



GREG BROCKMEYER
Director of Administration

COUNTY OF DANE

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Date: August 12, 2024

To: Employee Group #65
Erik Anderson

From: Greg Brockmeyer
Director of Administration

Subject: Step 3 Grievance Decision – Susan Bertrand Voluntary Leave

A third step hearing was held on August 7, 2024. I have summarized the primary arguments of each of the parties below:

Employee Group #65

Erik Anderson

- Thought after the original 3rd step grievance that EG & Management could come to compromise.
- Since previous 3rd step grievance, the Zoo has onboarded several part time and LTE staff. The couple staff that were on light duty are no longer on light duty. Due to the increase in staff and scheduling availability, the Zoo could allow for Susan to take the voluntary leave she requested.
- Remedy listed in .6 FTE portion of previous grievance is not what was asked for – multiple things were asked for. There's money there and the department can provide an additional .6 FTE keeper. I think the managers can agree that more staff is needed. Alternative remedy: adding a .6 FTE Zoo Keeper to help staffing.
- Remedy: Increase in Susan's voluntary leave hours.

Management

Ronda Schwetz

- To address the scheduling & staffing – keepers must have time off – it is mandated by law and is factored into the staffing requirements. Voluntary leave is not mandated by law.
- Regarding .6 FTE keeper – Would love more staff, but the challenge is salary savings only helps us for the year we are in; not for the years in the future. Can't guarantee we can provide that. Looking to add a different position to 2025 budget that will be discussed further at other labor relations meeting.

Johanna Soto/Katie Pionkowski

- Staffing hasn't gotten better; it's gotten worse. Lost a fulltime lead keeper. Only have 2 LTEs – one of which we need to cut back on hours and the other is only available on weekends. The 3rd LTE

hasn't started and 1 LTE left to care for family. There is also another staff member currently on FMLA.

- With constantly having to pull keepers and other staff to help train the LTEs, it does take a long time to fully train them and for them to be fully helpful across the board/areas.
- We did have a great conversation with Susan and have agreed to 1 or 2 days per pay period (potential to increase in future if scheduling/staffing allows). But due to current scheduling/staffing, we cannot do more than 1-2 days per pay period right now.

Decision

The Grievance is denied.

After the previous decision the Zoo and the Employee met. The Zoo was able to grant a certain amount of voluntary leave.

The Employee Group Representative felt that this was not sufficient. However, the Employee Benefit Handbook does not allow for an appeal for an approved Voluntary Leave request. The Employee Benefit Handbook states, "Employees who are not approved for the program by their department head, may appeal by following the grievance procedures of this Handbook." Susan was approved for a voluntary leave request and as a result, there's no basis for this grievance. Further, the Employee Benefit Handbook affords the Department Head wide latitude in establishing the parameters of approved voluntary leave. The Handbook states, "Participation in this program is strictly voluntary and dependent upon department head approval." As such, the Department has complied with the terms of the Employee Benefit Handbook.

Further, the Employee Group Representative argues that the previous decision on this topic was an opportunity to discuss items beyond the scope of approving a Voluntary Leave request. That was not the case. During the hearing on April 10, 2024, both parties expressed a desire to complete a Voluntary Leave request. The decision with respect to the Voluntary Leave grievance was held in abeyance so that both parties could complete a Voluntary Leave request. The Voluntary Leave request was completed on May 2, 2024. Any additional requests are not appropriate for the Grievance process.

Furthermore, the original decision directed the Zoo to meet with the Employee Group, of which the employee is a member. ("Part 2 is held in abeyance pending a further discussion between management and the employee groups." And "The grievance in Part 2 is held in abeyance at this time until the parties have had a further opportunity to discuss the topic. It appears that there is a miscommunication between the parties and the Department has demonstrated a willingness to work with the Employee on this issue.") The original decision did not necessarily mandate that the Employee Group's Representative be included in the meeting.

If there are any questions regarding this decision, please contact me at me at 608-266-4519.

Sincerely,



Greg Brockmeyer
Director of Administration

CC: Ronda Schwetz
Susan Bertrand
Neil Rainford
Johanna Soto
Katie Pionkowski