



The Newsletter of  
The Wisconsin  
Public Employers  
Labor Relations  
Association

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# NEWSLETTER

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WISCONSIN PUBLIC EMPLOYER LABOR RELATIONS ASSOCIATION

Fall, 2004

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## President's Letter

We all know from experience that the degree of success that any organization enjoys is directly attributable to its membership. WPELRA has a rich tradition of meeting the needs of our members by providing training opportunities, salary and benefits information, and networking opportunities that are focused on public sector labor relations. In recent years we have expanded our services to include training for HR Assistants, a legislative affairs committee, enhancements to the salary and benefits survey, and improvements to our website. Greater participation by our membership through involvement on committees, an initiative that began this last spring, has already proven to be a great asset to the organization.

Those of us who attended the joint conference with the Wisconsin Association of County Personnel Directors (WACPD) in May were well pleased with the quality and content of the presentations, and we thank Jim Richter and Terri Palm (WACPD/Jefferson County) for their work in making this conference successful. We also extend our thanks to the Membership Training Committee, which iden-

tified the timely topic of the recent changes to the Fair Labor Standards Act as the subject of our fall membership training. Patrick Glynn is to be commended once again for his ongoing work in updating and maintaining our website.

Tracey Weigel, whose presentation at our May conference was acclaimed as both enlightening and entertaining, will be returning with three Manager and First Line Supervisor Training sessions in November. Her presentation on gender, generational, and cultural differences in communication entitled "He said. She said. They heard." will be held in Appleton on November 4, in Waukesha on November 10, and in La Crosse on November 22. You don't want to miss this one! This is a presentation that will benefit even your most seasoned manager.

Our Annual Conference Committee is hard at work putting together a great line up of speakers and topics. Reserve the dates of Thursday, January 13 and Friday, January 14, 2005 for what promises to be another excellent conference.

Also, please give some consideration to the upcoming election of Officers and

members of the Board of Directors that will take place at our January meeting. The nominating committee consists of Mike Deiters, Jim Warzon and Jim Richter. We will have two vacancies on the Board of Directors, one for a one-year term and one for a three-year term. On behalf of the entire organization, we extend heart-felt thanks to both Jim Jetzke and Rob Sunstrom whose contributions and insights will be greatly missed when their terms end in January.

In keeping with the thought that an organization's success is dependent on its membership, we should all be thinking of nominees for the 2005 Bravo Award. Nomination criteria and forms will be forwarded to all members via e-mail next month.

Keep up the great work each of you are doing to make WPELRA the premier public sector labor relations association in Wisconsin! Your participation and interest in WPELRA has greatly contributed to the success we now enjoy, and to our continuous improvement.

*Joe Rains, President*



**What to do with exempt employees in your police and fire departments under the new Department of Labor Wage and Hour Regulations**  
**Kyle J. Gulya, Attorney, von Briesen & Roper S.C.**

The U.S. Department of Labor (DOL) recently revised regulations governing requirements for employee exemptions from overtime and minimum wage requirements under the Fair Labor Standards Act (FLSA). In particular, DOL revised the regulations to clarify that most “first responders”—employees such as police officers, fire fighters, and paramedics—are nonexempt employees and therefore entitled to overtime pay. DOL revised the regulations because several federal courts have held that most first responders cannot meet the requirements for the executive or administrative employee exemptions.

In the new regulation, DOL intended to clarify that *most* first responders are nonexempt employees. The wording of the new regulation seems to imply that *all* first responders must be nonexempt employees. The wording of this regulation has caused many public employers to ask: if the police chief writes a traffic citation, then is the chief no longer an exempt employee under the FLSA? In fact, the threat of substantial overtime liability has caused many public employers to consider changing exempt police and fire department officers to nonexempt even though these officers actually meet the exemption requirements.

## FLSA AND FIRST RESPONDERS

By Atty. Kyle J. Gulya / von Briesen & Roper, s.c. / 411 East Wisconsin Ave., Suite 700 / P.O. Box 3262 / Milwaukee, WI 53201-3262 / (414) 276-1122 / (414) 276-6281 fax

There is good news for public employers. While this new regulation limits which first responders may be exempt, public employers may still consider certain high-level police officers and fire fighters as exempt employees if those employees meet the new exemption requirements. Following is a discussion of this new regulation and measures employers may take to comply with these new exemptions.

**What New Regulation Affects the Exempt Status of Police Officers and Fire fighters and What is the Confusion?**

In response to certain federal court decisions, DOL revised regulations affecting first responders and established section 541.3(b)(1) which states that the exemptions do not apply to:

police officers, detectives, deputy sheriffs, . . . , fire fighters, paramedics, . . . and similar employees, *regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals . . . ; interviewing witnesses; interrogating . . . suspects; preparing investigative reports; or similar work.*

29 C.F.R. 541.3(b)(1) (2004). Subsections 541.3(b)(2)–(4) further state that the executive, administrative, and learned professional exemptions generally do not apply to these police officers and fire fighters who perform the above mentioned duties. In particular, subsection 541.3(b)(2) states that the executive exemptions do not apply to these employees because “a police officer or



fire fighter whose primary duty is to investigate crimes or fight fires is not exempt . . . merely because the police officer or fire fighter also directs the work of other employees in the conduct of an investigation or fighting a fire.”

The language of this regulation has caused considerable confusion for public employers for two reasons. First, nearly all police officers and fire fighters perform at least one of the work duties listed in subsection 541.3(b)(1). The subsection also states that this provision applies “regardless of rank or pay level” to employees who perform the listed nonexempt duties.

Second, the subsections of this regulation do not designate whether any exemptions may apply to certain high-level officers. Instead, the subsections only provide examples regarding why certain exemptions generally do not apply to police officers or fire fighters. No wonder public employers are probably asking themselves: our fire chief helps his fellow fire fighters put out fires on occasion, is he now a nonexempt employee under the new regulations?

**How Do We Know Public Employers Can Consider High-level Officers as Exempt Under the New Regulations?**

While the new regulations are drafted in favor of the employee, the interpretation that *all* police officers and fire fighters are nonexempt is simply untrue. Even though DOL could have constructed a clearer regulation, this new regulation does not bar public employers from con-

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sidering *high-level* police officers and fire fighters as exempt employees. The bad news is that the new regulations limit the number of first responders that fit under the new exemptions.

In a recent publication of the Federal Register, DOL provided clarifying language regarding this new regulation affecting first responders. In the light of the new regulations, DOL still recognizes that federal courts have found that high-level officers—such as chiefs, deputy chiefs, lieutenants, captains and other officers—can meet the exemption requirements. *Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees*, 69 FED. REG. 22122, 22230 (2004). DOL stated in the Federal Register that if the high-level officer satisfies the pertinent requirements of the new exemptions, then the employer may classify the high-level officer as exempt. *Id.* at 22130.

DOL continued by finding that high-level officers in police and fire departments may be able to qualify for the executive employee exemption under 29 C.F.R. 541.100. To meet this exemption, the officer must direct the work of at least two or more full-time employees or the equivalent. Additionally, the officer must also receive a salary of at least \$455.00 per week. The officer must also have the authority to hire or fire other employees, or the officer must make recommendations that are given particular weight. Most importantly, the officer's primary duty must involve the management of the department or a customarily recognized section of the department. The officer must perform tasks that are considered exempt tasks at least 80% of their work time to meet the exemption requirements. The officer may still voluntarily perform some of the tasks listed in section 541.3(b)(1), but these tasks must take up less than 20% of the employee's work time.

DOL found that tasks that an exempt executive officer may perform as their primary duty include: supervision; evaluating personnel performance; enforcing and imposing penalties for rule viola-

tions; making hiring, firing, discipline, and promotion recommendations; coordinating and implementing training programs; maintaining payroll or personnel records; handling community complaints, including determining whether to refer any complaints to internal affairs; preparing budgets and controlling expenditures; ensuring operational readiness through supervision and inspection of personnel, equipment and the department; scheduling and allocating personnel; managing the distribution of equipment; maintaining inventory; and directing operations at crime, fire or accident scenes, including deciding whether additional personnel or equipment are necessary. *Id.* DOL has also noted that an important consideration is that that exempt officer generally is not dispatched to calls, but the officer does have discretion to determine whether and where his or her assistance is needed. *Id.*

### **What Should Public Employers Do to Comply with the New Regulations?**

Following are a few issues employers should consider when complying with the new regulations.

First, the employer should establish a safe-harbor policy. A safe-harbor policy can minimize liability in the event that wages are improperly deducted from an exempt employee's salary. The employer should provide this policy to all exempt employees within the department.

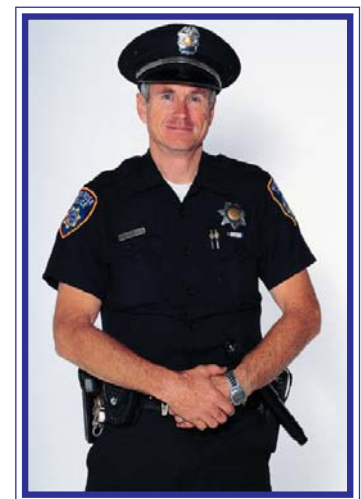
Next, employers should analyze whether the new exemptions affect any of their current exempt and nonexempt employees. Employers should conduct an audit and determine whether the officer's job duties meet the new exemption requirements. The employer must analyze the actual job duties performed by the officer, and the employer should also review the officer's job description and workplace policies. The employer should also document the reasons for making an officer exempt or for changing the officer to nonexempt status.

After conducting the audit, if the employer determines that an exempt officer should be considered nonexempt under the new regulations, then the employer should provide notice to the officer and the payroll department stating that the officer is considered nonexempt under the new wage and hour guidelines.

Additionally, the employer should consider changing the work period of the officer to minimize potential overtime liability. Section 553.210 of the regulations allows employers to redefine a police or fire department employee's work period. A longer work period minimizes potential overtime implications and will allow greater scheduling flexibility. Consider expanding the nonexempt officer's work period from a typical seven-day work period to up to a twenty-eight-day work period.

Finally, the employer should make certain that any changes do not violate state and local laws and contractual agreements. The employer should consult its employment attorney if they need assistance determining whether any broader protections apply to its employees.

von Briesen & Roper, s.c. has several attorneys specializing in employment and labor-related issues. A significant portion of our work is compliance and prevention—making sure employers have the training programs, policies, and contracts in place before problems arise. If you would like our assistance to help you comply with the new regulations, then please call Kyle J. Gulya at (800) 622-0607.



## Legal Update

Atty. Jon E. Anderson / LaFollete, Godfrey & Kahn / 1 East Main St / P.O. Box 2719 / Madison, WI 53703 / 608-257-3911

Attorney John Anderson of Godfrey & Kahn has provided WPELRA with a summary of several significant judicial decisions. Outlined below are summaries of decisions that may impact the labor relations and human resource functions in our organizations.

### **Importance of adopting and implementing anti-harassment policy.**

*Robinson v. Sappington*, 351 F.3d 317 (7<sup>th</sup> Cir. 2003). Simply putting a harassment policy in a handbook does not meet the requirements for the *Faragher/Ellerth* affirmative defense. As a warning to employers, the Seventh Circuit indicated that a "jury certainly could conclude that the meager action of adopting, but not promulgating, a sexual harassment policy failed to inform employees of their right to be free from such behavior as well as of the steps the employees could take to remedy any offending behavior." The minimal fact that an employee understood where to take general workplace complaints "does not absolve her employer of the responsibility to take reasonable steps to protect her from sexual harassment." As always, harassment training and continually informing employees about harassment policies and procedures is an absolute necessity.

### **Modification of job duties as an accommodation.**

*Parker v. Dane County*, ERD Case No. CR 199902779 (Labor and Industry Review Commission, November 13, 2003). Ms. Parker has severe and profound hearing loss. She worked for many years in the County Clerk's Office, primarily collecting and distributing hunting and fishing licenses to dealers. Over the years, the County had provided various accommodations for Parker's disability, although her telephone duties were generally



handled by other employees. In 1999, the County notified Parker that her duties were ending, and it provided her with a list of other County positions into which she could "bump." Parker selected a number of positions, but all of them, including her first choice as the marriage license clerk, required significant telephone duties. The County contemplated a number of accommodations, including the use of a voice carryover system, but ultimately concluded that they would not work for Parker. The County, therefore, denied Parker the opportunity to "bump" into the marriage license clerk position or related positions on her bumping list.

Parker alleged that this denial was a violation of the WFEA. The Labor and Industry Review Commission (LIRC) agreed and held that a modification of the job responsibilities of a position could be a reasonable accommodation. Specifically, LIRC ruled that "removing the phone duties" of the marriage license clerk position would be a reasonable accommodation for Parker. Moreover, LIRC rejected the County's argument, which included statistical evidence, that the elimination of the phone duties and their redistribution among other employees would be an undue hardship. Additionally, the County argued that the redistribution of these phone duties would cause morale problems among the other employees. LIRC, however, rejected this evidence because it was presented by the personnel director and risk manager, not the actual co-workers. Whether the presence of such co-worker testimony would have changed the result is a matter for debate.

**"Keeping them barefoot and pregnant" comment enough to go to jury on issue of sex discrimination."**

*Vovlovesek v. Wisconsin Dep't of Agriculture*, 344 F.3d 680 (7<sup>th</sup> Cir. 2003). Employee brought sex discrimination claim, alleging that she was denied promotions, while 11 of her males co-workers advanced. Shortly after one meeting in which she was denied a promotion, the plaintiff alleged that she heard her supervisor comment about "keeping them barefoot and pregnant." In general, such stray comments usually are not actionable but this comment was different because it occurred "so close in time and in substance" to the alleged discriminatory act. According to the court, such evidence "goes directly to the heart of her claim" of failure to promote because she was a woman. As such a jury should decide whether this comment was actually made and/or whether the plaintiff was discriminated against. This case is an important reminder that, depending on the situation, a supervisor's isolated stray remark can have significant legal consequences – like facing a jury and trying (somehow) to justify or disprove such an asinine remark.

### **Shifting explanations for termination can be evidence of age discrimination.**

*Appelbaum v. Milwaukee Metro. Sewerage Dist.*, 340 F.3d 573 (7<sup>th</sup> Cir. 2003). When making a decision regarding discipline or termination, employers must carefully determine and specifically document the legitimate reason for the employment action. An employer's deviation from that specified reason can raise questions about the "real" reason for the decision—exposing the employer to liability for discrimination.

Ms. Appelbaum worked as a secretary in the District's human resource department until her termination, when she was 60 years old. At the time of her termination, her supervisor gave her two reasons for the decision: (1) poor work performance; and (2) disclosure of

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confidential employee information to others. The supervisor continued to adhere to these two reasons throughout Appelbaum's pursuit of an internal grievance. When the termination decision was upheld, Appelbaum filed suite, alleging age discrimination under the ADEA.

Surprisingly, Appelbaum's supervisor testified at trial that although he initially told her she was being terminated for poor performance and a confidentiality breach, her work performance actually played "zero role," in her termination. Based on this shifting explanation, the Seventh Circuit upheld the jury's verdict finding discrimination. "One can reasonably infer pretext from an employer's shifting and inconsistent explanations for the challenged employment decision." The important lesson from this case: make sure the documented reasons for discipline are the actual (and supportable) reasons for the decision.

**Police chiefs and police and fire commissions can promote police officers on a probationary basis, provided its reasonable in duration.**

*Kraus v. City of Waukesha Police and Fire Com'n.*, 2003 WI 51, 662 N.W.2d 294. Under Wis. Stat. § 62.13, the Wisconsin Supreme Court ruled that police chiefs and police and fire commissions (PFCs) can promote subordinates in the department on a probationary basis, as long as the probationary period is reasonable in duration. Furthermore, if the chief determines during the probationary period that there is a nondisciplinary reason for why the officer cannot serve at the higher rank, the chief and PFC simply can return the officer to his/her lower rank *without* holding a hearing. During a probationary period, the officer does not have any constitutional protected property right to the higher rank which would require some type of hearing.



## HR Assistant Training Update

The critical support for the day-to-day operations of our Human Resources Offices are provided by many individuals, included are employees classified as Human Resource Assistants, Human Resource Secretary, or Personnel Clerk. No matter what the job title, the roles and the responsibilities that they play are key to the efficient operation of the Human Resource function. It is critical that the staff has basic understandings of the key elements within the Human Resource offices and the important of the role that they play within this system. The WPELRA Human Resource Assistant Certification Program was to develop to meet a training need in this area. The employment process, employment wage and salary administration, employment discrimination, job descriptions, worker's compensation, and work place safety are just a few of the topics that have been addressed in the recent HR assistant training modules.

The HR Assistance Certification Program consists of three modules; each module is a freestanding program. Staff can participate or enter into the certification program at any time. Participants are issued a certificate upon successful completion of each module.

Modules I, II, and III have recently been provided in Stevens Point and Waukesha. Each of the modules have been designed to be highly interactive and conducted in a small group environment. Enrollment is limited to approximately 20 individuals per session. Each module has a registration fee of \$75.00. Included with the fee is a detailed and comprehensive program book and resource guide as well as all breaks and lunch.



## Successful Fall Membership Training

WPELRA held its annual Fall Training Program on September 1<sup>st</sup> in Stevens Point. The program, entitled "**The Rules Have Changed: Are You Ready?**" focused on recent changes to the overtime exemption rules of the Fair Labor Standards Act. The presenters were Attorneys Jim Macy and Tony Renning of the Davis & Kuelthau law firm; Jim and Tony did an excellent job of explaining the intricacies of the new federal FLSA law and how it interacts with Wisconsin's overtime exemption requirements. There were over 60 attendees who also received some very useful tools for conducting workplace FLSA assessments as well as an opportunity to have their tough FLSA questions answered by Jim and Tony.

The program was well attended and made for a very productive day. Even the food was good! Many thanks to WPELRA members John Fitzpatrick, Jim Jetzke, Sandy Neisen, Rob Sunstrom and Mandy Welch for their efforts in putting this event together.

Any ideas and thoughts for future WPELRA member training are welcome and should be shared with Rob Sunstrom, WPELRA Membership Training Committee Chair.



## NPELRA Corner

Don't forget to check to the NPELRA website at [www.npelra.org](http://www.npelra.org) to see what is happening at the national organization. Recently WPELRA sponsored a successful audio training conference on the new Fair Labor Standards Act regulations. A number of WPELRA members participated in this event.

It is not too soon to start thinking about the NPELRA Annual Conference, which will be held on April 10 – 15, 2005 in Fort Lauderdale, Florida. More detailed information is available at the website and in the newsletter.

The NPELRA Academy Certification Program provides members with high-level training in the area of labor relations. These Academies are held around the United States throughout the year and have been frequently held in the Midwest.

### **Academy I The Foundation of Labor Relations**

Topics covered include The Deputy to Bargain, Good Faith Defined, The Scope of Bargaining, Special Clauses, Tools of the Trade, Preparing and Organizing for Bargaining, Contract Enforcement and Administration, and Overview of Comparative Negotiating Processes.

### **Academy II The Arbitration Process**

Topics covered include Grievance Processing, Investigation, Case Preparation, Evidentiary Standards and Objections, Advocacy Techniques, The Arbitrator's Perspective, Standards of Just Cause, and Introduction to Interest Arbitration.

### **Academy III The Negotiation Process**

Topics covered include Negotiation Simulation (an interactive team exercise using materials and resources provided in advance), Profile of a Successful Negotiator, The Wisdom of Experience – Scenarios and Most Common Mistakes, Union and Management Perspectives, and Impasse Strategies.

Consider attending one of the future academies. Academy II will be held on December 9, 2004 in Lansing, Michigan, Academy's I and III will be held on February 3<sup>rd</sup> and 4<sup>th</sup> in Minneapolis, Minnesota. Every year an Academy is also held in conjunction with the annual conference; this year Academy II will be presented on April 10<sup>th</sup> in Fort Lauderdale, Florida.

## **Absence Management: Do You Know Where Your Employees Are?**

*By Bruce Peterson, Marsh USA, Inc.*

Are your employee absences excessive and hurting your bottom line? Unscheduled absences can carry a big price tag. According to Marsh/Mercer's 2003 Survey of Time-off and Disability Programs, respondent's absence costs ranged from 6 to 13% of payroll. Unscheduled absence costs include many elements such as direct costs (disability, worker's comp, sick-leave, and salary continuance), indirect costs (labor replacement, turnover, and productivity issues such as lost revenue and unused overhead), and administrative costs

When focusing on maintaining a competitive edge and effectively managing your company's most valuable asset – its employees – you should be asking the following questions:

- How does my ability to manage direct costs compare to my peers?
- What are the key causes of absenteeism in my organization?
- Do I have an effective and efficient transitional duty and/or return-to-work program?
- Have I created a work environment that encourages employee productivity?
- How do I track my occupational and non-occupational absences? Should I be linking these two systems?

An effective absence management program can save an organization over 1% of payroll, 11% in total costs, and add over 5% to net earnings if properly developed. Evidence also suggests that effective disability management can also impact health benefit costs with up to a 40% decrease in disabled employee's medical costs over a 3-year period of time.

Quantify your costs, identify areas for improvement, and determine return-on-investment for cost-saving strategies and programs. This will help you on your way to developing the proper absence management strategy for your company.

*Bruce Peterson is a Business Development Executive in Benefit Services, for Marsh, USA, Inc. in Milwaukee. Marsh Benefit Services provides benefit consulting services to public and private entities throughout Wisconsin and the world.*

## Department of Employee Trust Funds Tries to Stop Health Insurance Opt-Out Arrangements

By Matthew J. Flanary / 111 E. Kilbourn Avenue, Suite 1400 / Milwaukee, WI 53202

Many municipal employers have a practice of providing cash incentives to employees who "opt-out" or turn down the employer's regular health insurance. These programs take a number of different forms, but are generally the result of the fact that many municipal employees pay very little or nothing to receive employer provided health insurance coverage. As a result, employees have no reason to turn down the employer-provided health insurance coverage even if they have other health insurance available to them (for example, from a spouse or a parent).

Without an opt-out arrangement, many municipal employers would pay significant premiums (over \$2,000 per month, in some cases) for employees who do not need or want coverage. As long as the employee has no obligation to pay for any of the cost, he or she has no incentive to turn down the health insurance benefits. For the foregoing reasons, many municipalities have adopted policies or negotiated collective bargaining provisions that provide those employees with a cash incentive to turn down the coverage.

As an example, many municipalities will pay employees a fixed dollar amount of several hundred dollars per month (or even as much as the single employee health insurance premium) if the individual decides not to take the employer-provided health benefits. Municipalities have adopted or negotiated these arrangements because they have determined that there is a financial benefit in not paying the full family premium for all of these individuals.

We have historically advised employers that they should generally operate an arrangement to pay cash benefits in lieu of health insurance coverage as part of the cafeteria or Section 125 plan. This,

however, is merely a mechanism for insuring that a majority of municipal employees who do receive health benefits continue to do so, on a pre-tax basis.

Over the last few weeks, the Department of Employee Trust Funds (ETF) has decided that it will no longer allow employers who participate in the state plan to offer opt-out arrangements to their employees. In defending its decision, ETF has focused primarily upon the possibility that the cash incentive may induce people who are less likely to use insurance to opt-out of the program. This phenomenon is commonly referred to as "adverse selection." Undoubtedly, there is some legitimacy to this argument and that is the reason why many employers and employee groups favor these arrangements. Private sector employers and insurers have had to deal with this fact for years, because private sector employees almost always pay a large portion of their own health insurance costs. As a natural result, private sector employees who have other health insurance coverage available or who have made a decision that they do not need that insurance, routinely forego employer-provided insurance as a result of those costs. Nonetheless, private sector insurers and employers do not experience any of the catastrophic problems that, according to ETF, are the result of such policies.

In order to implement its recent decision, ETF has decided to add a specific provision to its 2005 contracts which prohibit employers from providing financial incentives to employees in lieu of coverage under the state program. Understanding that this change could present serious problems for employers that have bargained for these benefits, one ETF representative has stated that:

"We understand that in the short-run, employers may have difficulty implementing such a change quickly. Be assured, it is not our intent to penalize a municipality having such a provision in its collective bargaining or personnel rules as long as it makes a good faith effort to remove it as soon as is practicable."

Despite these assurances from individual ETF representatives, the proposed contract language that we have received from ETF does not include any exceptions for non-bargained employees. Further, even with respect to collectively bargained employees, there is no simple "good faith" exception. Instead, the specific language of the contract would allow collectively bargained groups to maintain an opt-out benefit provided that there is no "adverse impact" on the state plan. As such, ETF would have the right to enforce its no opt-out requirement even though it could cause sufficient hardship to an individual employer.

Employers that offer cash payments in lieu of health benefits do so for a number of legitimate business reasons. Many municipal employers will find that it is to their advantage to continue to offer these benefits. Unfortunately, this recent decision by ETF may force some employers to consider other insurance arrangements or to adopt different personnel policies and/or collective bargaining provisions. In doing so, those employers must be careful to consider the financial impact of any proposed change, the legal concerns as a result of the recent decision by ETF and tax consequences to the employer and the employees. We regularly work with municipalities throughout the state with respect to such matters.

For additional information, please contact Matthew J. Flanary at 414-225-1489 or [mflanary@dkattorneys.com](mailto:mflanary@dkattorneys.com).

**WPELRA Partnership Program**  
**Together, we can make a difference**

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