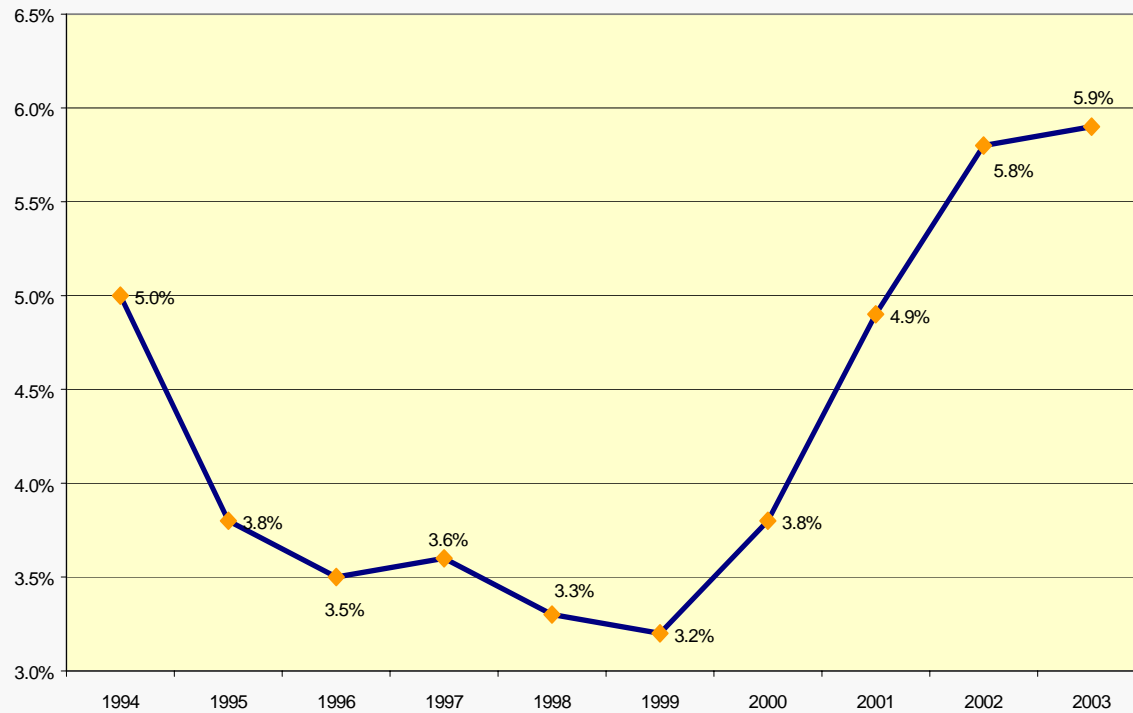
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – CPI

U.S. Labor Statistics: 1993-2003 Consumer Price Index % Annual Increases for All Urban Consumers



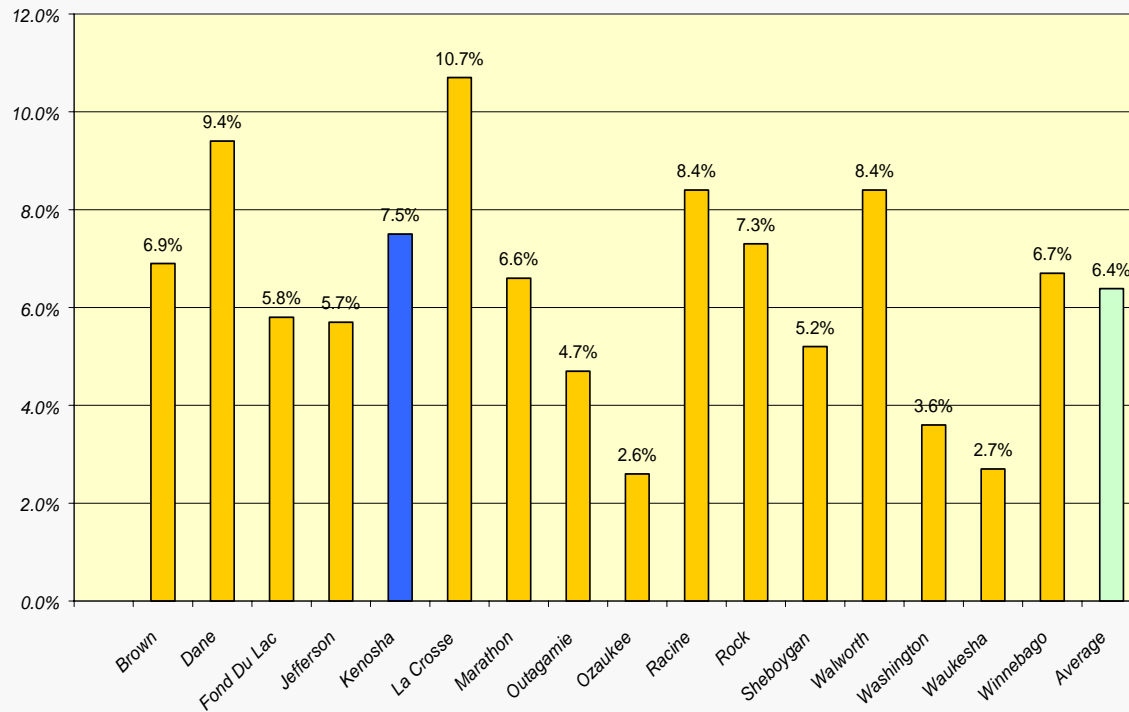
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Unemployment

U.S. BLS - Kenosha County Unemployment 1993 - 2003



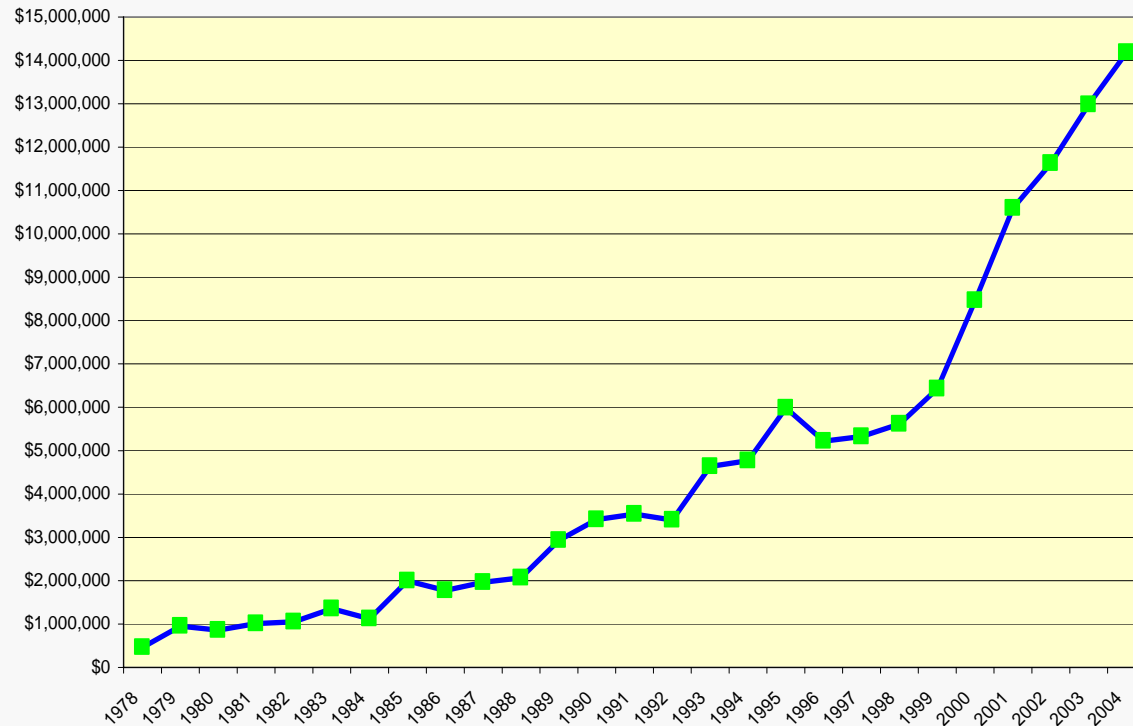
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Poverty Line

Persons Below Poverty: 2000 Census



LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Costs of Goods and Services

Total Insurance Expenditures: Kenosha County 1978-2004



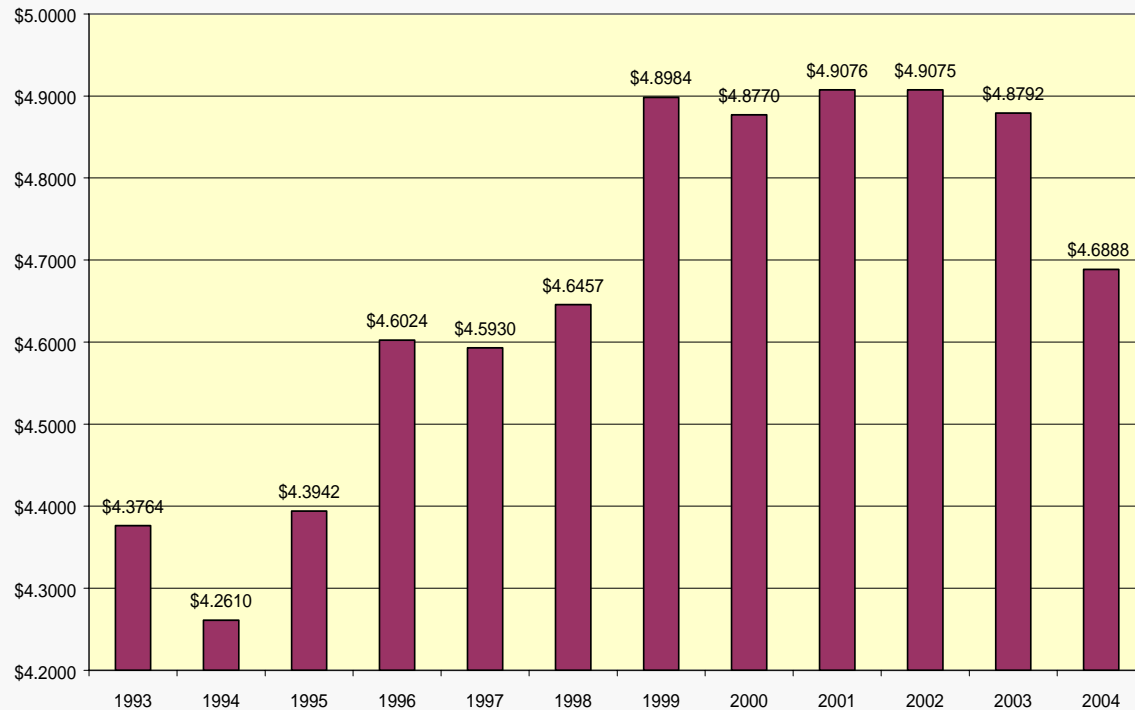
LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Municipal Budget, Levy and Taxes

Kenosha Budget History

	Total Budget	Total Levy	% Levy Increase	Equalized Value	Rate/\$1,000
1993	\$99,345,821	\$19,921,408	16.97%	4,552,054,500	\$4.3764
1994	\$97,185,130	\$21,390,919	7.38%	5,020,167,400	\$4.2610
1995	\$108,494,494	\$22,733,110	6.27%	5,173,483,600	\$4.3942
1996	\$102,895,052	\$25,629,879	12.74%	5,568,766,300	\$4.6024
1997	\$108,617,489	\$26,787,496	4.52%	5,832,242,500	\$4.5930
1998	\$123,791,158	\$28,603,671	6.78%	6,157,027,500	\$4.6457
1999	\$129,576,666	\$32,261,650	12.79%	6,586,158,300	\$4.8984
2000	\$132,848,498	\$35,811,920	11.00%	7,343,084,600	\$4.8770
2001	\$148,187,070	\$38,399,856	7.23%	7,824,564,000	\$4.9076
2002	\$158,582,979	\$41,319,169	7.60%	8,419,643,700	\$4.9424
2003	\$165,788,623	\$44,565,078	7.86%	9,133,596,100	\$4.8792
2004	\$169,823,324	\$46,254,440	3.79%	9,864,901,100	\$4.6888

LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Municipal Budget and Tax Rate

Property Tax Rate/\$1,000 - Based on Equalized Value



LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Municipal Budget and Taxes Paid

TAXES PAID ON PROPERTY VALUED AT \$150,700 IN 2003					
	2000	2001	2002	2003	Increase over 4 years
City of Kenosha (Unified Sch. D.) Parcel 08-222-35-378-002	\$3,411.01	\$3,639.08	\$3,647.65	\$3,737.92	10%
Village of Pleasant Prairie (Bristol Sch D 1) Parcel 91-4-121-251-0121	\$2,495.59	\$2,645.78	\$3,033.26	\$3,018.42	21%
Town of Salem (Salem Con J Dist 2) Parcel 67-4-120-363-0355	\$2,532.80	\$2,628.73	\$2,703.68	\$2,561.84	1%

LOCAL ECONOMY - - - EXAMPLES OF SECONDARY CONSIDERATIONS – Municipal Budget and Taxes – Personnel Costs

Total Personnel Costs vs. Total Budget (1995 - 2004)

	Total Personnel Costs	Total Budget	% Personnel Costs of Total Budget
1995	\$37,338,212	\$108,494,494	34.4%
1996	\$38,071,361	\$102,895,052	37.0%
1997	\$39,788,933	\$108,617,489	36.6%
1998	\$44,080,180	\$123,791,158	35.6%
1999	\$49,062,318	\$129,576,666	37.8%
2000	\$51,742,469	\$132,848,498	38.9%
2001	\$56,607,795	\$148,187,070	38.2%
2002	\$61,342,348	\$158,582,979	38.6%
2003	\$64,501,228	\$165,788,623	38.9%
2004*	\$65,901,025	\$169,873,324	38.8%

* 2004 Numbers are budgeted numbers only

Internal Comparable Bargaining Units

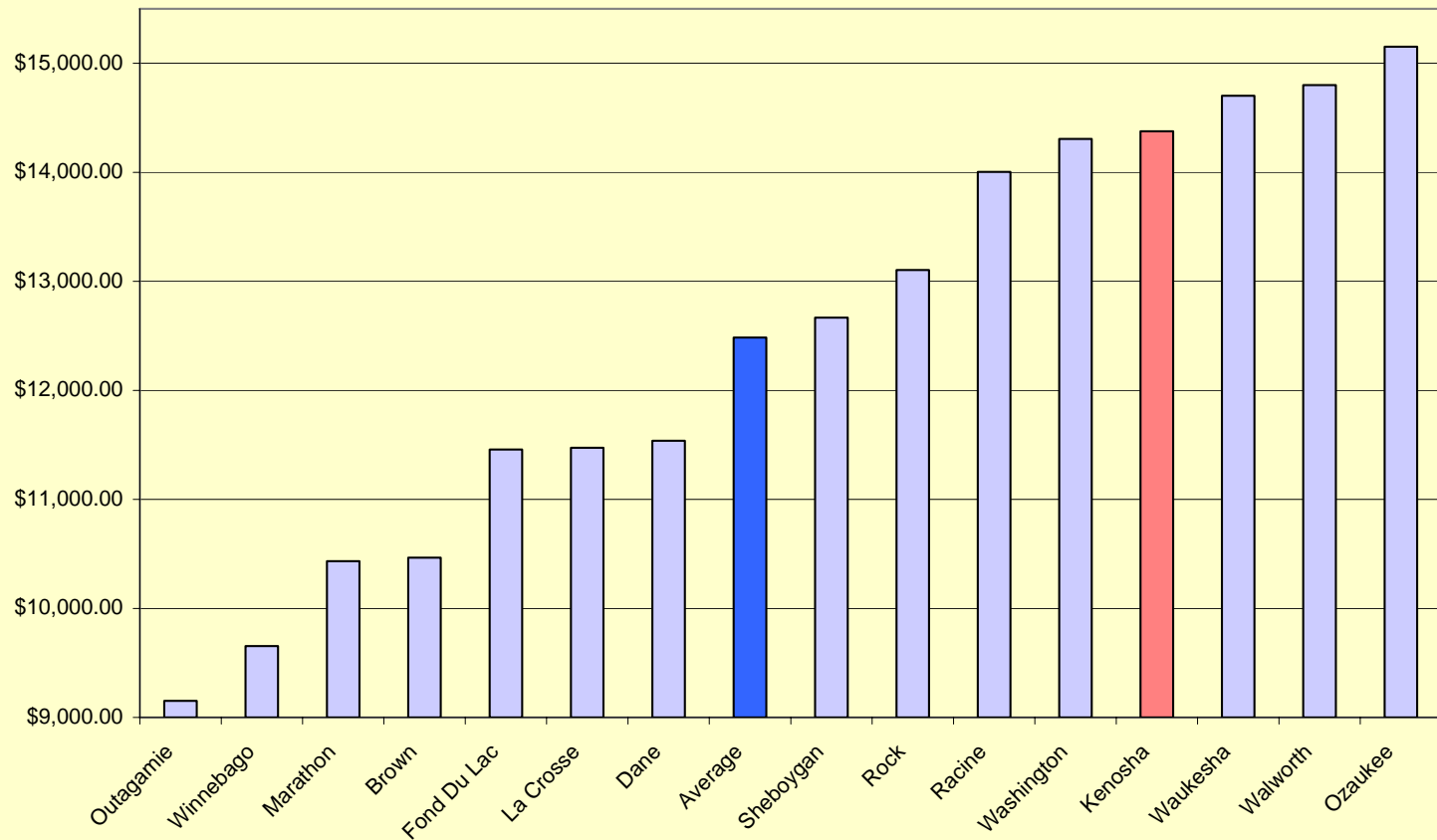
Exhibit 1 - 60	Contract Duration	Per Annum %	Total %	Total Increase in Dollars
Deputy Sheriffs	3 years	4.30%	13.43%	\$772,181
Local 70 Highway	4 years	4.47%	19.10%	\$855,384
Local 168 Custodians	3 years	4.60%	14.44%	\$249,052
Local 990 Professional	3 years	4.89%	15.38%	\$317,509
Local 1090 Parks	3 years	4.02%	12.55%	\$79,032
Local 1392 Brookside	3 years	5.69%	18.07%	\$1,055,076
Local 5061 Nurses	3 years	6.31%	20.16%	\$381,092
County Proposal	2 years	6.31%- 6.92%	13.01% - 14.33%	\$1,121,861 - \$1,235,561
Union Proposal	2 years	5.60%	11.50%	\$992,163

Internal Comparable Bargaining Units

Insurance Plan A		Insurance Plan B		Insurance Plan C	
<i>Unit</i>	<i>Total Employees</i>	<i>Unit</i>	<i>Total Employees</i>	<i>Unit</i>	<i>Total Employees</i>
Local 990 Jail	162	Local 990 Clerical	195	Local 70 - Highway	64
				Local 168 - Custodian	29
				Local 990 - Professional	32
				Local 5061 - Nurses	36
				Deputy Sheriffs	80
				1090 Parks	10
				1392 Bookside	140
				Non Represented	177
				Elected Officials	23
Total Union	162	Total Union	195	Total Union	391
Total Employees	162	Total Employees	195	Total Employees	591
Percentage	17%	Percentage	21%	Percentage	62%

Internal Comparable Bargaining Units

Average Charge for Inpatient Care: DHFS 2001-2002



Internal Comparable Bargaining Units

Health Insurance Historical Cost Summary

<u>Year</u>	<u>Actual Expense</u>	<u>Source</u>
1978	\$463,571	actual shown in budget
1979	\$955,652	actual shown in budget
1980	\$858,824	actual shown in budget
1981	\$1,009,674	actual shown in budget
1982	\$1,053,460	actual shown in budget
1983	\$1,354,376	actual shown in budget
1984	\$1,124,136	actual shown in budget
1985	\$1,998,785	actual shown in budget
1986	\$1,775,559	per page 94 of 1988 budget
1987	\$1,963,914	use total actual per audit template plus self insurance reserve
1988	\$2,067,968	per summary
1989	\$2,932,858	Alta report summary in Health Insurance History file
1990	\$3,411,070	Alta report summary in Health Insurance History file
1991	\$3,535,260	Alta report summary in Health Insurance History file
1992	\$3,401,247	Alta report summary in Health Insurance History file
1993	\$4,636,941	internal service fund
1994	\$4,770,656	internal service fund
1995	\$5,984,353	internal service fund
1996	\$5,220,041	internal service fund
1997	\$5,325,710	internal service fund
1998	\$5,612,998	internal service fund
1999	\$6,428,171	internal service fund
2000	\$ 8,464,854	internal service fund
2001	\$ 10,593,481	internal service fund
2002	\$11,628,643	internal service fund
2003	\$12,980,909	internal service fund - unaudited estimate
	\$1,352,266	increase from 2002
	11.63%	



Comparable Counties

- Comparable Counties - Selection Factors:
 - municipalities could be deemed comparable where they are substantially equal in the following areas:
 - population,
 - geographic proximity,
 - mean income of employed persons,
 - overall municipal budget,
 - total complement of relevant department personnel and wages and fringe benefits paid such personnel



Comparable Counties

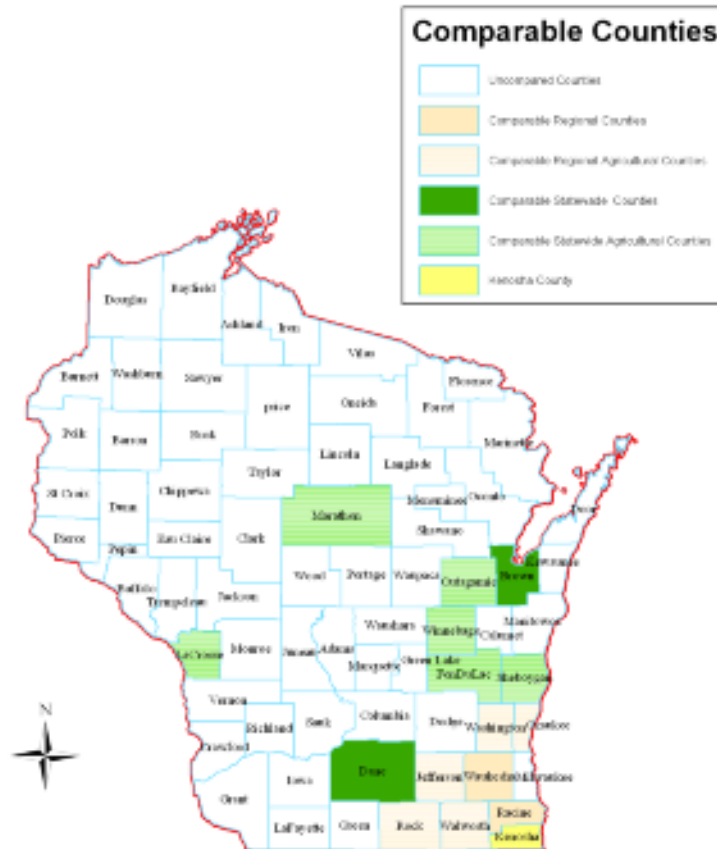
- **Comparability, it is submitted, should properly and primarily focus on the following five standards and the attributes used to analyze them:**
 - **1. The Community Tax Base**
 - **2. Services Rendered and Public Demands**
 - **3. Ability of Residents to Pay**
 - **4. Community Debt**
 - **5. Accessibility to Other Sources of Revenue**


Comparable Counties

HISTORICAL COMPARABLES	
REGIONAL COMPARABLES	STATEWIDE COMPARABLES
JEFFERSON	BROWN
KENOSHA	DANE
CITY OF KENOSHA	FOND DU LAC
OZAUKEE	LACROSSE
RACINE	MARATHON
ROCK	OUTAGAMIE
WALWORTH	SHEBOYGAN
WASHINGTON	WINNEBAGO
WAUKESHA	STATE OF WISCONSIN

SOLID COLORS DESIGNATE NON-RURAL COUNTIES BASED UPON TOTAL AG. VALUE [REDUCED BY TID] FOR 2003 OF LESS THAN \$29,000,000. SEE TABLE ON EQUALIZED VALUE: 2003 DOR REPORT FOLLOWING.

Comparable Counties





Arbitrator Frank Zeidler
Primary and Secondary Comparables
[Decision Case #74 No. 34387 July 14, 1986]

- Primary comparable counties
 - Waukesha
 - Dane
 - Rock
 - Racine [especially]
- Secondary comparable counties
 - Brown, FDL, Jefferson, LaCrosse, Marathon, Outagamie, Sheboygan, Walworth, Washington, Winnebago

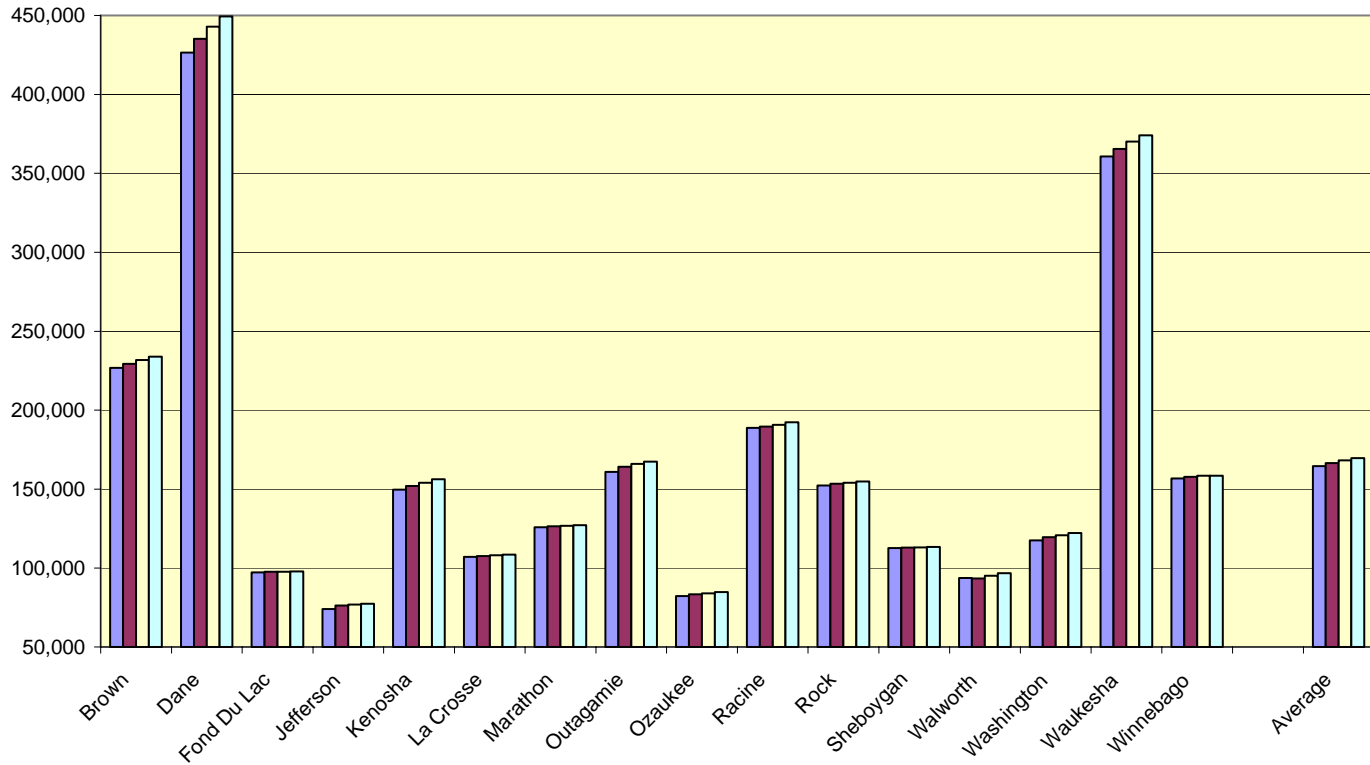
Comparable Counties – The Tax Base - Population Analysis

U.S. Census Bureau Population Analysis: 2000 - 2002

<i>County</i>	<i>2000 Census</i>	<i>2001 July 1st Estimate</i>	<i>2002 July 1st Estimate</i>	<i>2003 July 1st Estimate</i>
<i>Brown</i>	226,778	229,243	231,871	233,888
<i>Dane</i>	426,526	435,257	442,954	449,378
<i>Fond Du Lac</i>	97,296	97,751	97,696	97,833
<i>Jefferson</i>	74,021	76,216	76,869	77,421
<i>Kenosha</i>	149,577	152,079	154,039	156,209
<i>La Crosse</i>	107,120	107,570	108,051	108,612
<i>Marathon</i>	125,834	126,437	126,849	127,168
<i>Outagamie</i>	160,971	164,083	166,000	167,411
<i>Ozaukee</i>	82,317	83,299	83,924	84,772
<i>Racine</i>	188,831	189,577	190,726	192,284
<i>Rock</i>	152,307	153,424	154,029	154,794
<i>Sheboygan</i>	112,646	112,982	113,191	113,376
<i>Walworth</i>	93,759	93,501	95,129	96,812
<i>Washington</i>	117,493	119,543	120,895	122,241
<i>Waukesha</i>	360,767	365,515	370,211	374,079
<i>Winnebago</i>	156,763	157,833	158,467	158,500
<i>Average</i>	164,563	166,519	168,181	169,674

Comparable Counties – The Tax Base - Population Analysis

**US Census Bureau Population Analysis and Estimates:
2000 Census - 2003 Estimates**



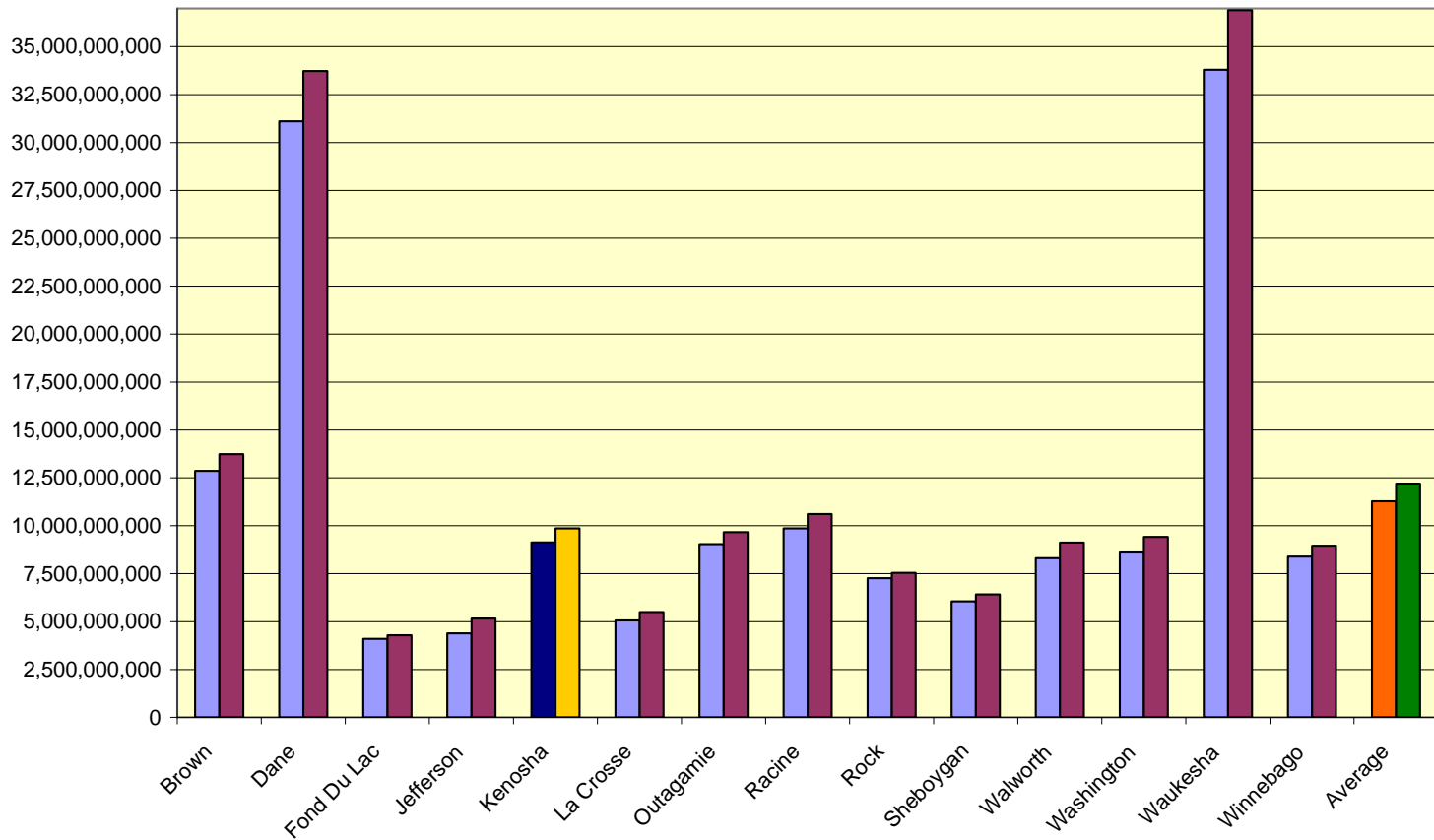
Comparable Counties – The Tax Base – Equalized Value

Equalized Valuation Reduced by TID: 2003 DOR Report

<i>County</i>	<i>Residential</i>	<i>Commercial</i>	<i>Manufacturing</i>	<i>Agriculture</i>	<i>Swamp & Waste</i>	<i>Forest</i>	<i>Other</i>	<i>Total Equalized Value</i>
<i>Brown</i>	9,693,561,000	3,324,948,500	642,179,300	28,676,300	14,288,000	44,877,700	125,638,700	13,739,990,850
<i>Dane</i>	23,841,039,000	8,360,234,000	682,130,100	94,981,700	38,760,200	125,151,800	559,859,000	33,724,492,950
<i>Fond Du Lac</i>	3,726,584,300	862,588,000	190,651,400	50,002,400	47,179,500	35,816,600	223,867,300	4,287,597,970
<i>Jefferson</i>	3,307,736,500	696,512,900	219,945,300	48,220,400	36,582,900	21,992,200	288,096,800	5,154,476,000
<i>Kenosha</i>	7,537,965,300	1,817,420,400	405,649,800	17,152,600	13,152,600	12,691,400	78,077,400	9,864,901,100
<i>La Crosse</i>	3,659,125,500	1,322,669,700	143,223,300	13,839,900	5,480,900	147,911,500	95,767,700	5,496,493,200
<i>Outagamie</i>	6,689,850,500	2,113,675,600	493,438,900	35,991,000	20,693,500	72,285,200	156,431,800	9,667,077,800
<i>Ozaukee</i>	6,806,090,200	1,073,785,900	282,422,000	12,795,300	22,711,100	18,395,500	87,958,700	8,453,948,600
<i>Racine</i>	8,317,871,000	1,695,346,900	424,718,000	21,542,700	12,118,700	22,354,400	191,397,300	10,612,347,350
<i>Rock</i>	5,450,605,500	1,355,852,600	286,324,100	71,832,800	8,777,100	22,370,900	281,982,400	7,545,095,810
<i>Sheboygan</i>	4,865,270,700	981,934,800	364,509,900	25,387,800	31,340,200	44,782,900	147,372,000	6,414,425,700
<i>Walworth</i>	7,599,633,300	1,187,818,000	208,183,200	49,116,700	24,570,700	34,224,700	233,630,300	9,117,161,800
<i>Washington</i>	7,613,800,600	1,281,497,200	346,887,200	23,215,400	75,697,100	54,091,700	191,904,700	9,426,026,530
<i>Waukesha</i>	28,124,600,400	6,940,711,200	1,284,126,600	16,680,100	43,957,300	38,087,500	138,767,400	36,910,435,050
<i>Winnebago</i>	6,275,681,100	1,750,249,000	639,369,400	21,521,000	40,774,000	19,400,700	116,424,800	8,961,053,350

Comparable Counties – The Tax Base – Equalized Value

Equalized Value 2002-2003: DOR Reports



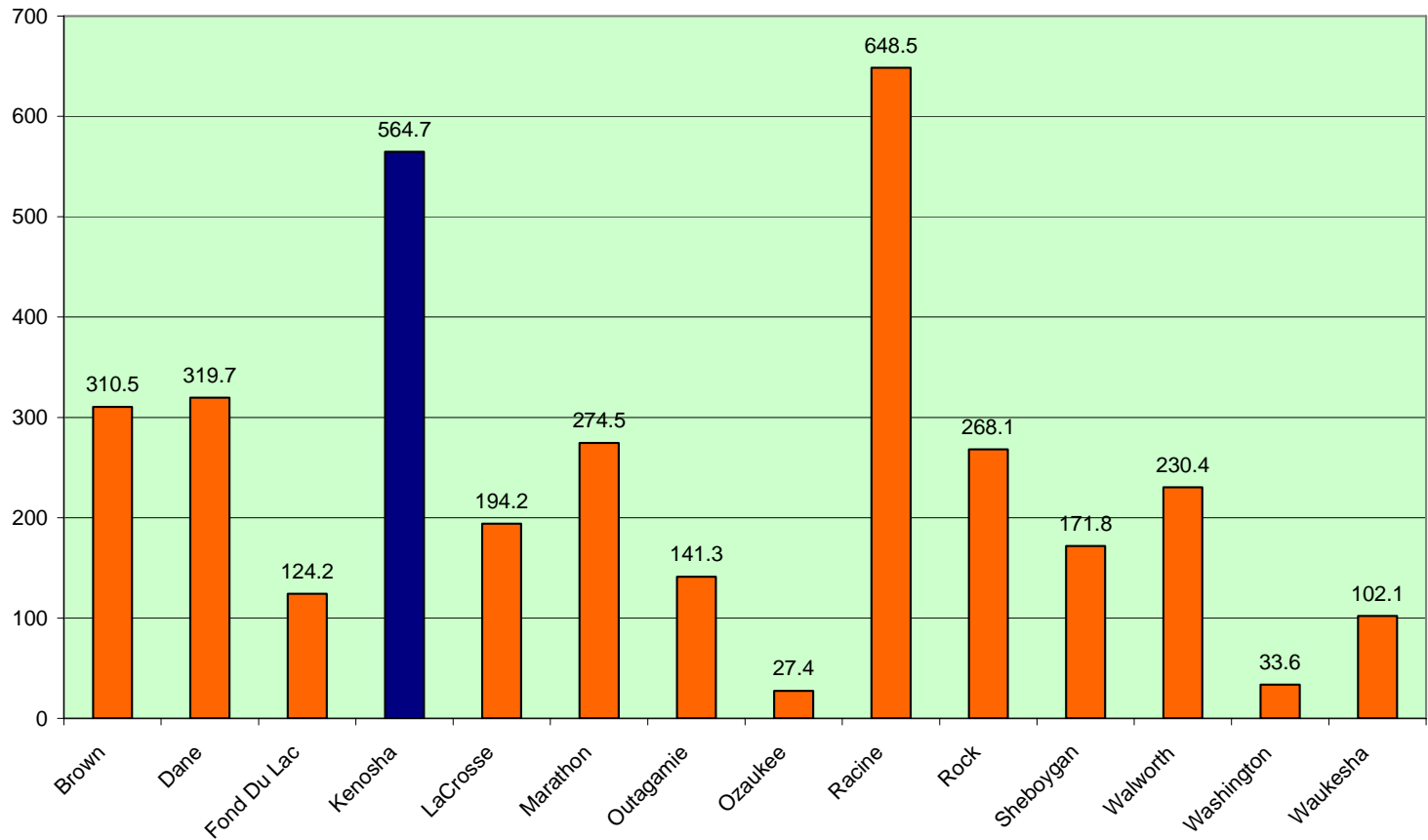
Comparable Counties – The Tax Base – Demographics

Comparable County Demographic Analysis: 2000 Census

County	Square Miles	Persons under 18	Persons over 65	Total Households	Home Ownership	Housing Units	Median Household Income (1999)	Persons Below Poverty
<i>Brown</i>	529	26.1%	10.7%	87,295	65.4%	90,199	\$46,447	6.9%
<i>Dane</i>	1,202	22.6%	9.3%	173,484	57.6%	180,398	\$49,223	9.4%
<i>Fond Du Lac</i>	723	25.2%	14.3%	39,931	72.9%	39,271	\$45,578	5.8%
<i>Jefferson</i>	557	25.2%	12.6%	28,205	71.7%	30,092	\$46,901	5.7%
<i>Kenosha</i>	273	27.1%	11.5%	56,057	69.1%	59,989	\$46,970	7.5%
<i>La Crosse</i>	453	23.6%	12.5%	41,599	65.1%	43,479	\$39,472	10.7%
<i>Marathon</i>	1,545	26.8%	13.0%	47,702	75.7%	50,360	\$45,165	6.6%
<i>Outagamie</i>	640	27.7%	10.9%	60,530	72.4%	62,614	\$49,613	4.7%
<i>Ozaukee</i>	232	26.6%	12.6%	30,857	76.3%	32,034	\$62,745	2.6%
<i>Racine</i>	333	27.0%	12.3%	70,819	70.6%	74,718	\$48,059	8.4%
<i>Rock</i>	720	26.5%	12.7%	58,617	71.1%	62,187	\$45,517	7.3%
<i>Sheboygan</i>	514	25.5%	14.0%	43,545	71.4%	45,947	\$46,237	5.2%
<i>Walworth</i>	555	24.2%	12.7%	34,522	69.1%	43,783	\$46,274	8.4%
<i>Washington</i>	431	26.7%	11.2%	43,842	76.0%	45,808	\$57,033	3.6%
<i>Waukesha</i>	556	26.3%	12.0%	135,229	76.4%	140,309	\$62,839	2.7%
<i>Winnebago</i>	439	23.8%	12.5%	61,157	68.0%	64,721	\$44,445	6.7%
<i>Average</i>	606	25.7%	12.2%	63,337	70.6%	66,619	48,907	6.4%

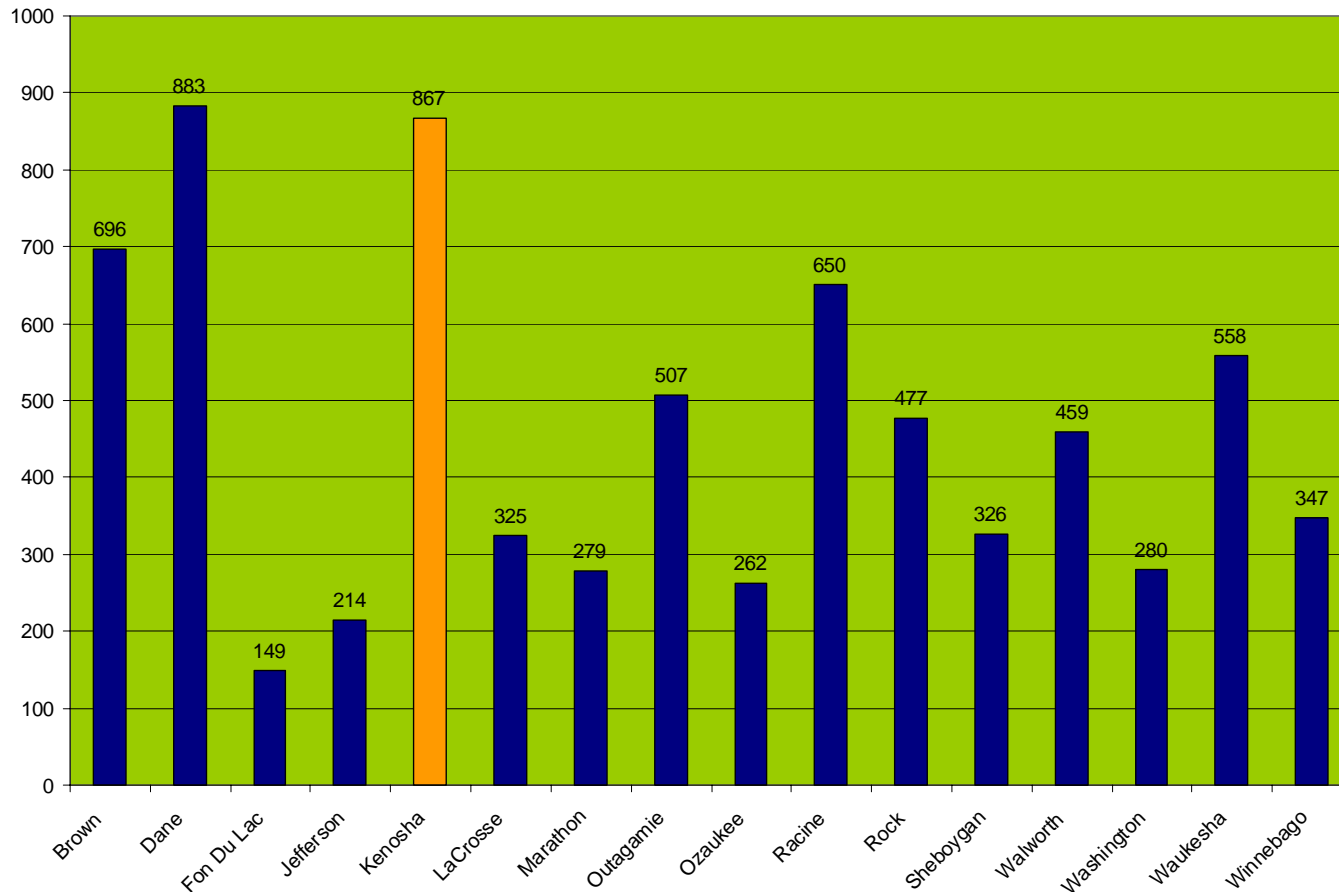
Comparable Counties – Services Rendered, Needed or Demanded

2001 FBI Uniform Crime Rates



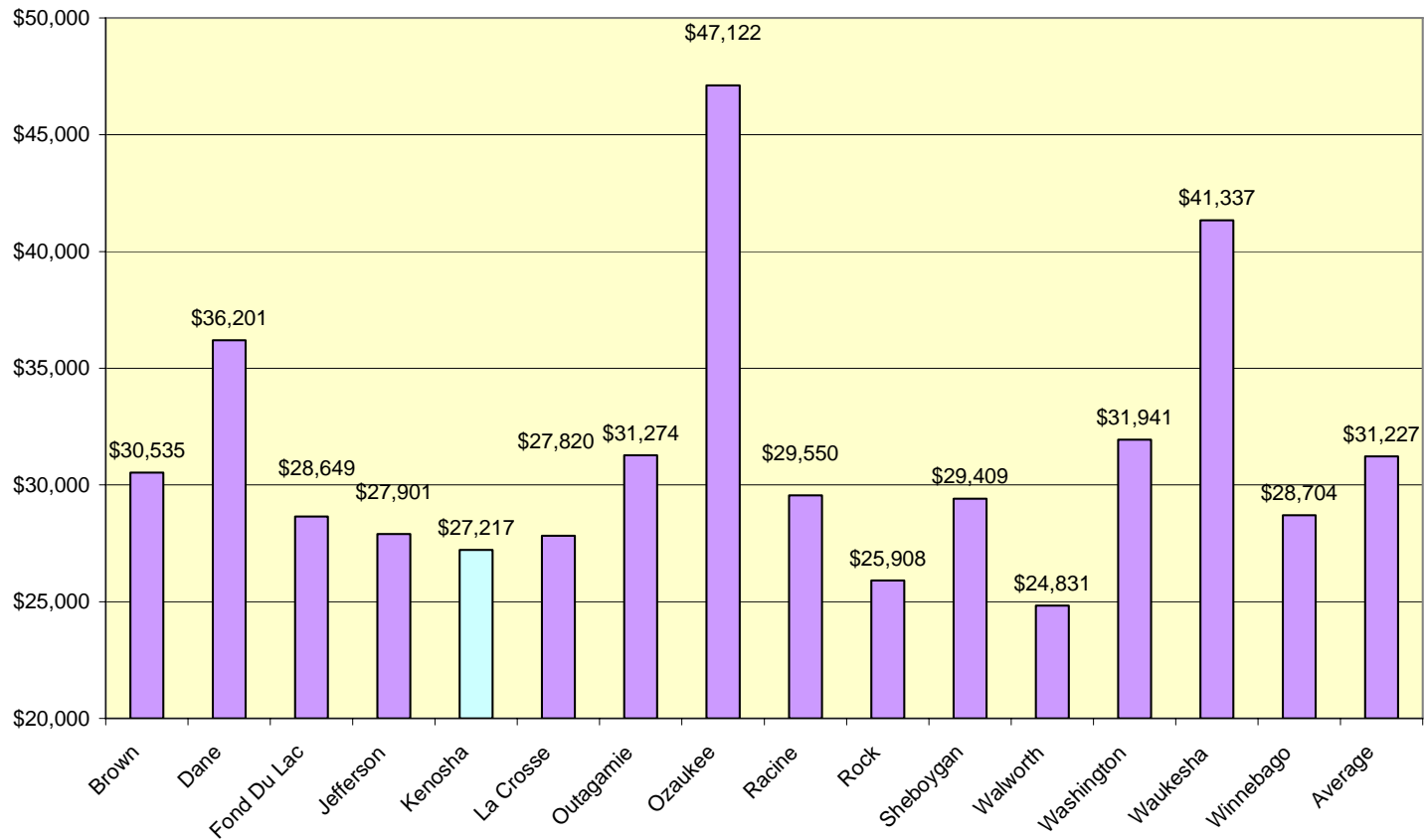
Comparable Counties – Services Rendered, Needed or Demanded

Wis. County Jails -- Avg. Daily Population Report [March, 2004] --- Wis. Dept. of
Corrections, Office of Detention Facilities



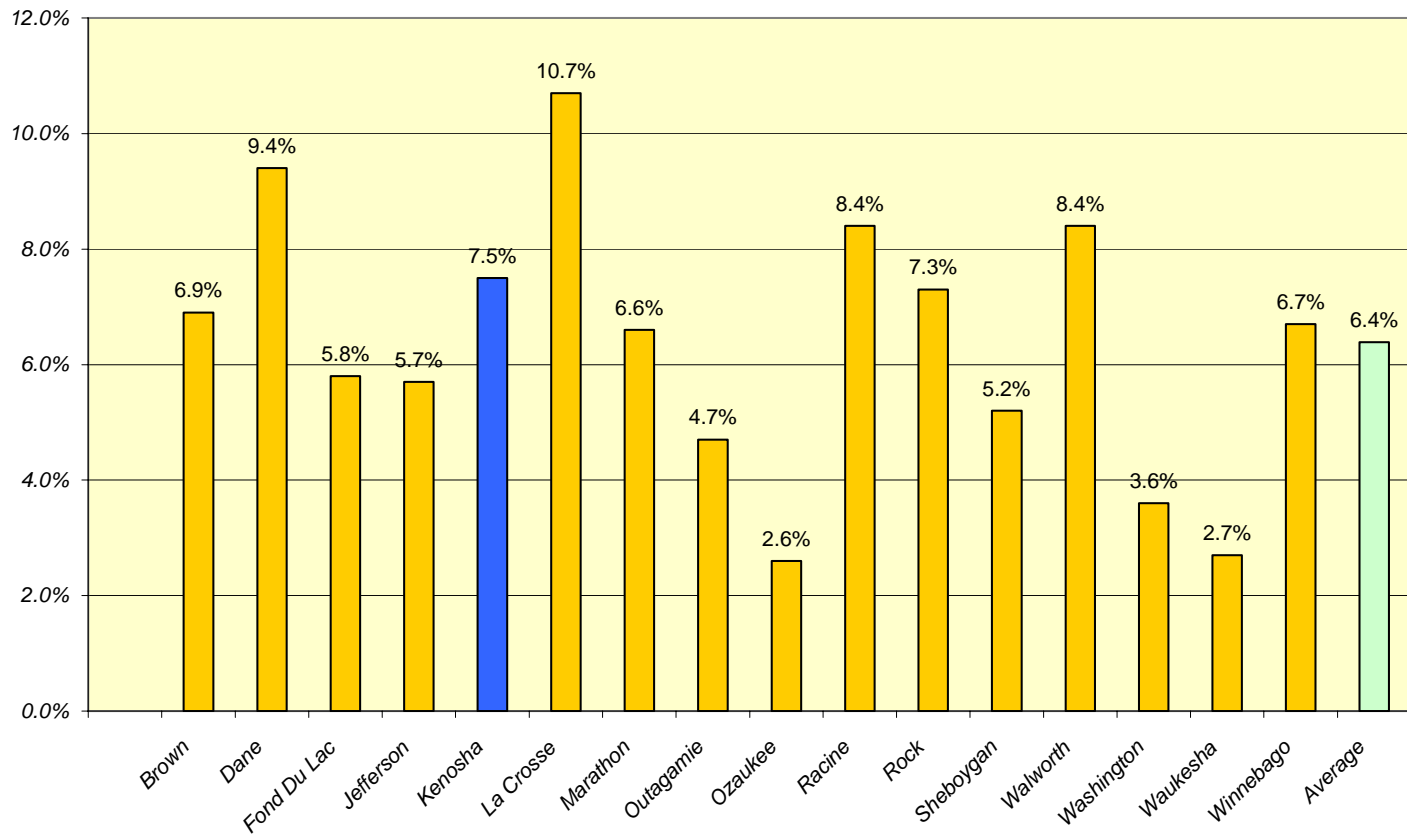
Comparable Counties – Ability of Residents to Pay – Per Capita Income

DOR Per Capita Personal Income 2001



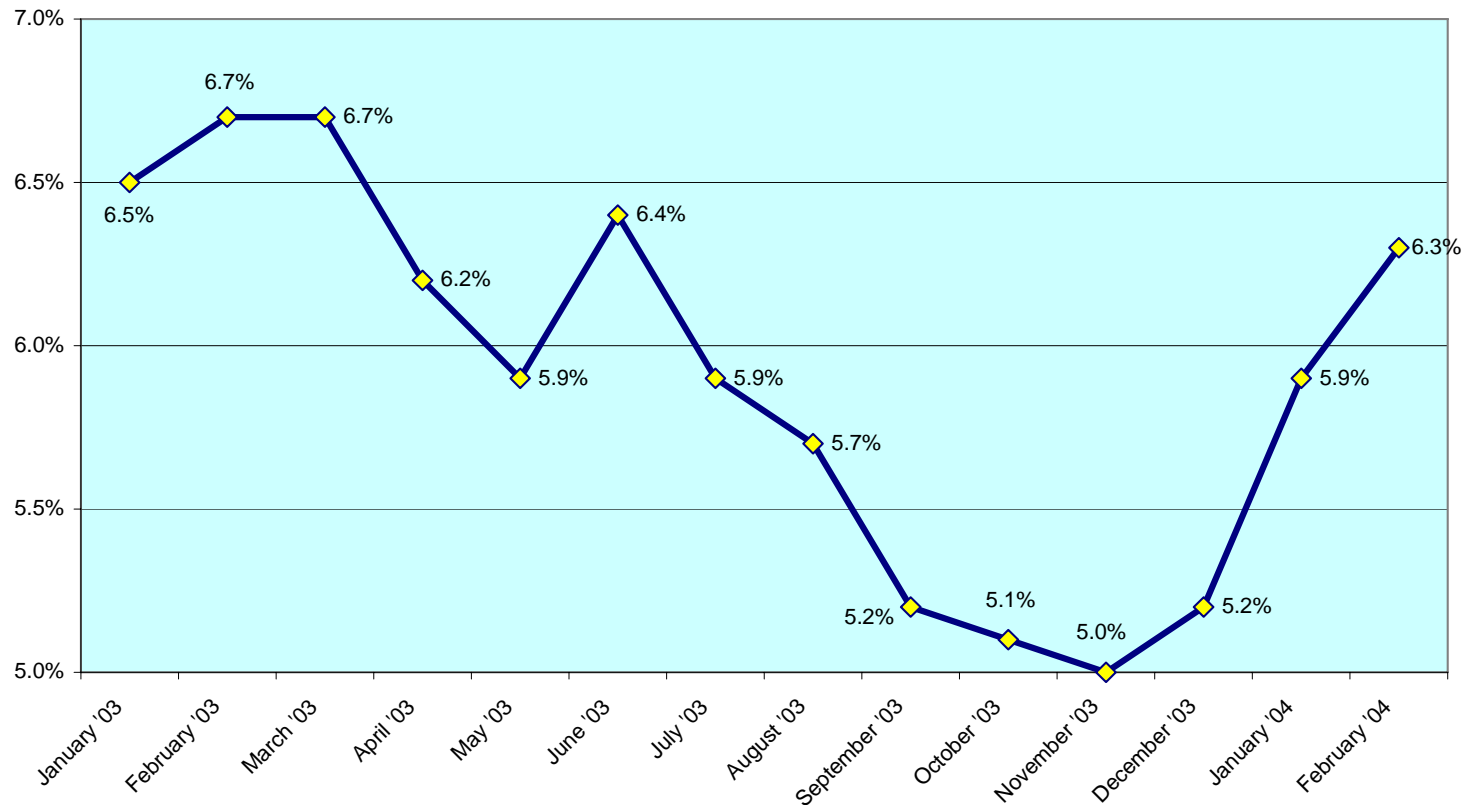
Comparable Counties – Ability of Residents to Pay – Poverty Level

Persons Below Poverty: 2000 Census



Comparable Counties – Ability of Residents to Pay – Unemployment

Kenosha Unemployment Rate 1/03 - 2/04 - Not Seasonally Adjusted - Department of Workforce Development



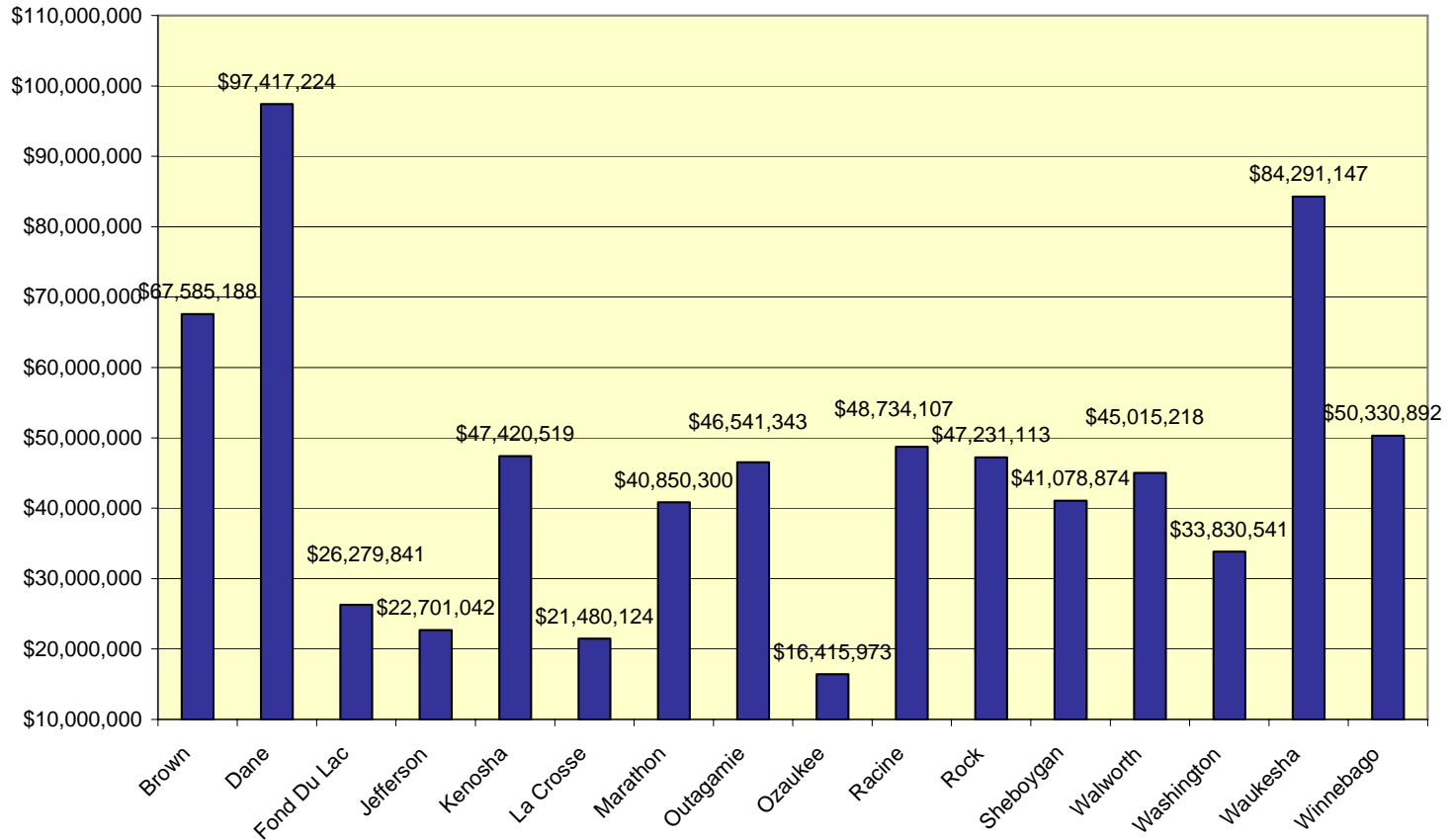
Comparable Counties – Ability of Residents to Pay – Demographics

Comparable County Demographic Analysis: 2000 Census

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Average	606	25.7%	12.2%	63,337	70.6%	66,619	48,907	6.4%

Comparable Counties – Ability of Residents to Pay – The Tax Bill

Total Levy of County Government: 2003



Comparable Counties – Community Debt

Comparable Data Sorted by General Fund Intergovernmental Revenues: 2001

(All data is for year ending 12-31-01 unless noted)

	Total General Obligation Debt ¹	Budgeted Debt Service Payment	Intergovernmental Revenues (General Fund)	Intergovernmental Revenues (Special Revenue Funds)	Undesignated Unreserved Fund Balance ²
WISCONSIN, STATE³	\$3,900,000,000	\$383,098,000	\$5,509,834,000	\$0	(\$3,582,988,000)
Racine	\$10,460,042	\$2,720,572	\$60,833,797	\$5,317,671	\$17,993,865
Dane	\$65,620,990	\$7,815,077	\$23,556,099	\$124,535,316	\$10,869,805
Kenosha, City of	\$113,689,045	\$11,172,417	\$21,129,791	\$4,136,564	\$7,071,075
Marathon	\$4,735,000	\$5,893,405	\$10,949,829	\$16,020,489	\$2,489,393
Winnebago	\$43,678,701	\$6,589,534	\$10,228,168	\$31,464,902	\$10,292,136
Brown	\$61,137,291	\$7,576,591	\$10,208,532	\$48,794,704	\$16,370,811
KENOSHA COUNTY	\$87,288,087	\$12,332,964	\$8,942,490	\$48,944,359	\$5,787,752
La Crosse	\$26,049,500	\$2,740,466	\$7,407,596	\$15,691,349	\$9,800,394
Sheboygan	\$38,960,000	\$6,344,670	\$6,896,555	\$21,070,133	\$7,237,078
Fond Du Lac	\$23,165,000	\$2,090,435	\$6,791,595	\$11,165,430	\$3,373,100
Outagamie	\$18,375,604	\$5,023,816	\$5,283,718	\$30,633,723	\$9,492,015
Jefferson	\$7,910,262	\$585,971	\$5,278,068	\$12,621,420	\$16,841,025
Waukesha	\$58,930,000	\$11,705,617	\$4,856,045	\$17,032,134	\$20,552,486
Washington	\$23,170,653	\$3,050,915	\$3,358,974	\$19,864,387	\$8,571,877
Walworth	\$28,995,480	\$3,348,732	\$2,011,277	\$19,006,002	\$15,273,937
Ozaukee					
Rock					

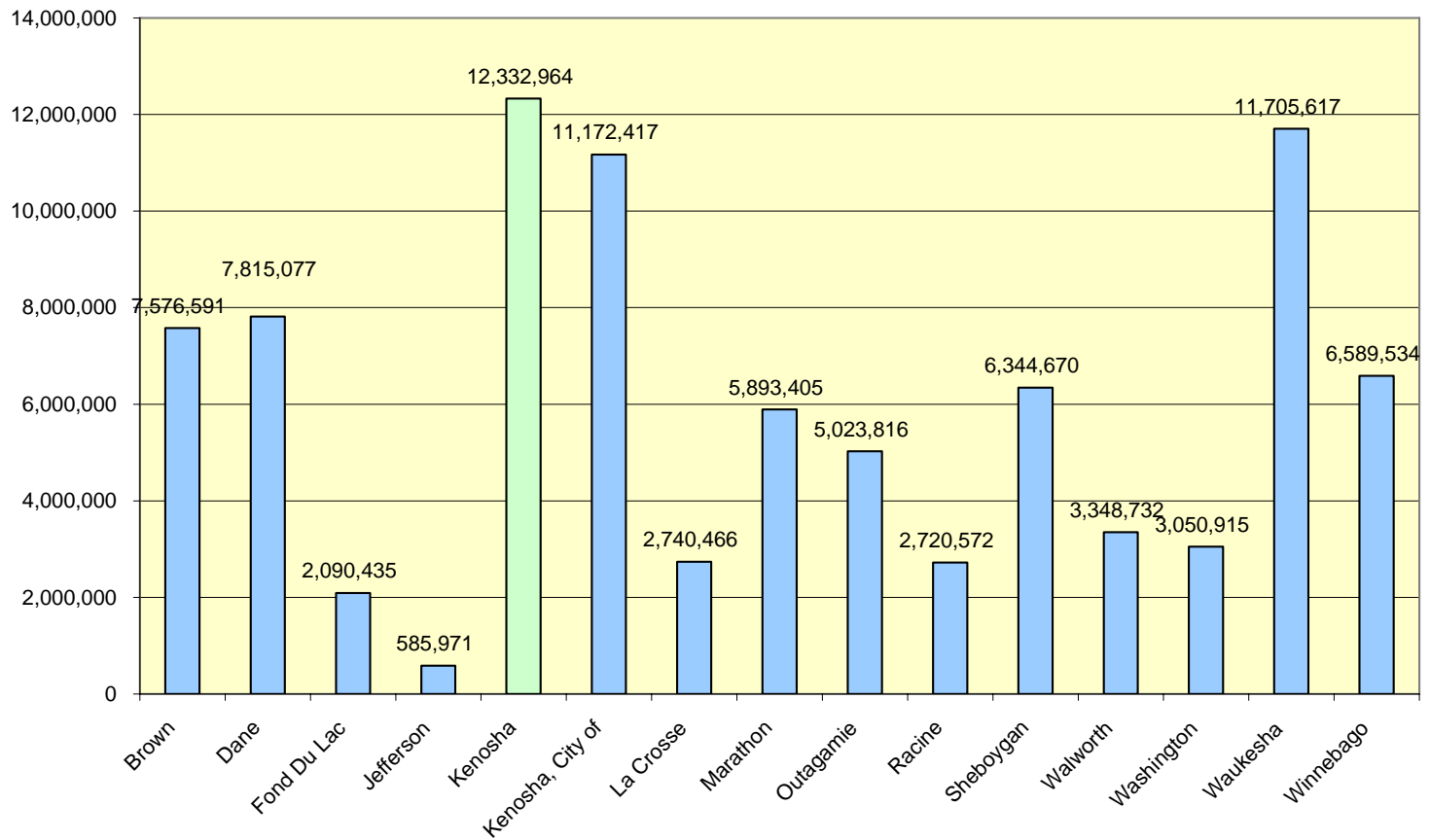
¹ Excluding Compensated Absences, Capital Leases, and UFPL

² General Fund Only

³ For Year Ending June 30, 2002

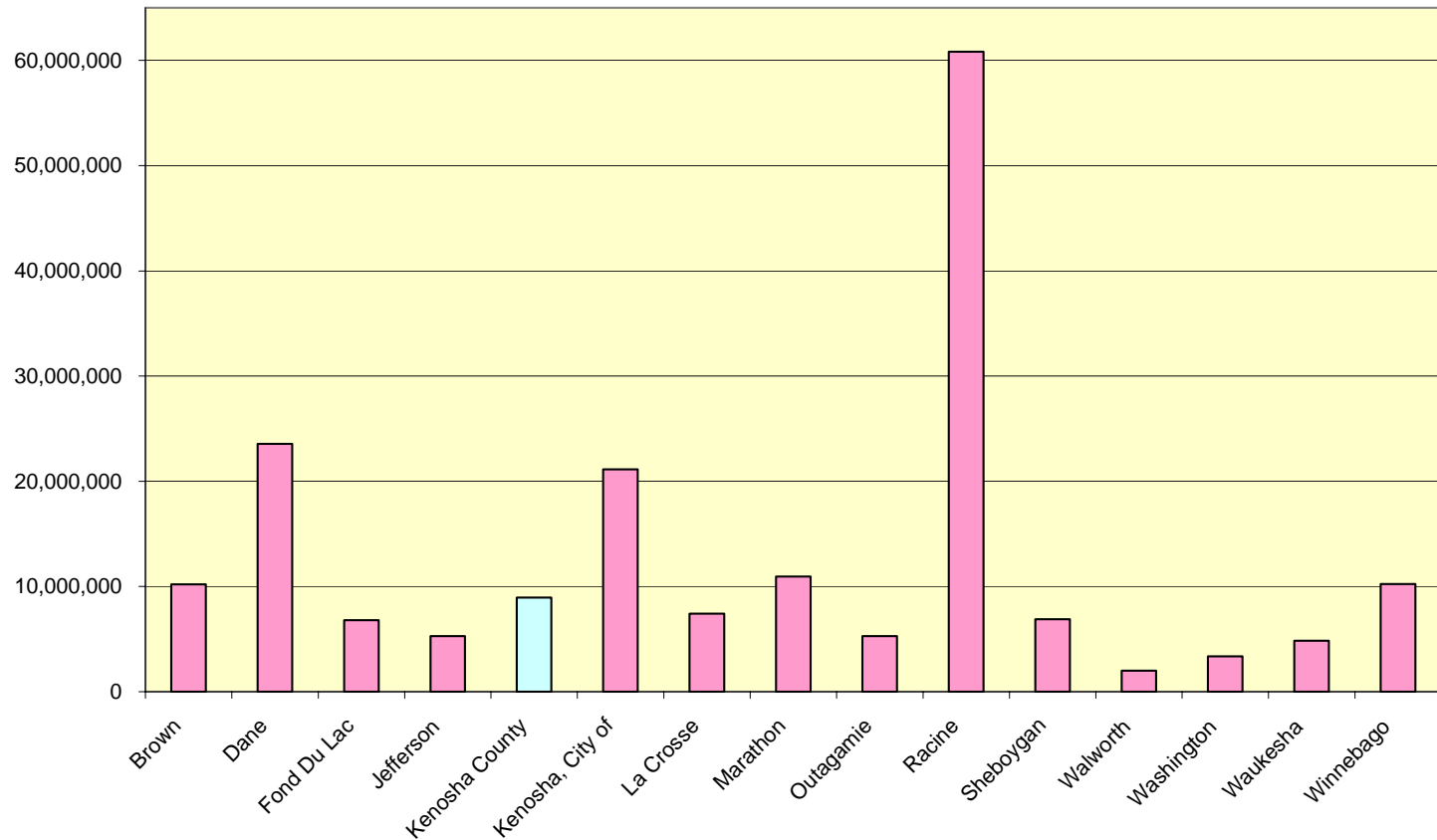
Comparable Counties – Community Debt

Budgeted Debt Service Payment



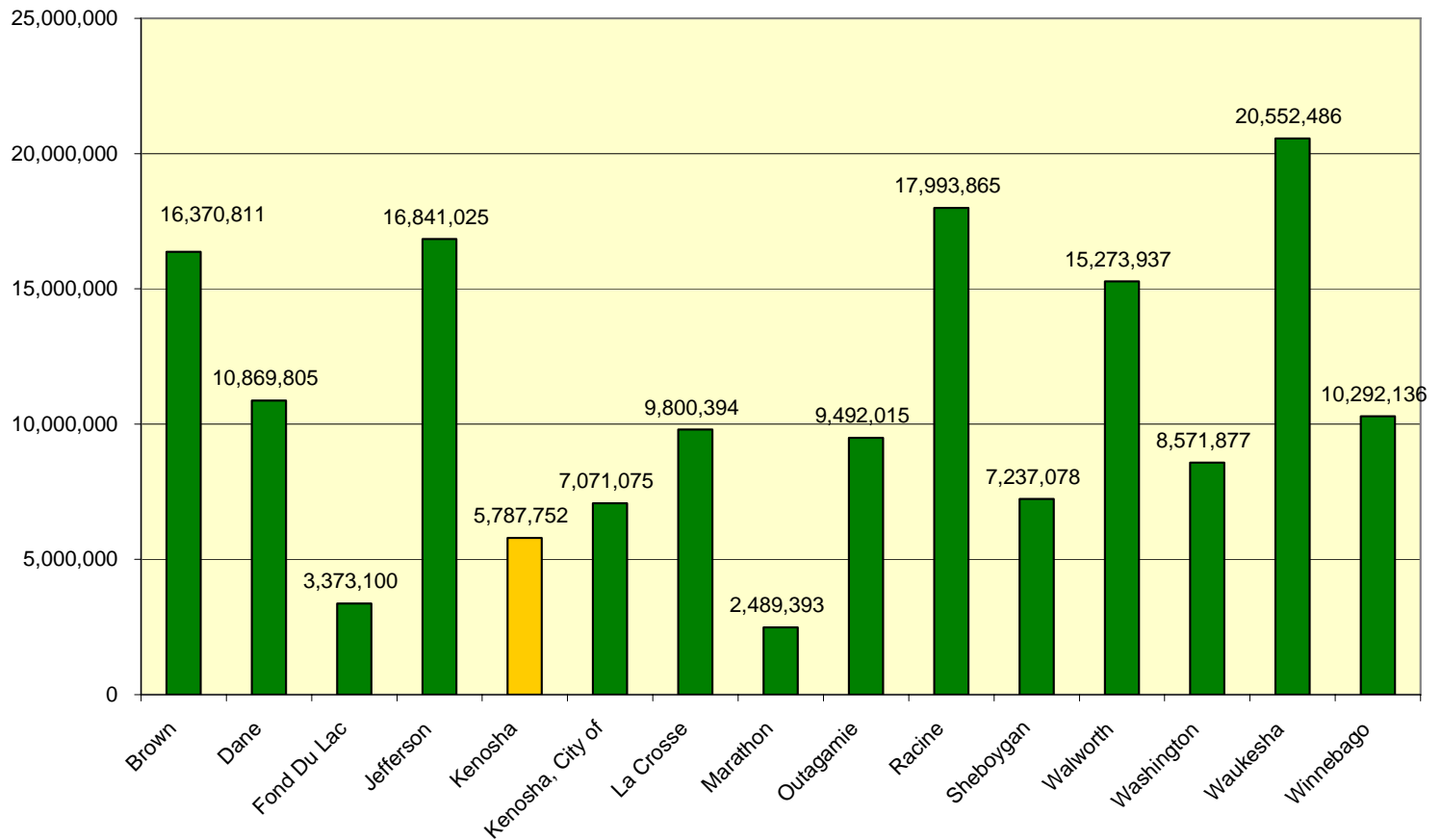
Comparable Counties – Other Revenue Sources

Intergovernmental Revenues - General Fund 2001



Comparable Counties – Other Revenue Sources

Undesignated Unreserved Fund Balance: 2001



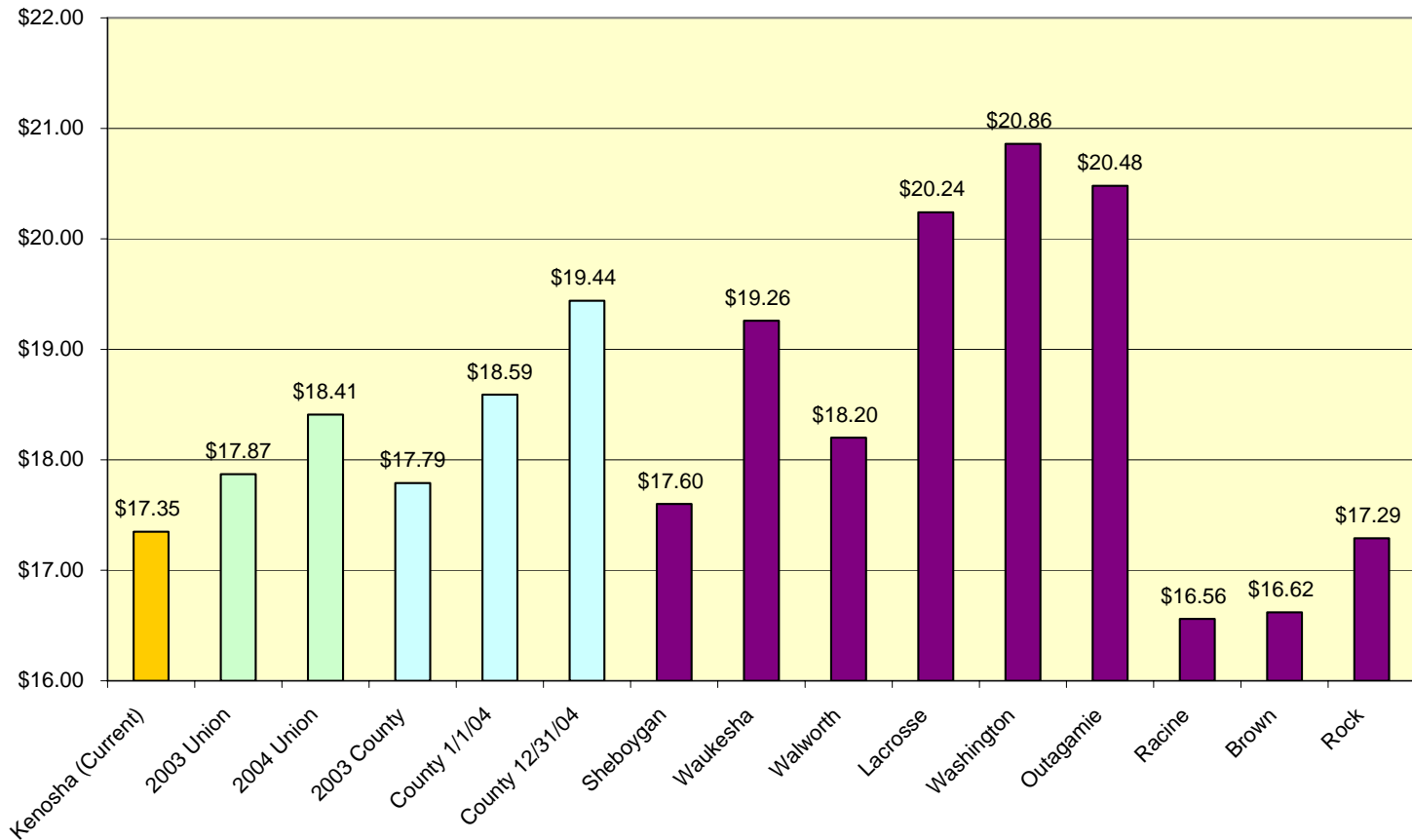
Comparable Counties & External Comparable Bargaining Units

External Comparable Wage Analysis: Wages Effective January 1, 2003

	<i>Kenosha</i>	<i>Brown</i>	<i>Dodge</i>	<i>Fond Du Lac</i>	<i>Outagamie</i>	<i>Lacrosse</i>	<i>Racine</i>
Start	\$13.79	\$15.18	\$16.18	\$16.77	\$16.30	\$17.71	\$14.40
6 months	\$14.34	x	\$16.68	\$17.32		\$18.06	x
12 months	\$14.62	\$15.88	x	x	\$16.62	x	\$14.77
18 months	x	x	\$17.20	\$17.88		\$18.59	x
24 months	\$15.50	\$16.27	x	x	\$17.38	x	\$15.10
30 months	x	x	\$17.67	\$18.27		\$19.11	x
36 months	x	x	x	x		x	\$15.48
42 months	\$17.35	x	x	\$18.64		\$19.67	x
48 months	x	x	x	x	\$18.26		\$15.85
54 months	x	x	x	\$19.13		\$20.24	x
60 months	x	\$16.62	x	x	\$18.73	x	\$16.20
72 months	x	x	x	x		x	\$16.56
84 months					\$19.39		
Max Wage	\$17.35	\$16.62	\$17.67	\$19.13	\$19.39	\$20.24	\$16.56
Months until max wage is achieved	42 months	60 months	30 months	54 months	84 months	54 months	72 months

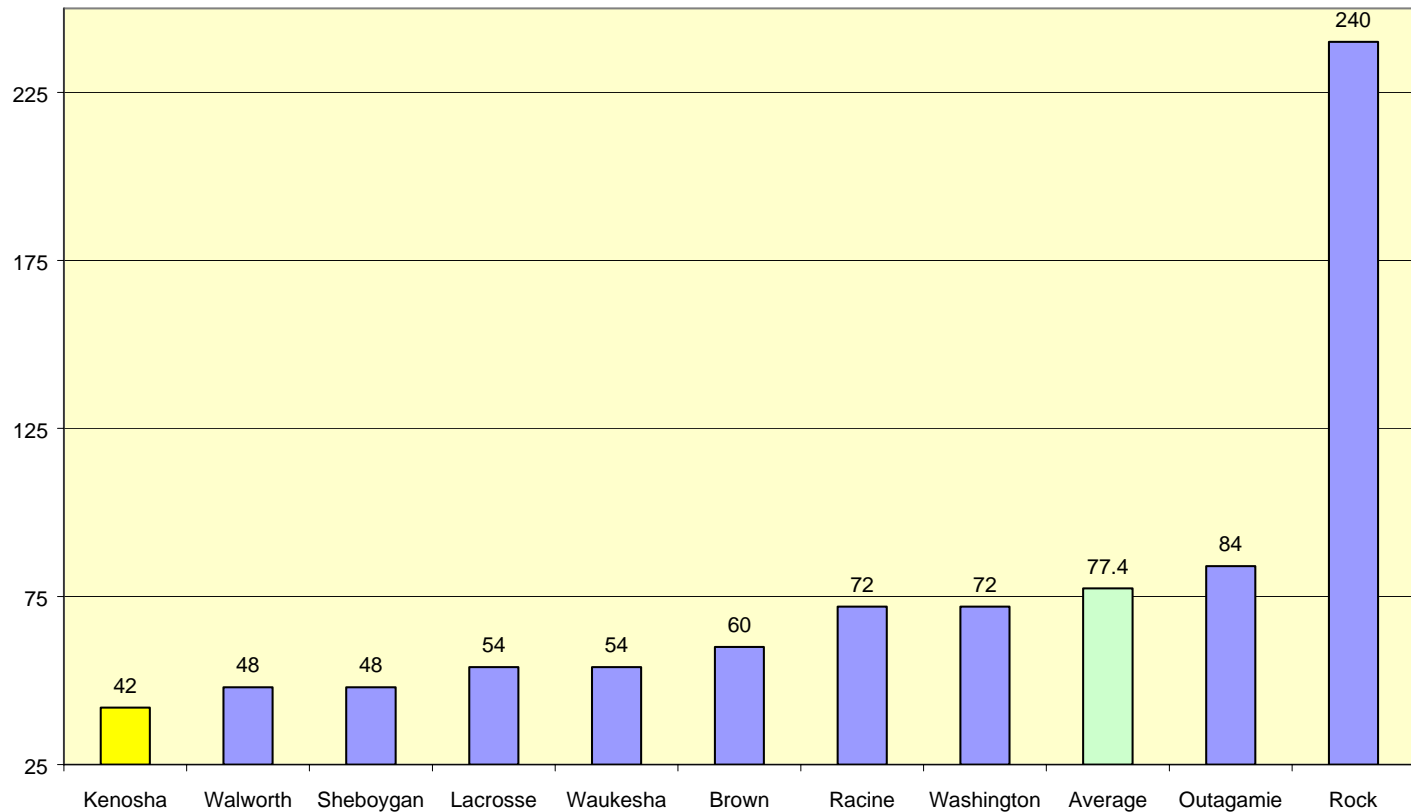
Comparable Counties & External Comparable Bargaining Units

External Max Wage Analysis 2004: Proposals Included



Comparable Counties & External Comparable Bargaining Units

Required Months of Employment Before Max Wage Applies



Comparable Counties & External Comparable Bargaining Units

Cost per Productive Hour Analysis

	Kenosha Jail	Kenosha KCDC	Sheboygan	Racine	Washington	Waukesha	Brown	Walworth	Rock
<i>Type of schedule</i>	6/2	"State"	6/2 - 6/3	5/2	5/2	5/2	5/2-5/3	5/2	5/2
<i>Annual hours paid</i>	2184	2080	2080	2080	2080	2080	1950	2080	2080
<i>Kelly hours</i>	104	0	0	0	0	0	0	0	0
<i>Paid holiday hours</i>	80	80	88	88	88	80	84	80	80
<i>Paid casual hours</i>	48	48	0	40	0	0	40	0	0
<i>Paid vacation hrs (standard 7 years employment)</i>	144	144	120	104	80	120	120	120	128
<i>Total Productive hours (hours worked annually)</i>	1808	1808	1872	1848	1912	1880	1706	1880	1872
<i>Total Paid hours off (vac., holiday, kelly, casual)</i>	376	272	208	232	168	200	244	200	208
<i>% of paid hours off to productive hours worked</i>	20.79%	15.04%	11.11%	12.55%	8.79%	10.64%	14.30%	10.64%	11.11%
<i>Number of paid days off for every 5 days worked</i>	1.04	0.75	0.56	0.628	0.44	0.53	0.72	0.53	0.56
<i>% of paid hours off to total paid hours</i>	17.22%	13.07%	10.00%	11.15%	8.07%	9.62%	12.51%	9.62%	10.00%

Comparable Counties & External Comparable Bargaining Units

External Comparable Vacation Comparison						<i>Max Days</i>	<i>Carry Over</i>	<i>Payout at Retirement</i>
County	6 mo - 1 year	1 year - 6 yrs.	7 yrs - 14 yrs	15 yrs - 25 yrs	25 yrs +			
Brown	5 days	11-13 days	15-18 days	20-25 days	26 days (after 27 yrs)	26	10	No
Kenosha	6 days	12 days	18 days	25 days	25 days	25	6	Yes
Lacrosse	6 days (1-2 yrs.)	12 days (2-5 yrs)	18 days (5-12 yrs)	24 days (12-20 yrs)	30 days	30	0	No
Outagamie	5 days (after 1yr)	10 days (after 2 yrs)	15 days (after 8 yrs)	20 days (after 13 yrs)	25 days (after 20 yrs)	25	5*	No
Racine	10 days (1-4yrs)	13 days (5-7 yrs)	18 days (8-12 yrs)	20 days (13-17 yrs)	23 days (18-22 yrs)	25	0	Yes
Rock	N/A	<i>After 5 years; employee receives 10 days + 1 additional day per year</i>				25	0	Yes
Sheboygan	6 days	12 days (2-8 yrs)	21 days (8-13 yrs) plus 1 additional day per year after 13 years.			27	0	No
Walworth	N/A	10 days (1-3 yrs)	15 days (4-8 yrs)	20 days (9-22 yrs)	25 days (22yrs +)	25	10	Yes
Washington	N/A	10 days	15 days	20 days	25 days	25	0	No
Waukesha	0	10 days	15 days	20 days	25 days	25	0	Yes

**Outagamie County permits the carryover of a maximum of 5 vacations days; However said days must be either used or paid the following year.*

Comparable Counties & External Comparable Bargaining Units

Accident and Sickness Plan Analysis

County	30 Days	180 days
Brown		
Accident	3/4 regular pay beginning of 1st day following accident	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets
Sickness	3/4 regular pay; coverage begins after 3 working days	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets
Hospitalization	3/4 regular pay; coverage begins after 3 working days	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets
Kenosha		
Accident	Full Pay starting on 1st day	2/3 regular pay beginning on the 31st days and continuing until the 365th day
Sickness	Full Pay starting on 1st day	2/3 regular pay beginning on the 31st days and continuing until the 365th day
Hospitalization	Full Pay starting on 1st day	2/3 regular pay beginning on the 31st days and continuing until the 365th day
Racine		
Accident	Full Pay	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets
Sickness	3/4 Pay resumes after 3 full work days	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets
Hospitalization	First day coverage at 3/4 salary for inpatient hospitalization	Long Term Disability: 2/3 Salary until age 65 with Social Security, retirement and Workers Comp Benefit offsets

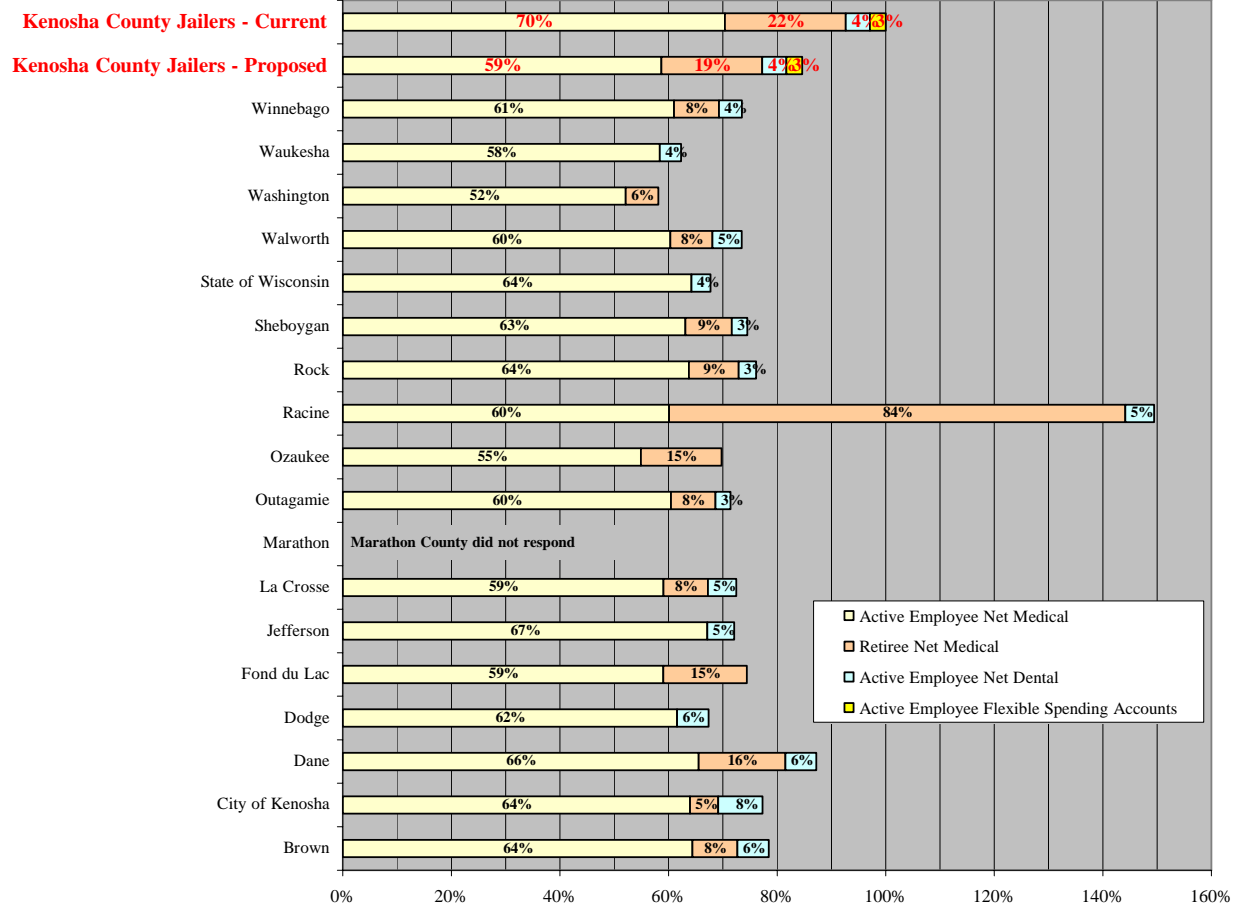
*LTD programs in Brown and Racine Counties include insurance forfeiture with buy-back option. Programs administered by private firms.

Comparable Counties & External Comparable Bargaining Units

Exhibit 1b

Kenosha County: Comparative Summary of Health Insurance-Related Benefits

Benefit Program Cost Relativities by Benefit Category



Comparable Counties & External Comparable Bargaining Units

Intra Industry Settlement Pattern

County	Contract Inception Date	Contract Termination Date	Wage Analysis			Insurance Concessions
			Year 1	Year 2	Year 3	
Brown	01-Jan-01	31-Dec-03	0%	2%	2%	No
Lacrosse	01-Jan-04	31-Dec-06	3%	3%	3%	No
Racine	01-Jan-02	31-Dec-04	3.5%	3.5%	3.5%	Yes
Sheboygan	01-Jan-03	31-Dec-04	3%	3%	N/A	Yes
Walworth	01-Jan-02	31-Dec-04	2% on 1/1/02 2% on 7/1/02	3%	3%	Yes
Washington	01-Jan-04	31-Dec-05	3%	3%	N/A	No
Waukesha	01-Jan-02	31-Dec-04	3%	2%	2%	Yes
Outagamie	01-Jan-02	31-Dec-04	3%	3%	3%	Yes
Rock	01-Jan-02	31-Dec-03	3 % on 1/1/02 .5% on 7/1/02	3%	N/A	Yes

Costing the Union Proposal

990 Jail Bargaining Unit Budget to Budget Analysis 01/15/04 2 Yr Costing 2003-2004 Projection

DRAFT

	2002 Budget	2003 Budget	Variance between 2003 New Budget Cost per Negotiation Budget Cost		2004 Projection	Notes
			2003 New Budget Cost per Negotiation	Adopted 2003 Budget and New Budget Cost		
Salaries	\$5,705,669	\$6,011,740	\$5,991,657	-\$20,183	\$6,171,304	1
FICA	\$436,447	\$459,901	\$458,356	-\$1,545	\$472,107	1
Pension	\$576,245	\$631,242	\$629,118	-\$2,124	\$647,991	1
Life Insurance	\$10,439	\$11,839	\$11,807	-\$32	\$12,161	1
<u>Worker's Comp</u>	<u>\$107,922</u>	<u>\$151,447</u>	<u>\$151,447</u>	<u>\$0</u>	<u>\$155,990</u>	1
Total Cost	\$6,836,622	\$7,266,169	\$7,242,285	-\$23,884	\$7,459,554	
Total General increase including benefits other than health insurance		\$429,547	\$405,663	-\$23,884	\$217,269	
Total percentage increase		6.28%	5.93%	-0.35%	3.00%	
Health Insurance	\$1,787,916	\$2,145,756	\$1,875,780	(\$269,976)	\$2,157,147	2
Health insurance increase			\$87,864		\$281,367	
6/2 Payments/Extra Vacation			\$0	\$0	\$0	1
6/2 KCDC Schedule			\$0	\$0	\$0	1
Total - Salary & Benefits	\$8,624,538	\$9,411,925	\$9,118,065	-\$293,860	\$9,616,701	
Additional annual cost			\$493,527		\$498,636	
Percentage increase			5.7%	-3.4%	5.5%	

Total cost increases to \$9,616,701 in 2004. This is an increase of \$992,163, 11.50 %, or average of 5.60 % per annum.

¹ Projections developed by Kenosha County

² Milliman cost reduction %'s applied to Milliman Conservative 2003 budget, adjusted for non-affected components, with 15% trend

	2003	2004
Benefit factors (relative to current benefits)	100.0%	100.0%
Non-affected component %	9.90%	
Additional rebates	\$0	\$0

2002 Budget Health Insurance Sing
\$5,588 Single
\$13,419 Family

2003 Budget Health Insurance Sing
\$6,708 Single
\$16,104 Family

Note: For the purposes of this analysis, the bargaining unit has 51 Single, 112 Family and 2 No Insurance. Immaterial variances from actual 2002 budget may be present as a result of employee turnover, staggered lifts, step increases, staffing changes, and other factors.

The 2 year proposal consists of the following:

Wage increases would follow the schedule of a 3.0% increase effective 1/1/03 and a 3.0% increase effective 1/1/04. There would be no changes to current insurance plan or bargaining unit members' scheduling.

Costing the County Proposal

990 Jail Bargaining Unit Budget to Budget Analysis 12/22/03 2 Yr County Offer Costing 2003-2004 Projection

DRAFT

	2002 Budget		2003 New	Variance between		Notes
	2003 Budget	2003 Budget	Budget Cost	Adopted 2003	Budget and New	
			per Negotiation	Budget Cost	2004 Projection	
Salaries	\$5,705,569	\$6,011,740	\$5,953,165	-\$58,575	\$6,232,773	1
FICA	\$436,447	\$459,901	\$455,419	-\$4,482	\$476,809	1
Pension	\$576,245	\$631,242	\$625,087	-\$6,155	\$654,446	1
Life Insurance	\$10,439	\$11,839	\$11,731	-\$108	\$12,282	1
<u>Worker's Comp</u>	<u>\$107,922</u>	<u>\$151,447</u>	<u>\$150,477</u>	<u>-\$970</u>	<u>\$157,544</u>	1
Total Cost	\$6,836,622	\$7,266,169	\$7,195,878	-\$70,291	\$7,533,854	
Total General increase including benefits other than health ir	\$429,547		\$359,256	-\$70,291	\$337,976	
Total percentage increase	6.28%		5.25%	-1.03%	4.70%	
Health Insurance	\$1,787,916	\$2,145,756	\$1,875,780	(\$269,976)	\$2,043,447	2
Health insurance increase			\$87,864		\$167,667	
6/2 Payments/Extra Vacation			\$0	\$0	\$169,097	1
6/2 KCDC Schedule			\$0	\$0	\$0	1
Total - Salary & Benefits	\$8,624,538	\$9,411,925	\$9,071,658	-\$340,267	\$9,746,399	
Additional annual cost			\$447,120		\$674,740	
Percentage increase			5.2%	-3.9%	7.4%	

Total cost increases to \$9,746,399 in 2004. This is an increase of \$1,121,861, 13.01%, or average of 6.31% per annum.

¹ Projections developed by Kenosha County

² Milliman cost reduction %s applied to Milliman Conservative 2003 budget, adjusted for non-affected components, with 15% trend

	2003	2004	2002 Budget Health Insurance Single/Family
Benefit factors (relative to current be	100.0%	94.2%	\$5,588 Single
Non-affected component %	9.90%		\$13,419 Family
Additional rebates	\$0	\$0	2003 Budget Health Insurance Single/Family
			\$6,708 Single
			\$16,104 Family

Note: For the purposes of this analysis, the bargaining unit has 51 Single, 112 Family and 2 No Insurance. Immaterial variances from actual 2002 budget may be present as a result of employee turnover, staggered lifts, step increases, staffing changes, and other factors.

The County 2 year proposal consists of the following:

The bargaining unit would change Insurance plans from current to 990P effective 7/1/04.

Wage increases would follow the schedule of a 2% increase effective 1/1/03, 1% increase effective 9/1/03, and a 4% increase effective 1/1/04.

All unit members will receive an additional 20 cents per employee effective 12/31/04.

In addition, as of 12/31/04 11:59PM, all members of the unit would have a Detention Center schedule with no paid Kelly Days and receive a 3.5% wage increase.

In lieu of 6 additional vacation days in 2004, all members would receive additional payment equalling 48 hours of pay no later than 12/31/04.



THE ROLE OF THE COUNTY EXECUTIVE AND COUNTY BOARD MERRIAM v. MOODY'S EXECUTORS*, DILLON'S RULE AND THE POWER OF COUNTIES

- NO INHERENT POWERS - - NO HOME RULE
- ONLY EXPRESS POWERS GRANTED BY THE STATE LEGISLATURE
- OR POWERS NECESSARY TO EXECUTING THE EXPRESS POWERS

* 1868 IOWA SUPREME COURT

In County of Dane v. Department of Health & Social Services, 79 Wis. 2d 323 (1977) the Wisconsin Supreme Court opined that:

- counties are creatures of the Legislature and their powers must be exercised within the scope of authority ceded to them by the state,
-
- In governmental matters, the county is simply the arm of the state; the state may direct its action as it deems best and the county cannot complain or refuse to obey.
- But as a creature of the state, it is not permitted to "censor or supervise" the activities of its creator.



COLLECTIVE BARGAINING NEGOTIATIONS - - - THE RESPONSIBILITIES OF THE BOARD AND THE EXECUTIVE

- Opinion of the Attorney General to the Office of the Kenosha County Corporation Counsel [August, 8, 1984]
 - The legislative authority vested in the County Board permits it to set parameters, guidelines, policies and settlement structures, but there is no statutory authority for the County Board to engage in the day -to-day conduct of such negotiations.
 - With respect to labor negotiations, the power vested in the County Board is the general political power to formulate a projected program of desired objectives for the conduct of labor negotiations.



HAS WISCONSIN'S BINDING ARBITRATION LAW WORKED?

- NO LAWFUL OR UNLAWFUL
MUNICIPAL EMPLOYEE STRIKES IN
THE LAST 25 YEARS!



Resources

- Elkouri and Elkouri, *How Arbitration Works*, 3rd Ed. 1979, BNA.
- This presentation is a general overview; practices may differ and exceptions and nuances were not covered.

**Said the Border Collie to the Ewe:
Enough talk – you’ll do it my way!**

Said the Ewe to the Border Collie: Bahhhhhhhh!

Happy Bargaining to All & to All a Good Night !



**P.S.: Always Bet on the Fur . . .
Never on the Wool !**

